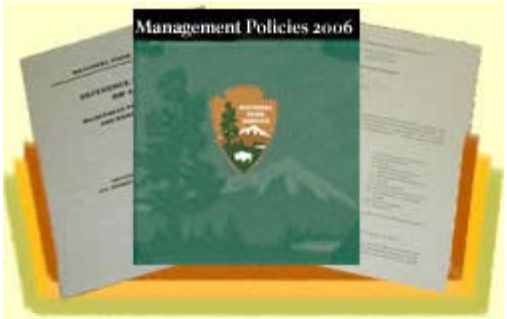
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Policy Development	**Regulations**
Management Policies PDF HTML	**Director's Orders & Related Documents**
Laws	**National Leadership Council**
Executive Orders	**Advisory/Operating Committees**



Management Policies 2006

Other regulations may be obtained through the "GPO Access" web site.

Policy Related Regulations

1936 Park Regulations (1 Fed. Reg. 672-78)
36 CFR Part 1 -- General Provisions
36 CFR Part 11 -- Arrowhead Symbol
36 CFR Part 12 -- National Cemetery Regulations
36 CFR Part 13 -- Special Regulations for Alaska Parks
36 CFR Part 18 -- Leasing of Properties in Park Areas
36 CFR Part 2 -- Resource Protection, Public Use and Recreation
36 CFR Part 3 -- Boating and Water Use Activities
36 CFR Part 4 -- Vehicles and Traffic Safety
36 CFR Part 5 -- Commercial and Private Operations
36 CFR Part 51 -- Concession Contracts
36 CFR Part 59 -- State-side Land and Water Conservation Fund Regulations
36 CFR Part 60 -- National Register of Historic Places
36 CFR Part 62 -- National Natural Landmarks Program
36 CFR Part 65 -- National Historic Landmarks
36 CFR Part 67 -- Federal Historic Preservation Tax Incentives Program Regulations
36 CFR Part 7 -- Special Regulations for Areas of the National Park System
36 CFR Part 79 -- Curation of Archaeological Collections
36 CFR Part 800 -- Advisory Council's Section 106 Procedures
36 CFR Part 9 -- Minerals Management
36 CFR Parts 1-7 -- 1982 Notice of Proposed Rule-making
36 CFR Parts 1-7 -- 1983 background on rulemaking (preamble)
40 CFR Parts 1500 - 1508: NEPA Regulations
41 CFR Part 102-3 -- Federal Advisory Committee Act
43 CFR Part 10 -- Native American Graves Protection and Repatriation
43 CFR Part 7 -- Archaeological Resources Protection
50 CFR Part 17 -- Endangered and Threatened Wildlife and Plants
Firearms regulations from 1897-1936
Interim regulation on demonstrations and distribution of printed materials
Interim revised 36 CFR 2.32--Interfering with agency functions
Interim revised 36 CFR 2.51--Public assemblies, meetings
Interim revised 36 CFR 2.52--Sale or distribution of printed matter
Search proposed and final regulations on regulations.gov
U.S. District Court Opinion Enjoining Implementation of 36 CFR 2.4(h)

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Director's Orders and Related Documents

The National Park Service has several sources of detailed written guidance to help managers make day-to-day decisions. The primary source of guidance is the 2006 edition of *Management Policies*, which is also the foremost element of the Service's directives system. Other elements include Director's Orders, Handbooks and Reference Manuals. (See Policy Development for information on how these documents relate to one another.) The listing below shows the status of Director's Orders, Handbooks and Reference Manuals. It also shows related memoranda, directives and guidelines that remain in effect until superseded.

Guidance Document	Title	Status
Director's Order 1	Directives System	Reissued 11/14/08
	Things to Know About NPS Policy	Available
Director's Order 2	Park Planning (not available--superseded by ch 2 of Management Policies)	Not available
	Chapter 2 of Management Policies	Available
	General Management Planning Dynamic Sourcebook	Available
	Program Standards for Park Planning	Available (restricted access)
	Sourcebook Appendixes A-M	Available
	Tools for Park Planning (GMP Sourcebook)	Available
Director's Order 2-1	Resource Stewardship Planning	60-day review closed 5/18/04
Director's Order 3	Delegations of Authority	Being developed.
Director's Order 4	Diving Management	Reissued 5/4/03.
	Department of the Interior policy on diving safety	Available
	Reference Manual 4 (Diving Management	Available
Director's Order 5	Paper and Electronic Communications	Approved 7/10/00

	DOI Policy on Limited Personal Use of Government Office Equipment	Available
	Washington Office Correspondence Manual	Available
Director's Order 6	Interpretation and Education	Approved 1/19/2005
Director's Order 7	Volunteers in Parks	Approved 6/13/2005
	DRAFT Reference Manual 7	Available (restricted access)
Director's Order 8	Budget and Programming	Being developed.
Director's Order 9	Law Enforcement Program	Re-issued 3/23/06
	Reference Manual 9: Law Enforcement	Available -- Public/Unrestricted Access
	Reference Manual 9: Law Enforcement	Available -- Internal/Restricted Access
Director's Order 10A	Design and Construction Drawings	Approved 4/15/03
	Reference Manual 10A	Being developed
Director's Order 10B	Drawing and Map Numbers	Approved 4/8/10
	Reference Manual 10B	Available
Director's Order 11A	Information and Technology Management	Approved 4/4/5
Director's Order 11B	Ensuring Quality of Information Disseminated by the NPS	Approved 10/16/02
	Director's memo on interim policy for peer review, information quality, and code of conduct	Available
	Interim guidance document on peer review, information quality, and code of conduct	Available
	Proposed update to Director's Order #11B	Review period closed 11/15/08
Director's Order 11C	Web Publishing PDF	30-day review closed 6-19-6
Director's Order 11D	Records and Electronic Information Management	Approved 1/06/12
	REIM Guide	Available (restricted access)

	Service-wide Records Schedule (SRS)	Available (restricted access)
Director's Order 12	Environmental Impact Analysis	Approved 10/5/11
	Cover memo re interim guidance on cat exclusions (5-22-09)	IMPORTANT UPDATE TO CAT EXCL GUIDANCE
	DO-12 Field Guide	Available (restricted access)
	Guidance on NEPA compliance for Recovery Act activities	Available
	Handbook for Environmental Impact Analysis	Available
	Interim guidance on categorical exclusions (5-21-09)	IMPORTANT UPDATE TO CAT EXCL GUIDANCE
	NEPA's 40 Most Asked Questions	Available
	Updated Environmental Screening Form	Available
Director's Order 13A	Director's Order #13A: Environmental Management Systems	Available
	Environmental Management Systems intranet website (NPS access only)	Available
	Executive Order 13514 (Federal Leadership in Environmental Performance)	Available
	Implementing Instructions for E.O. 13423	Available
	NPS Environmental Purchasing Handbook	Available (restricted access)
	Reference Manual 13A	Available
Director's Order 13B	Solid and Hazardous Waste Management	Being developed
	Hazardous Waste Operations and Emergency Response -- 24 Hour Training Manual	Available
Director's Order 14	Resource Damage Assessment and Restoration (pdf file)	Approved 9/28/04
	Damage Assessment	

	and Restoration Handbook	Available
	Executive Summary of CERCLA Regulations	Available
Director's Order 15	Wireless Telecommunications	Approved 11/8/99
Director's Order 16A	Reasonable Accommodation for Applicants and Employees with Disabilities	Approved 5/4/99
Director's Order 16B	Diversity in the National Park Service	Approved 3/29/2012
	Guidance on Eliminating Barriers to Diversity	Available
Director's Order 16C	Discrimination Complaints Process	Being developed
Director's Order 16D	Equal Employment Opportunity and Zero Tolerance for Discrimination	Renewed 12/28/11
	Equal Employment Opportunity Commission regulation	Available
Director's Order 16E	Sexual Harassment Policy	Renewed 12/28/11
Director's Order 16F	NPS Anti-Harassment Policy	Approved 12/28/11
Director's Order 17	Tourism	Approved 9/28/99
Director's Order 18	Wildland Fire Management	Approved 1/16/08
	Interagency Burned Area Emergency Response Guidebook	Available
	National Fire and Aviation Web Site	
	PDF version of Director's Order #18 PDF	Available
	Reference Manual 18: Wildland Fire	Available
Director's Order 19	Records Management	Superseded by Director's Order #11D
Director's Order 20	Agreements	Renewed 7/23/03
	Agreements Handbook	Available
	DOI Policy (505 DM 2)	Available
Director's Order 21	Donations and Fundraising	Reissued 7/11/08
	Reference Guide	Available

Director's Order 22	Recreation Fees	Approved 5/14/10
	Fee Collection Reference Manual (RM-22A)	Available (restricted access)
Director's Order 24	Museum Collections Management	Reissued 9/03/08
	Museum Handbook	Available
	Museum Management Program website	
Director's Order 25	Land Protection	Approved 1/19/01
	Pre-acquisition Site Assessment Manual	Available
	Reference Manual 25	Available
Director's Order 26	Youth Programs	Approved 11/08/02
Director's Order 27	Challenge Cost-share Program	Being developed.
Director's Order 28	Cultural Resources Management	Sunset 6/11/02. (Now being updated.)
	36 CFR Part 68: Secretary of the Interior's Standards for the Treatment of Historic Properties	Available
	NPS-28 Cultural Resource Management Guideline	Available
Director's Order 28A	Archeology	Approved 10/12/04
	NPS Archeology Website	Available
Director's Order 28B	Ethnography	Being developed
	Park Ethnography Division homepage	Available (restricted access)
	Reference Manual 28B	Being developed
Director's Order 28C	Oral History	60-day review closed 5/10/4
	DRAFT Handbook for Oral History in the NPS	Available for review
Director's Order 29	(unassigned)	
Director's Order 30	(unassigned)	
Director's Order 31A	Travel Procedures	Being developed.
	International Travel Procedures	Available
Director's Order 31B	Relocation Policies	Approved 1/31/11
	Permanent Change of Station Employee Handbook	Available
	Permanent Change of Station Resource	Available

	Manual	
	Travel Driving Policy PDF	Available
Director's Order 32	Cooperating Associations	Renewed 6/07/10
	Reference Manual 32	Available (being revised)
Director's Order 33	Learning and Development	Approved 11/14/08
Director's Order 34	(unassigned)	
Director's Order 35A	Sale of Resources or Services to Support Activities Outside of Parks	Renewed 7/8/04
Director's Order 35B	Sale of NPS Produced Utilities	Approved 12/31/11
	Reference Manual 35B	Available
	Sharepoint site with additional guidance for parks	Available (password required)
Director's Order 36	NPS Housing Management	Approved 8/5/09
	NPS Housing Program Business Practices	Available (restricted access)
	Policy Memorandum 11-01, regarding minor employees in park housing	Available
	Reference Manual 36 -- Housing Management (internal document)	Available
Director's Order 37	(unassigned)	
Director's Order 38	Real Property Leasing (577 kb pdf file)	Approved 1/19/06
	Leasing reference manual for 36 CFR Part 18	Available (restricted access)
	Memorandum on leasing vs. contracting	Approved 5/29/07
Director's Order 39	Ocean and Coastal Resource Management	Being developed.
	RM 39-1--Ocean and Coastal Jurisdiction Reference Manual	Available (restricted access)
	RM 39-2--Beach Nourishment Guidance	Available (https://irma.nps.gov/App/Reference/Profile/2185115)
	RM 39-3--NPS Fishing Reference Manual	Being developed.
	Shoreline Length and	

	Water Area in Ocean, Coastal, and Great Lakes Parks	Available (https://irma.nps.gov/App/Reference/Profile/2180595)
Director's Order 40	Dam Safety and Security Program	Approved 5/25/10
Director's Order 41	Wilderness Stewardship	Being developed.
	Reference Manual 41	Available
Director's Order 42	Accessibility for Park Visitors	Approved 11/3/00.
	Interim policy on use of service animals by persons with disabilities	Available
Director's Order 43	Uniform Program	Approved 10/1/00
	Reference Manual 43	Available
Director's Order 44	Personal Property Management	Approved 2/08/08
	Personal Property Management Handbook	Available
	Property Management website	Available (restricted access)
Director's Order 45	National Trails System	30-day review closed 4/30/10
Director's Order 46	Wild and Scenic Rivers	Being developed.
	National Center for Recreation and Conservation (NPS access only)	
Director's Order 47	Sound Preservation and Noise Management	Approved 12/1/00
Director's Order 48A	Concession Management	60-day review closed 1/5/04
	Chapter 10 of Management Policies	Available
	Memorandum on leasing vs. contracting	Approved 5/29/07
Director's Order 48B	Commercial Use Authorizations	Being developed
Director's Order 49	(unassigned)	
Director's Order 50A	Workers Compensation Case Management	Approved 3/30/98
Director's Order 50B	Occupational Safety and Health Program	Reissued 9/3/08
	Reference Manual 50B--Occupational	Available

	Safety and Health Program	
	Risk Management Program Website	Available (restricted access)
Director's Order 50C	Public Risk Management Program	Approved 5/7/10
	Reference Manual 50C	Available (restricted access)
Director's Order 50D	Smoking Policy	Renewed 6/29/09
Director's Order 51	Emergency Medical Services	Approved 9/19/05
	Reference Manual 51	Available (restricted access)
Director's Order 52A	Communicating the National Park Service Mission	Approved 1/31/01
	Graphic Identity Program Overview	Available (restricted access)
Director's Order 52B	Graphic Design Standards	60-day review closes 6/1/12
	Graphic Identity Framework for Partnerships	Available for internal testing
Director's Order 52C	Park Signs	Approved 9/29/03
	Park Signs	Review of revised draft closed 6/14/10
	Uniguide Sign Program	Available
	UniGuide Sign Standards	Available (restricted access)
Director's Order 52D	Use of the Arrowhead Symbol	45-day review closes 5/24/12
Director's Order 53	Special Park Uses	Re-issued 2/23/2010
	Filming Permit -- Long Form	Available (restricted access)
	Filming Permit -- Short Form	Available (restricted access)
	Reference Manual #53	Available
	Special Use Permit -- General Application	Available (restricted access)
Director's Order 54	Management Accountability	30-day review closed 5/23/03
	Department of the Interior Management Accountability Guidance	Available
Director's Order 55	Incident Management Program	Approved 1/2/08
	Draft Reference Manual 55: Incident Management System	Comment period closed 11/30/07

Director's Order 55*	Interpreting the NPS Organic Act	Obsolete--superseded by guidance in section 1.4 of Management Policies
Director's Order 56	International Activities International Activities International Activities	Approved 4/2/11
	International Travel Procedures	Available
Director's Order 57	Occupational MedicalStandards, Health and Fitness	Approved 3/1/99
	Medical Standards (Word 8.0)	Available
	Reference Manual, Part 1 (Word 8.0)	Available
	Reference Manual, Part 2 (Word 8.0)	Available
Director's Order 58	Structural Fire Management	Renewed 4/22/10
	Other Structural Fire Related Policies and Documents	Available
	Reference Manual 58	Available
Director's Order 59	Search and Rescue	Being developed
	Search and Rescue Reference Manual-59	Available (restricted access)
Director's Order 60	Aviation Management	Approved 7/3/2012
	Parts 350 to 353 Departmental Manual Provisions re: Aviation	Available
	RM-60 Aviation Reference Manual	Available
Director's Order 61	National Cemetery Operations	Approved 7/29/10
	Reference Manual 61--National Cemetery Operations	Available
Director's Order 62	Property Acquisition	Being developed
	Acquisition Management Web Site	Available (restricted access)
Director's Order 63	Geographic Names	60-day review closed 4/06/09
	Principles, Policies, and Procedures	Available
Director's Order 64	Commemorative Works and Plaques	Being developed
Director's Order 65	Explosives Use and Blasting Safety	Approved 5/25/99
	Explosives and Blasting Handbook	Available

Director's Order 66	FOIA and Protected Resource Information (draft for internal NPS use only--public draft will follow)	60-day review closed 2/11/05
	Reference Manual 66A: FOIA Processing (draft for internal NPS use only--public draft will follow)	Review and comment period closed 2/11/05
	Reference Manual 66B: Handling Protected Information (draft for internal NPS use only--public draft will follow)	Review and comment period closed 2/11/05
Director's Order 67	Copyright and Trademarks	Being developed
Director's Order 68	Notification Protocol for Conduct of Employee Investigations	Approved 1/5/98
Director's Order 69	Serving on Boards of Directors	Being developed
Director's Order 70	Internet and Intranet Publishing	Approved 1/8/01
	Internet and Intranet Publications Manual	Available
	Memorandum on Appropriate Use of the Internet	Available
	Policy Memorandum 11-02, Social Media--Interim Policy	Available
Director's Order 71A	Relationship with American Indian Tribes	(See section 1.11 of Management Policies 2006)
	DOI Policy (512 DM 2)	Available
Director's Order 71B	Indian Sacred Sites	Being developed
	DOI Policy (512 DM 3)	Available
	Executive Order No. 13007 (Indian Sacred Sites)	Available
Director's Order 72	Receiving or Generating Individual Indian Trust Data	Reissued 10/29/04
Director's Order 73	(unassigned)	
Director's Order 74	Studies and Collecting	Being developed
Director's Order 75A	Civic Engagement and Public Involvement (htm file)	Renewed 8/30/07

	Civic Engagement and Public Involvement (pdf file)	Renewed 8/30/07
Director's Order 75B	Media Relations	Being developed
	NPS Guide to Public Affairs	Available (internal NPS document)
Director's Order 76	Legislative and Congressional Affairs	Approved 3/11/05
	Reference Manual 76, Part A -- Legislatve Support Data Package Guidance	Available
Director's Order 77	Natural Resource Protection	Being developed.
	NPS-75, Natural Resources Inventory and Monitoring (pdf)	Available
	Reference Manual 77: Natural Resource Management	Available
Director's Order 77-1	Wetland Protection	Re-issued 10/30/2002
	Wetland Protection Procedural Manual	Available
Director's Order 77-10	NPS Benefits Sharing	30-day Public Comment Period Open 12/21/12-01/22/2013
Director's Order 77-2	Floodplain Management	Approved 9/8/03
	Procedural Manual 77-2: Floodplain Management	Available
Director's Order 77-3	Domestic and Feral Livestock Management	Being developed
Director's Order 77-4	Use of Pharmaceuticals for Wildlife	14-day review closed 7/21/02.
Director's Order 77-5	Bioengineered Organisms	Being developed
Director's Order 77-6	Cooperative Research and Development Agreements	Being developed
Director's Order 77-7	Integrated Pest Management	Being developed
	Integrated Pest Management Manual	Available
Director's Order 77-8	Endangered Species	Being developed
Director's Order 77-9	In-park Borrow Material	Being developed
	Special Directive on Borrow Materials	Available (restricted access)

Director's Order 78	Social Science	Approved 10/7/02
Director's Order 79	Integrity of Scientific and Scholarly Activities	Approved 9/19/12
	305 DM 3	Available
Director's Order 80	Real Property Asset Management	Approved 11/20/06
	Facility Management Web Site	Available (restricted access)
Director's Order 81	(Reserved)	
Director's Order 82	Public Use Data Collecting and Reporting	60-day review closed 2/16/04.
Director's Order 83	Public Health	Reissued 10/21/4
	RM83A1--Drinking Water Standards	Available
	RM83A2--Drinking Water Cross-connection Control	Available
	RM83A3--Water System Security Vulnerability Assessment	Available
	RM83B1--Wastewater Systems	Available
	RM83B2--In-depth Design and Maintenenance of Vault Toilets	Available
	RM83B3--Cleaning Recreation Sites	Available
	RM83B4--Raw Sewage Spill Response Guidelines	Available
	RM83C1--Food Safety FDA Food Code	Available
	RM83C2--Temporary Event Food Safety Guidelines	Available
	RM83D1--Bathing Beaches	Available
	RM83D2--Standard for Public Swimming Pools	Available
	RM83D3--Standard for Public Spas	Available
	RM83F--Backcountry Operations	Available
	RM83G1--Disease Reporting	Available

	RM83G2--Procedures for Investigating Foodborne Disease Outbreaks	Available
	RM83G3--Procedures for Investigating Waterborne and Recreational Water Disease Outbreaks	Available
Director's Order 84	Library Management	Being developed
Director's Order 85	Garnishments and Levies	Being developed
Director's Order 86	(unassigned)	
Director's Order 87A	Park Roads and Parkways	Being developed
	NPS Transportation Planning Guidebook	Available
	Park Road Standards (1984)	Available
Director's Order 87B	Alternative Transportation Systems	Being developed
	Alternative Transportation Eligibility Guidelines	Available (internal NPS document)
	Alternative Transportation Web Site	Available (internal NPS site)
Director's Order 87C	(unassigned)	
Director's Order 87D	Non-NPS Roads	Approved 12/14/00
Director's Order 88	Documents Needed for Litigation PDF	14-day review closed 7/21/03
	Overview of Administrative Records	Standardized guidance
Director's Order 89	Acquisition and Management of Leased Space	Approved 3/5/03.
Director's Order 90	Value Analysis	Approved 10/2/02
	DOI Policy (369 DM 1)	Available
	OMB Circular No. A-131	
	Value Analysis Program Website	Available (restricted access)
	Value Engineering Guideline	Available (restricted access)
Director's Order 91	Advisory Committees	Being developed.
	NPS Guide to the Federal Advisory Committee Act	Available

Director's Order 92	Servicewide Workforce Management	Approved 3/30/10
	Department of the Interior Personnel Policy	
	NPS Human Resources Home Page	
Director's Order 93	Conflict Resolution	Approved 7/3/01.
	DOI Office of Collaborative Action and Dispute Resolution	Available
	DOI Policy (370 DM 770)	Available
	Finding Neutrals	
Director's Order 94	Appeals and Hearings	Being developed

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Other information on laws relating to the National Park Service may be obtained through the Legislative and Congressional Affairs web site.

Policy Related Laws

Abandoned Shipwreck Act of 1987
Acquired Lands Mineral Leasing Act (popularly known as)
Administrative Procedure Act (APA)
Alaska National Interest Lands Conservation Act (ANILCA)
American Indian Religious Freedom Act (AIRFA)
Americans with Disabilities Act of 1990 (ADA)
Animal Welfare Act
Annotated summary of laws most important to the NPS
Anti-Deficiency Act
Antiquities Act of 1906
Archaeological Resources Protection Act of 1979 (ARPA)
Architectural Barriers Act of 1968
Clean Air Act (CAA)
Coastal Zone Management Act of 1972
Commemorative Works Act
Comp. Env. Response, Compensation and Liability Act of 1980 (CERCLA)
Consolidated Natural Resources Act of 2008 (pertaining to the NPS)
Credit CARD Act of 2009 (Pub. L. 111-24; 123 Stat. 1764)
Endangered Species Act of 1973
Energy Policy Act of 1992
Equal Employment Opportunity Act of 1972
Federal Advisory Committee Act (FACA)
Federal Cave Resources Protection Act of 1988 (FCRPA)
Federal Insecticide, Fungicide and Rodenticide Act (FIFRA)
Federal Lands Recreation Enhancement Act (FLREA)
Federal Managers' Financial Integrity Act of 1982 (Section (d))
Federal Water Pollution Control Act (commonly known as the Clean Water Act)
Federal-Aid Highway Act of 1968 (Section 18(a)--Preservation of Parklands)
Freedom of Information Act (FOIA)
General Mining Act of 1872
Geothermal Steam Act of 1970
Government Performance and Results Act of 1993 (GPRA)
Hazardous Materials Transportation Act
Historic Sites, Buildings, and Antiquities Act (popularly known as) (1935)
Index to title 16 of the US Code (where NPS-specific laws are codified)
Land and Water Conservation Fund Act of 1965
Mineral Leasing Act

Mining in the Parks Act
Museum Act (popularly known as)
National Cemeteries Act of 1973
National Environmental Policy Act of 1969 (NEPA)
National Historic Preservation Act (NHPA)
National Park Service Concessions Management Improvement Act of 1998
National Park Service Organic Act (16 USC sections 1 through 4)
National Park System General Authorities Act
National Park System Resource Protection Act (commonly known as)
National Parks Air Tour Management Act of 2000 (title VIII of PL 106-181)
National Parks Omnibus Management Act of 1998
National Trails System Act
Native American Graves Protection and Repatriation Act (NAGPRA)
Negotiated Rulemaking Act
Noise Control Act of 1972
Occupational Safety and Health Act of 1970
Oil Pollution Act of 1990
Omnibus Consolidated Appropriations Act, 1997 (popularly known as)
Omnibus Public Land Management Act of 2009 (Pub. L. 111-11; 123 Stat. 991; H.R. 146)
Outdoor Recreation Act of 1963
Privacy Act of 1974
Rehabilitation Act of 1973
Reorganization Act of 1933 (which resulted in expansion of the national park system)
Rivers and Harbors Appropriation Act of 1899
Safe Drinking Water Act
Solid Waste Disposal Act (includes RCRA)
State and Local Laws--Applicability
Stevenson-Wydler Technology Innovation Act of 1980
Surface Mining Control and Reclamation Act of 1977
Telecommunications Act of 1996 (section 704(c) of PL 104-104)
The Robert T. Stafford Disaster Relief and Emergency Assistance Act
Toxic Substances Control Act
Volunteers in the Parks Act of 1969
Wild and Scenic Rivers Act
Wilderness Act

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Other Executive Orders may be obtained through the National Archives and Records Administration web site.

Policy Related Executive Orders

E.O. No. 11644 (Use of Off-road Vehicles on Public Lands)
E.O. No. 11988 (Floodplain Management)
E.O. No. 11990 (Protection of Wetlands)
E.O. No. 12630 (Governmental Actions and Constitutionally Protected Property Rights)
E.O. No. 12866 (Regulatory Planning and Review)
E.O. No. 12898 (Federal Actions to Address Environmental Justice)
E.O. No. 13006 (Locating Federal Facilities on Historic Properties)
E.O. No. 13007 (Indian Sacred Sites)
E.O. No. 13058 (Protecting Federal Employees and the Public from Tobacco Smoke)
E.O. No. 13089 (Coral Reef Protection)
E.O. No. 13101 [Revoked by E.O. No. 13423]
E.O. No. 13112 (Invasive Species)
E.O. No. 13123 [Revoked by E.O. No. 13423]
E.O. No. 13148 [Revoked by E.O. No. 13423]
E.O. No. 13149 [Revoked by E.O. No. 13423]
E.O. No. 13175 (Consultation and Coordination with Indian Tribal Govts)
E.O. No. 13195 (Trails for America in the 21st Century)
E.O. No. 13266 (Activities to Promote Personal Fitness)
E.O. No. 13287 (Preserve America)
E.O. No. 13327 (Federal Real Property Asset Management)
E.O. No. 13352 (Facilitation of Cooperative Conservation)
E.O. No. 13406 (Protecting the Property Rights of the American People)
E.O. No. 13422 [Revoked by E.O. No. 13497]
E.O. No. 13423 (Strengthening Federal Environmental, Energy, and Transportation Mgmt)
E.O. No. 13443 (Facilitation of Hunting Heritage and Wildlife Conservation)
E.O. No. 13497 (Revocation of Executive Orders Concerning Regulatory Review)
E.O. No. 13508 (Chesapeake Bay Protection and Restoration)
E.O. No. 13514 (Federal Leadership in Environmental, Energy and Economic Performance)
Memorandum on America's Great Outdoors
Memorandum on Ensuring Responsible Spending of Recovery Act Funds
Memorandum on Gov't-to-Gov't Relations with Native American Tribal Governments
Memorandum on Preserving Scientific Integrity in Government Decision-making

National Leadership Council

The National Leadership Council (NLC) was reorganized in July 2011 as a representative body of managers from the National Park Service that meets to achieve alignment, consultation, and coordination regarding the issues facing the Service. It is not a decision making body, but provides advice, input, and opportunity for debate and open analysis of issues. It consists of the Director, deputy directors, the Chief of Staff, all associate and assistant directors, all SES superintendents, the Albright and both Bevinetto Fellows, one superintendent from each grades 12-15, and one additional program lead from each associate directorate. The NLC meets twice yearly in Washington, DC. For more information, see www.nps.gov/policy/nlc/NLClist.pdf.

NLC Journal

The NLC Journal was a report issued periodically by the National Leadership Council to all National Park Service employees. The issues noted below have been distributed electronically, with notices posted on the Morning Report; supervisors also have made hard copies available. Previous editions of the NLC Journal are archived at www.nps.gov/policy/nlc/archive.htm. For more recent records of NLC meetings, contact Maureen_Foster@nps.gov.

January 2007 PDF
May 2007 PDF
September 2007 PDF
January 2008 PDF
May 2008 PDF

July 20, 2011

Revised NPS National Leadership Council and Decision Making Structure

National Leadership Council (NLC): A representative body of managers from the National Park Service which meets to achieve alignment, consultation, and coordination regarding the issues facing the National Park Service. It is not a decision making body, but provides advice, input and opportunity for debate and open analysis of issues.

- **Membership**: The NLC consists of the Director, both Deputy Directors, Chief of Staff, Comptroller, all Regional Directors, all Associate and Assistant Directors, all SES superintendents, the Albright and both Bevinetto Fellows, one superintendent from each grades 12, 13, 14, 15 (selected by the Regional Directors) and one additional program lead from each Associate Directorate. The non-SES superintendents and additional program leads are two-year appointments. The Chair of the NLC is the Deputy Director for Operations.
- **Frequency of meeting**: Twice per year, both in Washington.

Executive Council: The EC is the decision making body for the cross cutting issues of the NPS. The Council is a subset of the NLC and derives information from the NLC as well as their peers to apply to cross cutting issues. The Council reports to the Director, who serves as Chair.

- **Membership**: Director, both Deputy Directors, Comptroller, two Regional Directors elected by the RDs, and two Associate Directors elected by the ADs. The Chief of Staff participates as staff to the Director.
- **Frequency of meeting**: Four times per year with two of them immediately after the NLC meeting. One meeting will always be in the field.

Budget Executive Committee: The BEC is the decision making body for budget priorities, development and execution. This body develops the strategy for handling budget cuts, proposals, and emphasis areas for requests.

- **Membership**: Director, both Deputy Directors, Comptroller, two Regional Directors elected by the RDs, and two Associate Directors elected by the ADs. The Chief of Staff participates as staff to the Director.
- **Frequency of meeting**: Four times per year: two face-to-face and two via teleconference.

Standing NLC Committees: Established by the Executive Council for the purposes of alignment, consultation and coordination for specific priority areas that need longer term attention. One NLC Standing committee will serve as the liaison to the National Park Foundation.

Task Forces: Task forces to address Servicewide issues may only be created by or with the written permission of the Director or the Executive Council. The goals and outcomes of the task force must be

clear and written so that the team leader and the team understand their purpose. Task forces are by their design temporary and may not exceed one year without specific renewal by the Director or the Executive Council.

NLC Calls: Once a month calls with all members of NLC. Actings and substitutes are permitted. Sensitive information is not to be discussed due to the open lines. Intended for alignment only and notification of issues that are coming up within the next 30 days: focus on events, media interest, political interest, floods, fires, etc.

All Superintendents Calls: Conducted by the Director within one week of each NLC at a minimum and additionally when issues demand it, such as a government closure. Open to all park superintendents, program chiefs and staff.

NLC Journal/Meeting Notes: Within two weeks of each NLC, a summary of the topics discussed will be posted on the Intranet.

Regional Directors: The seven Regional Directors meet for the purposes of alignment, consultation, coordination and decision making. The purpose of the meeting is to develop and implement consistent approaches to policies and practices in the regions and the parks.

- **Membership**: Regional Directors and the Deputy for Operations. The RDs select their own leadership of the meetings.
- **Frequency of meeting**: As needed.

Associate Directors: The Associate Directors meet for the purposes of alignment, consultation, coordination and decision making. The purpose of the meeting is to develop and implement consistent approaches to policies and practices in the program responsibilities of the Washington Office.

- **Membership**: Associate Directors and the Deputy for Operations. The ADs select their own leadership at the meeting.
- **Frequency of meeting:** As needed.

Flat Hat Chat/Blog: A monthly video and blog on the NPS intranet for the Director to communicate to the field on specific topics.

Senior Staff: This bimonthly one hour meeting is intended as an information sharing and coordinating session for the senior management of the NPS in Washington. In attendance are the Director, both Deputy Directors, Chief of Staff, Comptroller, all Associate and Assistant Directors, the Albright and

both Bevinetto Fellows, the chief spokesman, and the DOI solicitors. Visiting RDs and superintendents are welcome.

The agenda must at a minimum include the following:

- Upcoming decisions including NEPA, GMP, controversial issues
- Litigation updates
- Press releases
- Events involving the Secretary, the Director, or the Senior staff
- Budget status
- Congressional hearings
- Federal register notices
- Natural disasters (flood, fire, volcano, etc.)

Monthly Managers Meeting: This monthly meeting is always held at Eye Street and includes the Assistant and Associate Directors and the program chiefs in Washington. The meeting is intended to be an information sharing and coordinating session and is planned by the Chief of Staff. The Director or the Deputies lead the meeting and report on current issues and direction for the NPS and the Department. The meeting can have a specific focus, such as safety, if there is preplanning. At least one half of the meeting is for Qs/As and discussion with the program chiefs.



National Park Service
Office of Policy

National Leadership Council

The National Leadership Council (NLC) is composed of the Director, Chief of Staff, Deputy Directors, Chief of Staff, Associate Directors, Comptroller and Regional Directors. Members meet several times a year, working together as a strong and unified leadership team to provide the strategic direction for the Service. It is currently staffed by Jennifer Lee (Special Assistant to the Director) with the active support of managers in the parks, program areas and regional offices.

NLC Journal

The NLC Journal is a report from the National Leadership Council to all National Park Service employees. The issues noted below have been distributed electronically, with notices posted on the Morning Report; supervisors also made hard copies available to their staff. Shown below are archived Journals from previous meetings. The format for Journals was revised during Director Bomar's tenure. Comments and questions regarding records of NLC meetings should be directed to Jennifer_Lee@nps.gov.

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National Park Service
U.S. Department of the Interior

NLC*Journal*

Report of the January 23-24, 2007 Meeting of the National Leadership Council

The National Leadership Council (NLC) convened January 23-24, 2007 in Washington, D.C. for its first meeting under the leadership of Director Mary Bomar.

January 23, 2007
Agenda

I. Welcome and Call to Order
Mary Bomar, Director

II. Vision and Goals
Mary Bomar, Director

III. Remarks from Deputy Secretary Scarlett

IV. Competitive Sourcing
Dan Wenk, Acting Associate Director, Park Planning Facilities and Lands
Jon Jarvis, Regional Director, Pacific West Region

V. Accessibility
Dan Wenk, Acting Associate Director, Park Planning Facilities and Lands

VI. National Park System Advisory Board
Sue Masica, Chief of Staff

VII. Review of Partnership Construction Process
Dan Wenk, Acting Associate Director, Park Planning Facilities and Lands

VIII. Legislative Priorities for the 110th Congress
Tom Wolfe, Assistant Director, Congressional and Legislative Affairs
Don Hellmann, Deputy Assistant Director, Congressional and Legislative Affairs

I. Welcome and Call to Order

Director Mary Bomar called the meeting to order at 8:00 am with a warm welcome to all of the NLC members. She also introduced Linda Wright, Organization Consultant, the meeting facilitator, before delivering the following remarks:

"For the past few weeks, I have shared my recollection of our NLC meeting in Olympic last year. I did not recount the issues or the discussions, but the story of our canoe ride on Lake Crescent.

I recounted how this city gal ended up in the front of the canoe, and how each time I stopped paddling, everyone else in the boat stopped as well. And I passed out this photo to show that a group of RDs and Associates could actually paddle a canoe on a lake without drowning!

As I told the folks in the National Capital Region office two weeks ago, I later thought about our excursion and realized it was a parable—or perhaps, a metaphor for any organization, including our Service. And two qualities stand out in this parable: leadership and teamwork.

Despite the many talents within the National Leadership Council, we only made progress when we worked together as a team. And we only worked together if the person in the lead showed the group what needed to be done.

The National Park Service is fortunate to have a vast amount of talent in many different fields; but we can only make progress when we work together. And, as Director—the one in front of the boat—I must lead from the front to show the entire team where we must go. If the team doesn't work together, we will tip over just like a canoe.

Of these, teamwork must come first, and is the first order of business for this meeting. The items on the agenda demand our attention—and honest input from each one of us. Many of you have heard before of the concept of shared leadership—that the best decisions are those that are made through the process of collaboration and open dialogue in a safe environment. That is my definition of shared leadership and my management philosophy.

With this safe environment come some simple rules: Courtesy—listening to one another, disagreeing without being disagreeable. No cell phone calls or under the table Blackberrying! No sidebars. I think our facilitator may have some other suggestions as well.

Yes, we will use a facilitator to help keep us on track, on time, on topic and toward agreement. All our plates are full, so we must make the best use of the short time we are together. Yes, we will make decisions here—**our** decisions.

That is the point where debate and dissensions leave the room—and leadership begins. As the senior managers of the National Park Service all of us have the obligation to lead our respective teams—at regions or in the associateships. And as Director, I too have a responsibility to lead—to keep rowing when needed and setting the example of what the others in the boat must do. I'm a good coxswain and will keep us focused— Why? Because, I love what I do.

But I cannot do it alone—I need all of you with me. We must row in unison, or the boat will tip over. Everyone on the team must support the decisions we jointly make over the next two days. After the decisions are made, there should be no nay saying, no dissension back in our offices, no carping at decisions made, no undermining of the path we have set together.

At each step of my career, I focused first on the team around me, whether division chiefs at Independence or Associate RDs in the Northeast. I needed technical expertise, of course, in many areas. But I also needed people who could support our efforts to move forward, by working together as a team AND by conveying the message to their own employees, both in words and in deeds—to exercise true leadership. Not everyone could do that—not everyone could row as I needed them to. So I found other boats for them—places where they could be successful. If you are uncomfortable in your role, I will help you find a boat that does fit.

Recently, I did a series of interviews with news media—while the articles were mixed, I was asked about my legacy as Director—and I replied that I am not concerned with my legacy, but about the mission of the National Park Service and preparing it for the second century of our

existence. And while my time here will not be long—in fact who of us here will be in the Service in 2016?

I believe we can, and must begin. A thousand forests can truly begin with a single acorn.

And so I have a simple mantra—my trifecta of goals that I have told the Senate Energy & Natural Resources Committee during my confirmation, the news media and our Park Service workforce: to re-engage the American public with our national parks; to increase the capacity of the National Park System, and to develop a new generation of leaders for the Service. My mantra will be a filter—and a framework, as we make decisions on issues throughout the Service.

On that final goal, I hope that 2007 will become for the National Park Service the "Year of the People" —a chance to renew our focus on our team. After all our talk about our natural and cultural resources, we sometimes fail to emphasize the 20,000 men and women who take care of America's special places. I hope that we can all work together on those qualities that will make each one of us a valued, productive member of this great organization.

What are those qualities? First, shared goals. I hope that each and every member of our Park Service Team shares the commitment to the Park Service mission. I hope they will also come to share my "trifecta" of goals: re-engagement, increased capacity and succession planning for the future.

We must nurture Innovation and Imagination—the ability to bring unique experience to the table and coupled with the ability to work well with others. And rather than talk about the qualities, I'd like to read you this email—from one of our own rangers:

'Dear Director Bomar:

This is only my second time of writing to a NPS Director. I simply could not contain myself when I read the AP article Park Service to Seek New Money Sources. I have been preaching this message for several years. After seeing the beating that our national parks are taking because of funding shortages, I started honing my skills and encouraging others to begin searching for outside funding to save what we as Americans hold dear.

Last year, at the newly-developing Selma-to-Montgomery National Historic Trail, I was able to write a series of grants totaling nearly one-million dollars. It took so little time to write those grants and the yield for this very small NPS unit will prove itself in 54 miles of wayside exhibits, 2 traveler information radio antennae at the head and foot of the trail, and $500,000+ to help create the A & E plans of the Trail's next interpretive center. I believe that if other parks could see just how easy it is to capture this funding, I believe that our primary mission of protecting and preserving this nation's treasures would be quite a bit easier.

Anyway, I just wanted to let you know how thrilled I was to hear you express what I had been feeling for a while now. I'd be interested to hear about any initiatives that you have in the funding realm. And, I would be glad to help in any way possible.

Happy New Year and Glad Tidings to You,
Carla Cowles Whitfield
Park Ranger'

That letter captures the spirit of my trifecta: connecting people to parks with the waysides, travelers' radio and planning for an interpretive center. She certainly has helped increase the

capacity of our system--and on her own, she is training herself to become one of those leaders for the Park Service of the 21st century. Shame on us if we do not encourage her and others like her.

This is, after all, the National Leadership Council…three words with meaning. We must all focus, not on our own interests but on the national picture; we must be true leaders of our regions and our programs. And we must act as counselors to act in the best interests of the Service and the special places we care for.

What is it that I need from you all? I need you to be a team… You must work collaboratively with one another—regions are not small kingdoms, but part of the national park system…

Second, to go back and share with your colleagues in your respective organizations…What as team players can we do to help meet the NPS goals…I am concerned about the perception of the NLC in the field…the field is looking to us for leadership, and we must be up to that task.

It is said that to understand someone, walk a mile in their shoes. What if I asked you to swap jobs with one another for two months?

What can you do to help me? Competitive Sourcing… Concessions and Contracting… Employee development… What do you want the NPS Advisory Board to do for us? ... in short, look at the agenda and you'll see where I need your help. Should we have a general superintendents conference in August 2008?

This is not only intended for the regional directors…it is for our associateships as well…We have wonderful work going on by our scientists [for example the bio blitz program]. We need to stop hiding our light under a bushel, and talk about that.

What do we do about the deplorable conditions in our parks along the border? Deplorable for both the resources and for people….for example at Organ Pipe. How do we address that serious issue? And is it only the problem of a single region? Can we use the Advisory Board to identify the potential solutions and provide recommendations?

We have a window in time that allows us to make strides to re-engage the public, increase the capacity and train the next generation of leaders for our Service… Right time, right place, right people…. We can begin today.

I would finish with this thought on leadership...a poem really…

Leaders are called to stand
in that lonely place
between the no longer and the not yet
and intentionally make decisions
that will bind, forge, move
and create history.

We are not called to be popular,
we are not called to be safe,
we are not called to follow,
we are the ones called to take risks,
we are the ones called to change attitudes;
to risk displeasures,

we are the ones called to gamble our lives,
for a better world.
--Mary Lou Anderson, April 1970

[I would also like to share with you the characteristics of a good leader.]

A Good Leader

#1 Leaders relentlessly upgrade their team using every encounter as an opportunity to evaluate, coach and build self confidence.

#2 Leaders make sure people not only see the vision, they live and breathe it.

#3 Leaders get into everyone's skin exuding positive energy and optimism.

#4 Leaders establish trust with candor, transparency and credit.

#5 Leaders have the courage to make unpopular decision and gut calls.

#6 Leaders probe and push with a curiosity that borders on skepticism, making sure their question are answered with action.

#7 Leaders inspire risk taking and learning by setting the example.

#8 Leaders celebrate!!!!!"

II. Vision and Goals

After Director Bomar's remarks, the NLC discussed the vision and goals for the future and covered several issues. It was emphasized that the NLC must work together as a strong and unified leadership team to provide the strategic direction for the Service.

National Leadership Council

During the discussion, the NLC agreed to the following:

1. The NLC composition will change. The new composition is as follows:

Voting Members
Director
Deputy Director, Operations
Deputy Director, Support Services
Chief of Staff
Comptroller
Northeast Regional Director
Midwest Regional Director
Intermountain Regional Director
Alaska Regional Director
Southeast Regional Director
Pacific West Regional Director
National Capital Regional Director
Associate Director Park Planning, Facilities & Lands
Associate Director Natural Resources, Stewardship & Science

Associate Director Cultural Resources
Associate Director Visitor & Resource Protection
Associate Director Partnerships and Visitor Experience

Standing Staff Members
Chief, Public Affairs
Chief Information Officer
Assistant Director—Congressional and Legislative Affairs
Assistant Director—Business Services
Assistant Director—Human Capital
Associate to the Director

* Standing staff members are non-voting members who will attend DC meetings only, unless otherwise invited. Only the principal may attend meetings; actings or substitutes are not included.

NLC Support Staff
Administrative Program Specialist
Program Specialist

Invited Guests such as:
Deputy Regional Director
1 or 2 SES or Senior Park Superintendents
Jones Fellow
Bevinetto Fellow
Special invitees as determined by the Director and agenda topics (e.g. USPP Chief, etc.)

* Executive Sessions will only include the Voting Members.

* Invited guests will be determined based on the agenda topics and meeting location. Associate and Regional Directors will work with the Deputy Director for Operations to identify potential guests.

* The Deputy Regional Director and Park Superintendent(s) invited to attend will be given time on the agenda to raise concerns from the field.

2. The NLC will meet quarterly for two and one-half to three days depending on the agenda, and at least one meeting per year will be in the field. The meetings will focus on discussion and decision-making.

3. The NLC will be an accountable leadership team. An NLC member will be assigned to follow-up on all action items and the *NLC Journal* will be reinvigorated.

4. NLC meeting agendas will be distributed at least 10 days in advance. All agenda items should include clearly defined objectives and decision points and reports must include recommendations.

5. The NLC will come to consensus on all issues before moving forward. When needed, a formal vote will be taken.

<u>Competitive Sourcing</u>

The NLC touched briefly on the topic of Competitive Sourcing during this opening session. Everyone agreed that it is very important to be honest and transparent with employees, and to support the process.

Development Advisory Board (DAB)

The NLC discussed the DAB and noted that it is one of a few programs that holds NPS staff accountable on a consistent basis servicewide. The DAB has also changed over time in response to emerging concerns and lessons learned. There was some concern expressed that attendance at the DAB meetings has possibly grown too large and that many Superintendents feel like they are on trial during their presentations. Others observed that superintendents should feel comfortable and prepared in front of their peers to explain and defend their project decision-making.

The NLC decided that if the DAB is meeting in DC, the Regional Directors should schedule time to come to the Washington Office and provide updates on key issues and projects.

III. Remarks from Deputy Secretary Scarlett

Deputy Secretary Scarlett began her remarks with recognition of the intrinsic and iconic value of parks, and quoted General Tommy Franks who stated "We are as connected to our parks as we are to the stars and stripes because they preserve the core of what it means to be American." She noted that the NPS mission is succinct and inspirational, but also very complex, expressing an understanding that NPS managers must prioritize among infinite possibilities with limited resources.

Deputy Secretary Scarlett organized her discussion around four themes:

1. The mutually entwined goals of the NPS mission
2. Cooperative Conservation
3. Management Excellence
4. Importance of Science in Decision-Making

She encouraged the NLC to pursue shared goals through partnerships noting that nature knows no boundaries. Partnerships are very important tools that allow the NPS to leverage resources and strengthen connectivity, and she emphasized the need for NPS managers to work closely with local communities. She also quoted Dr. William Isaacs who said "To listen is to develop an inner silence" to underscore the importance of a two-way dialogue with communities, partners, and visitors.

Deputy Secretary Scarlett commended the NPS for all of the strides made in management excellence citing Core Ops and other related analyses as empowering tools that have assisted the service with setting its vision and establishing priorities. Using the words of Bertrand Russell, she highlighted the need to continually re-evaluate our practices: "It is a healthy thing now and then to hang a question mark on the things you have long taken for granted."

The Deputy Secretary closed her remarks by stating that success requires not only vision but also great people, and acknowledged the dedication of all NPS employees. She then opened the floor for questions from the NLC.

The first question posed to Deputy Secretary Scarlett was regarding A-76. There is a great deal of concern about the difference between A-76 as a concept and A-76 as it is currently being applied. The NLC members mentioned several examples of actions that have been taken within

the NPS that meet the requirements of A-76, but since they did not involve competitions, they have not been recognized as contributing to the government-wide efforts.

The Deputy Secretary offered to engage in conversations with the Office of Management and Budget (OMB) regarding NPS actions to accomplish the objectives of competitive sourcing, namely the greater efficiency and effectiveness in the delivery of services. She asked that the NLC provide her with detailed information about NPS programs, including specific examples that she can use during her briefings. She also asked that the NLC identify positions and/or programs that may benefit from the competitive process.

The second question posed to Deputy Secretary Scarlett focused on the proposed new requirements for Cooperative Agreements. The NLC clearly defined for the Deputy Secretary all of the issues that will arise if the requirements are put into place. She acknowledged the issue and informed the NLC that she had already requested an in depth briefing on the subject. She also asked that NPS provide her information as soon as possible as this issue may require a legislative fix.

IV. Competitive Sourcing

The goal of the competitive sourcing discussion was for the NLC to come to consensus on the process and provide a recommendation to Director Bomar for the NPS "green plan" outlining the Service's competitive sourcing strategy for 2007-2008. The Director emphasized that everyone needs to look at how they are doing business, and the key to success is figuring out how to be more efficient. Jon Jarvis provided an overview of the competitive sourcing process, and what the NPS requirements are as stated in the DOI Competitive Sourcing Green Plan. Regional Director Jarvis also presented a list of NPS initiatives that have been implemented to meet the objectives of A-76, but which have not been accepted by OMB as an offset for the competition requirement.

The NLC agreed to form a team led by Jon Jarvis to compile the information on NPS initiatives requested by Deputy Secretary Scarlett. Team members include Bruce Sheaffer, Dan Wenk, Kate Stevenson, and Pat Hooks. Mike Soukup committed to providing information about the Cooperative Ecosystem Studies Units (CESUs).

After an in-depth discussion, the NLC decided that the NPS strategy for Competitive Sourcing would be to submit a package that includes 60 Job Corps positions, 45 Turf Maintenance positions, and approximately 122 Human Capital positions. In subsequent actions, NPS identified selected positions for review, including Harpers Ferry Center for competition, US Park Police guard positions in DC, and WASO information technology.

Action Items:

- An All Employees Memo will be sent by Director Bomar that discusses the NPS strategy for Competitive Sourcing.

- Jon Jarvis will work with Dan Wenk and Bruce Sheaffer to develop a timeline with milestones for assembling needed information regarding A-76.

V. Accessibility

The NPS, like all federal agencies, is subject to the requirements of the Architectural Barriers Act of 1968, and the 1973 Rehabilitation Act. Additionally, NPS Management Policies 2006 and Director's Orders 16A and 42 address the issue of accessibility. In spite of current efforts, the NPS has had a significant increase in the number of formal complaints, the receipt of FOIA requests that are being used in accessibility related lawsuits, and an oversight hearing with the House Subcommittee on National Parks. The issues raised in the complaints have all been valid violations of legal requirements that need correction. Half of the complaints related to lack of architectural access, and the other half to the lack of required services for visitors with disabilities.

The NLC discussed four main issues of concern related to accessibility: new construction, repair and rehabilitation, interpretation programs, and continuing education. They agreed that ensuring that all of our facilities and programs are accessible is the right thing to do and that we need to hold ourselves accountable. They covered many ways to accomplish this including ensuring that accessibility is built into the planning, design, and funding phases of every project, regularly and carefully inspecting work as it is being performed, and providing information and education to all NPS employees.

The NLC raised the issue of the use of segways by persons with disabilities during their accessibility discussion. A memorandum allowing parks to make temporary decisions in order to study whether or not segways are appropriate for use in parks was sent out in December 2006. Additional guidance will be issued in a follow up memorandum in February 2007, as this issue is causing some concerns that need further study and evaluation. Acting Associate Director Dan Wenk informed the NLC that the Department of Justice Disability Rights Section is reviewing the issue and is expected to make a decision later this year, and that the NPS Risk Management Office has developed an issue paper containing the results of their research and recommendations.

Action Item:

- A follow-up memo containing additional guidance on the use of segways for persons with disabilities will be sent out from the Director's office.

VI. National Park System Advisory Board

The legislative charter for the National Park System Advisory Board (NPSAB) expired on January 1, 2007. The NLC agreed that the NPSAB serves an important advisory role and recognized the requirement that the NPSAB review all proposals and make recommendations to the Secretary of Interior for all new National Historic and National Natural Landmark designations. Two possible solutions in which the NPSAB could be reconstituted were discussed; legislative reauthorization or administrative authorization. Chief of Staff Sue Masica informed the NLC that it was possible that the legislative reauthorization would be part of the FY'07 Continuing Resolution and that it would be retroactive to January 1, 2007. This would extend the NPSAB for one more year, during which time legislation for a 10-year extension could be pursued. The NLC agreed to wait until after Congress acted to initiate an administrative authorization of the NPSAB.

Director Bomar informed the NLC that the terms of three NPSAB members also expired on January 1, 2007, and that she is working with the White House Liaison to nominate new members. She also requested input on what role and function the NPSAB should provide and stated that she wanted the NLC to help shape the charter. The NLC agreed that the NPSAB should focus on big picture items at the policy level, that the conclusion of a committee's work should be the production of a report with clearly defined recommendations, and that it was important to ensure that the issues examined by the NPSAB relate to the trifecta of goals

defined by Director Bomar. The NLC recommended that the NPSAB be asked to work with NPS on the National Park Centennial Challenge and that there be a strong liaison assigned to coordinate between the NPSAB and the Director's office. Director Bomar expressed her commitment to filling the Chief of Policy position, which has historically served in this role.

UPDATE: The NPSAB reauthorization was not included in the Continuing Resolution. The administrative package has been assembled and the review process has begun.

Action Item:

- By February 7, 2007, all NLC members should send Chief of Staff Masica their thoughts on the role the NPSAB should play in the National Park Centennial Challenge.

VII. Review of Partnership Construction Process/Building Better Partnerships

The NPS assembled a workgroup under the leadership of Acting Associate Director Dan Wenk and Associate Director Chris Jarvi to look at the guidelines for partnership construction projects to make the steps clearer and easier to accomplish. Many key NPS partners have articulated their concerns and frustrations with the current guidelines, and Secretary Kempthorne is also interested in seeing how they can be improved. The workgroup has evaluated the current guidelines, updated the existing flow chart, and made several recommendations to improve the process. The new draft guidelines will be reviewed by the NLC and then by NPS partners. Associate Director Jarvi also noted that waivers to the existing guidelines, as well as the new draft guidelines, are possible provided a justifiable rationale is presented.

The NLC discussed the current vetting limits which are based on DOI policies and guidance. It was requested that the vetting limit be raised from $1 million to $5 million. This request will need to be cleared and approved by the Department.

Acting Associate Director Wenk and Associate Director Jarvi also informed the NLC that the Office of the Solicitor is working on a standard agreement template that can be used for NPS partnership construction projects.

Action Item

- Acting Associate Director Dan Wenk and Associate Director Chris Jarvi will send the draft guidelines to the NLC for review by February 1, 2007. Comments from the NLC are due by February 15, 2007.

VIII. Legislative Priorities for the 110th Congress

Assistant Director Tom Wolfe and Deputy Assistant Director Don Hellmann provided the NLC with an overview of the 51 legislative proposals for the 110th Congress. Of the group of proposals, seven were applicable system wide and 44 were park specific. The Office of Congressional and Legislative Affairs further evaluated the proposals and selected 10 that represented priorities assigned by the regional offices and those that had the best chance of being passed. The NLC reviewed the list and reached consensus to remove the Uinta Research and Curatorial Center and replace it with Canyon de Chelly Thunderbird Lodge Concession. The remaining nine proposals were all accepted.

After discussing the legislative priorities, the NLC briefly talked about the Bevinetto Fellowship. The new Fellow will be working with the House Natural Resource Committee staff this year, and

there has been consideration given to having the position alternate between the House and Senate annually. The NLC also discussed the possibility of having NPS staff gain experience by working with the staff of the House and Senate Appropriations committees.

Action Items:

- All NLC members were asked to read through the list of priorities and provide any necessary revisions to the proposals to Tom Wolfe, Assistant Director, Congressional and Legislative Affairs, as soon as possible.

- Clearly define the expectations for the Bevinetto Fellow.

January 24, 2007
Agenda

I. Welcome and Call to Order
Mary Bomar, Director

II. Harpers Ferry Center Recommendations
Chris Jarvi, Associate Director, Partnerships and Visitor Experience
Lisa Mendelson-Ielmini, Deputy Regional Director, National Capital Region

III. Workforce Development
Chrysandra Walter, Acting Regional Director, Northeast Region
Costa Dillon, Acting Chief, Servicewide Training and Development
Nathaniel Deutsch, Human Resources Manager
Dianne Spriggs, Equal Opportunity Manager

IV. Contracting
Kate Stevenson, Acting Assistant Director, Business Services
Heidi Ernst, Chief of Contracting
Lorna Gunning, Deputy Chief of Contracting

V. National Park Centennial Challenge
Steve Whitesell, Centennial Challenge Coordinator

VI. Remarks from Secretary Kempthorne

VII. A-123
Bruce Sheaffer, Comptroller
Dan Fletcher, Associate Director, DOI Office of Financial Management
Don Striker, Special Assistant to the Comptroller
Jack Blickley, Financial Analyst

VIII. Elwha Project Update
Dan Wenk, Acting Associate Director, Park Planning Facilities and Lands
Jon Jarvis, Regional Director, Pacific West Region

IX. Round Table/Open Discussion
Sue Masica, Chief of Staff

X. Closing Remarks
Mary Bomar, Director

I. Welcome and Call to Order

Director Bomar called the meeting to order at 9 am and introduced Superintendent Suzanne Lewis (Yellowstone National Park) who represented the NPS at the State of the Union Address on the evening of January 23, 2007.

II. Harpers Ferry Center

Deputy Regional Director Lisa Mendelson-Ielmini opened this session by providing a brief history of Harpers Ferry Center and an overview of an October 2006 meeting between the Deputy Regional Directors, the regional Chiefs of Interpretation, and representatives from Harpers Ferry Center (HFC), Partnerships and Visitor Experience, and other associateships. The meeting was convened at the request of the NLC in response to a request from Chris Jarvi. Deputy Regional Director Mendelson-Ielmini requested NLC concurrence on a proposed steering committee charter and members who will closely examine the role and function of HFC and make reorganization recommendations.

Director Bomar noted that HFC should be a dynamic organization and expressed her desire that the reorganization bring a clear focus for the center. It was proposed that HFC be included for competition in the next competitive sourcing Green Plan, because through the reorganization process, the NPS is essentially completing an in-house review to develop the Most Efficient Organization (MEO). Regional Director Jarvis offered to work on this concept and submit it to the NLC and Director Bomar for review. (subsequently affirmed)

The NLC discussed the essential functions and goals for HFC, the outcomes of a successful new organization, the recommendations for a steering committee to oversee the reorganization, and the next steps as outlined by the Deputy Regional Directors. The NLC agreed to adopt the charter provided it is revised to include that the steering committee will incorporate the views and goals of the NPS program areas and ensure that there is good communication between HFC and the program areas. The NLC concurred on the proposed composition of the steering committee, and also asked that the steering committee review the proposed timeline for the reorganization to make sure it is aligned with the budget process.

Action Items:

- Lisa Mendelson-Ielmini will revise the proposed steering committee charter.
- Jon Jarvis will work on the concept of including the HFC reorganization as part of the NPS A-76 package.
- The steering committee will review the proposed timeline for the reorganization and ensure that it is aligned with the budget process.

III. Workforce Development

The goal of the Workforce Development session was to brainstorm ideas and kick off a process to overhaul and revitalize the NPS Workforce Development Program. Mr. Nathaniel Deutsch briefed the NLC on three external forces that currently affect the program: the President's Management Agenda; the Office of Personnel Management's emphasis on accountability; and travel guidelines and restrictions. The NLC agreed that one of their most important goals is to develop a new generation of leaders for the Service, and decided that Workforce Development will be a standing topic on the NLC agenda, much like Interpretation and Education was until the Business and Action Plans were finalized. During discussions, the NLC made several recommendations including utilization of existing programs outside of the service and the importance of details, acting assignments, and fellowships. It was also suggested that the issue

of Workforce Development be divided into three components: Supervision and Leadership; Technical Training; and Informal Development, which includes fellowships, coaching, mentoring, and details.

Mr. Costa Dillon and Acting Regional Director Sandy Walter thanked the NLC for their suggestions and informed them that they will be assembling a list of recommendations for next steps that will be presented at the May NLC meeting.

IV. Contracting

Acting Assistant Director Kate Stevenson, Ms. Heidi Ernst, and Ms. Lorna Gunning briefed the NLC on the results of the DOI review of the NPS Acquisition/Financial Assistance Program, in which the NPS received a "red" rating for all of the components evaluated. A "red" rating means that the "overall function lacks effectiveness and efficiency; presents a significant level of risk to successful operations; and provides little reasonable assurance that internal control objectives are being achieved." In response, the NPS formed a workgroup to respond to the issues raised and to prepare a Corrective Action report.

Ms. Ernst presented the following corrective actions defined by the workgroup to the NLC:

1. The Acquisition Program must be "at the table," i.e. involved in projects from their inception.
2. Acquisition FTE requirements are considered in project planning.
3. Acquisition staff have updated, consistent position descriptions and performance plans.
4. Managers must ensure that acquisition integrity is maintained. Funds must be obligated properly.
5. "Major Acquisition Buying Offices," either physical or virtual, should be designated to allow for management at a higher level.

She then raised an issue for discussion by the NLC concerning the supervision of employees in the 1102 and 1105 series who have a warrant of $25,000 or greater. According to new DOI guidance, unless a waiver is granted, all employees that fall into the category above must be directly supervised by a senior Federal Acquisition Certification in Contracting (FAC-C) certified GS-1102. This would remove the supervision authority from parks and transfer it to the regional contracting officers. The NLC recommended that NPS adopt the model used in the Pacific West Region in which the regional contracting officers manage the contracting workload and provide technical/functional supervision for the park contracting officers. Direct line supervision, however, stays at the park level. The NLC agreed that this model will be submitted to the Department as part of the Corrective Action report and that a waiver to the new policy will be requested.

Action Items:

- The NPS workgroup will define what is included in technical/functional supervision and what is included in direct line supervision.

- Acting Assistant Director Stevenson and Ms. Ernst will send the draft Corrective Action report component that deals with supervision out to the NLC for review before submission to the Department. (completed)

- All members of the NLC will sign an Assurance Statement by June 2007, documenting that corrective actions are underway.

V. National Park Centennial Challenge

Steve Whitesell briefed the NLC on the current status of the National Park Centennial Challenge. The National Park Service and the Office of the Secretary have made contacts with potential partners, philanthropists and organizations to assess their interest in and commitment to the Centennial Challenge, and a group of Superintendents and key program managers gathered in D.C. in November to help craft the initial Challenge message and provide advice on major opportunities, issues and pitfalls. NPS staff are currently working on the FY2008 budget, and the roll out is scheduled for February 5, 2007. After the budget roll out, NPS will be conducting a number of listening sessions to seek public input on the Challenge and the NLC were asked to help staff these efforts. A proposal for these sessions is in draft and will be shared when it is finalized. Of equal importance will be getting input from NPS staff and the public who are unable to attend the sessions. One tool that will be available is the Planning, Environment, and Public Comment (PEPC) program. These meetings and other outreach efforts will inform the 10-year goals for the Challenge as directed by the President in his initial announcement. The NPS also must submit a report by May 31, 2007 to the President clearly delineating the short and long term goals of the initiative, the role of the Federal government and partner organizations in funding the initiative, and performance standards by which program success will be measured.

The NLC discussed the importance of engaging all NPS staff and partners in the Centennial. Mr. Whitesell informed the NLC that a complete package with Q&As, talking points, budget cut sheets, and other detailed information is being prepared and will be sent to all NLC members. He committed to contacting everyone by Friday, February 2, 2007 with an update, but indicated that materials would not be distributed until after the budget roll-out on February 5.

A question was raised about the definition of "signature project/program." The NLC agreed that, in order to be considered a signature project/program, there must be private matching dollars available or the ability to leverage private matching funds. Mr. Whitesell also volunteered to send an email to all NLC members requesting further input.

The NLC also discussed the need for a strategy to address the workload associated with the Challenge over the next 10 years, and the need to continue to work closely with employees and partners.

Action Items:

- Mr. Whitesell will contact all NLC members by Friday, February 2, 2007 with an update on the Centennial Challenge and the FY'2008 Budget. (COMPLETED)

- Mr. Whitesell will send detailed information, talking points, Q&A's, etc. to the NLC on Monday, February 5, 2007. (COMPLETED)

VI. Remarks from Secretary Kempthorne

Secretary Kempthorne's remarks to the NLC centered on the National Park Centennial Challenge. He informed the NLC that while he could not go into specifics regarding the FY'08 budget, he is anticipating a full launch of the Challenge on February 7, 2007. He emphasized that the challenge needs to be implemented immediately and not be just a ten-year planning effort. Secretary Kempthorne then challenged the NLC to be innovative in their thoughts, to select programs and projects that will produce deliverable results, and to create an atmosphere of total imagination.

Secretary Kempthorne opened the floor for questions from the NLC. Topics discussed include the Land and Water Conservation Fund, the Urban Park and Recreation Recovery program, the September 2007 joint meeting between the NLC and the National Association of State Park Directors, border issues, global warming, education, and land acquisition/new units of the National Park System. Secretary Kempthorne emphasized the importance of working with local communities, partners, and philanthropic organizations, and the need to create a synergy between NPS sites and state and local parks. He also added that a crucial part of ensuring the relevancy of the NPS in the next century is raising awareness about the system to attract new interest, while retaining current supporters.

UPDATE: President Bush, First Lady Laura Bush, Secretary Kempthorne, and Director Bomar met with NPS employees and partners at Shenandoah National Park on February 7, 2007 to launch the Centennial Challenge and to hold roundtable discussions.

VII. A-123

OMB Circular A-123 requires management to have internal controls in place for financial management and programs. This includes policies, procedures, actions, and activities implemented to ensure that goals and objectives are met. Regional Directors and Program Managers must sign assurance statements in June and September of each year, which then feed into the assurance statements signed by the Director.

NPS needs to design a process to assess the effectiveness of all NPS programs. Any programs that are considered high risk, for example financial reporting and information technology, must be reviewed every year. Non-critical programs can be reviewed every three years.

The NPS Budget office has identified weaknesses in financial reporting internal controls and proposed to use a risk based approach to determine which should be addressed first. Five per year would be reviewed until the list is complete. The five financial reporting internal controls proposed for this year include Construction in Progress; Property inventories; Charge cards; Payroll; and Cash.

The NPS Budget office evaluated NPS programs using PART analyses, the Greenbook, core operations, business plans, etc and established a list of programmatic components for which there are internal controls. A risk assessment was then performed on these components to determine which are most important to address first. The recommendation to the NLC was to focus on the following components first: commercial services management; cultural resource stewardship; emergency services; facility operations; financial reporting; interpretation and education; information technology; maintenance; natural resource stewardship; protection; and wildfire. The recommendation included layering the components into a three year plan and having three regions evaluate each component. An alternative was to have each region test three to four components per year.

The NLC agreed that five financial reporting internal controls recommended for evaluation by the budget office should be the focus for this fiscal year.

Action Items:

- Mr. Bruce Sheaffer and Mr. Don Striker will meet with the Associate Directors to evaluate the recommended programmatic component and their associated internal controls to ensure that each Regional Director will have enough information to sign the Assurance Statements. (COMPLETED)

- After the meeting with the Associate Directors, Mr. Sheaffer and Mr. Striker will send a revised chart to the Regional Directors. The Regional Directors will review the proposal and submit comments back to Bruce.

- Regional Director Quintana Quintana will work with the Associate Regional Directors for Operations to assemble a group to review the proposed standards. This group will include members that also worked on Toward Excellence.

VIII. Elwha Project Update

The NLC discussed the cost escalation of the Elwha Project and the need for an estimated $20 million per year for the next six years to accomplish project goals. Regional Director Jarvis noted that the restoration of the Elwha river system is a very significant and symbolic project that has the full support of the Pacific West Region (PWR). To that end, PWR offered to forego all line-item construction projects, except those needed to address health and safety concerns, until the Elwha project is complete. The implications of spending $20M/year on the Elwha project include the possibility that other NPS projects may end up off the current 5-year plan.

The NLC agreed that the restoration of the Elwha River System is the right thing to do and that the needed funds should be obligated toward this project until it is complete. They also discussed the need to look at alternative funding sources for some line-item projects, including Recreational Fee Demonstration. Acting Associate Director Wenk and Mr. Sheaffer committed to revising the 5-year plan to reflect the agreed upon level of commitment to the Elwha project. The revised 5-year plan will be sent to all voting NLC members for review as soon as it is completed.

The NLC also discussed the need to brief the Department as well as any affected congressional delegations regarding changes to the 5-year plan. The 5-year plan will be discussed at the May 2007 NLC meeting.

Action Item:

- Acting Associate Director Wenk and Mr. Sheaffer will update the 5-year plan to reflect the increased funding for the Elwha project, and will distribute this information to the NLC. (COMPLETED)

IX. Round Table/Open Discussion

Associate Directors Jarvi and Soukup and Acting Assistant Director Stevenson agreed to work together on the proposed new requirements for Cooperative Agreements. They will draft a memo and language for a proposed legislative fix and will work closely with the Department and Deputy Secretary Lynn Scarlett. (Memo and draft language for legislation - COMPLETED)

The NLC agreed to continue the bimonthly conference calls. The calls will be held on the first and third Thursdays of each month. A future topic of discussion on one of the calls will be the Wild and Scenic Rivers program.

X. Closing Remarks

Director Bomar closed the meeting by noting that “Well done is better than well said.” She thanked the NLC for the good discussions and important decisions that were made and acknowledged that they all “rowed together” well. Director Bomar then requested that everyone

follow-up on the Action Items assigned to them and thanked everyone involved in the planning and execution of the meeting.

Next meeting

May 8-10, 2007, Washington, D.C.

Appendix A

List of National Leadership Council Members (updated March, 2007)

Voting Members
Mary Bomar, Director
Dan Wenk, Deputy Director, Operations
(Vacant) Deputy Director, Support Services
Sue Masica, Chief of Staff
Bruce Sheaffer, Comptroller
Chrysandra Walter, Acting Northeast Regional Director
Ernest Quintana, Midwest Regional Director
Mike Snyder, Intermountain Regional Director
Marcia Blaszak, Alaska Regional Director
Pat Hooks, Southeast Regional Director
Jon Jarvis, Pacific West Regional Director
Joe Lawler, National Capital Regional Director
Bill Shaddox, Acting Associate Director Park Planning, Facilities & Lands
Mike Soukup, Associate Director Natural Resources, Stewardship & Science
Jan Matthews, Associate Director Cultural Resources
Karen Taylor-Goodrich, Associate Director Visitor & Resource Protection
Chris Jarvi, Associate Director Partnerships and Visitor Experience

Standing Staff Members
Dave Barna, Chief, Public Affairs
John Snyder, Acting Chief Information Officer
Tom Wolfe, Assistant Director—Congressional and Legislative Affairs
Kate Stevenson, Acting Assistant Director—Business Services
Jerry Simpson, Assistant Director—Human Capital
Phil Sheridan, Acting Associate to the Director

NLC Support Staff
Jennifer Lee, Administrative Program Specialist
Jim Gasser, Program Specialist

Appendix B

Agenda Items for the May NLC Meeting:

1. Workforce Development
2. 5-year Line-Item Construction Plan follow-up
3. Green Plan/Competitive sourcing progress

Appendix C

Reference Section

This section contains links to more detailed information on some of the topics discussed by the NLC.

A-76
http://www.whitehouse.gov/omb/circulars/a076/a76_incl_tech_correction.html#b

A-123
www.whitehouse.gov/omb/circulars/a123/a123_rev.pdf

Accessibility Management Program
http://inside.nps.gov/waso/waso.cfm?prg=151&lv=3

Architectural Barriers Act of 1968 and Rehabilitation Act of 1973 Overviews
http://www.doi.gov/atc/architectural.html

Cooperative Ecosystem Studies Units
http://www.cesu.org/

DOI Competitive Sourcing Green Plan
http://www.doi.gov/perfmgt/competitivesourcing/green_plan_approved.doc

Elwha Ecosystem Restoration
http://www.nps.gov/olym/naturescience/elwha-ecosystem-restoration.htm

Federal Activities Inventory Reform (FAIR) Act of 1988
http://www.whitehouse.gov/omb/procurement/fairact.html

Greenbook
http://home.nps.gov/applications/budget2/downloads.htm

Human Capital Preliminary Planning Effort
http://inside.nps.gov/waso/waso.cfm?prg=114&lv=2

Information Technology Investment Council
http://inside.nps.gov/waso/custommenu.cfm?lv=3&prg=396&id=303

Land and Water Conservation Fund
http://www.nps.gov/lwcf/

National Historic Landmarks Program
http://www.cr.nps.gov/nhl/

National Natural Landmarks Program
http://www.nature.nps.gov/nnl/

National Park Centennial Challenge
ftp://ftp.den.nps.gov/incoming/Centennial%20Celebrations/

National Park System Advisory Board
http://www.nps.gov/policy/advisory/advboard.htm

Planning, Environment, and Public Comment (PEPC)
http://parkplanning.nps.gov/

Urban Park and Recreation Recovery Program
http://www.ncrc.nps.gov/uparr/

National Park Service
U.S. Department of the Interior

NLC*Journal*

Report of the May 8-10, 2007 Meeting of the National Leadership Council

The National Leadership Council (NLC) convened May 8-10, 2007 in Washington, D.C. for its second meeting under the leadership of Director Mary Bomar. Joining the NLC on May 8 were five former National Park Service (NPS) Directors.

Tuesday, May 8, 2007
Agenda

I. Welcome and Call to Order
   Mary Bomar, Director

II. National Park Centennial Challenge
   Steve Whitesell, Centennial Challenge Coordinator
   Kate Richardson, Superintendent, San Francisco Maritime NHP
   Jennifer Mummart, Special Assistant to the Director

III. Remarks from Vin Cipolla, President and CEO of the National Park Foundation

IV. Job Corps
   Chris Jarvi, Associate Director, Partnerships and Visitor Experience
   Kate Stevenson, Acting Assistant Director, Business Services

V. Wreath Laying – World War II Memorial

I. Welcome and Call to Order

Director Mary Bomar called the meeting to order at 8:00 am with a warm welcome to all of the NLC members and Former NPS Directors. She then delivered the following remarks:

"Good morning… It is good to see you all again and wonderful that so many of our former Directors could join us today.

In what now may become a tradition for my remarks at these meetings, I will follow-up my canoe story with another true tale… Last month, my husband Milton and I went dumpster diving…

As you all know, we recently moved from an apartment to a town home in Virginia, and you also know the vast number of knickknacks, boxes and other household items associated with a relocation. Milton and I are true veterans, after a combined military and Park Service career!

Well, as I was putting some of the china and other mementos away in the china closet, I asked Milton about a ceramic piece that had been given to me by my late father... He said, "Gee Mary,

it was with the other boxes I was unpacking," and then he realized that we most likely had tossed out the ceramic with the mass of empty boxes.

There was only on thing to do… we rushed back to the dumpster, which was now quickly filling with trash, and lo and behold, found the ceramic, still intact… Those of you raised Roman Catholic might remember the "Prayer to Saint Anthony" for finding lost objects… I must tell you that it works... right Sandy?

Well, I realized a couple lessons from the experience. First, don't toss the trash until you check for treasures… Second, when we value something highly enough, we will do whatever it takes to keep it. And that is the point of my remarks this morning. If we truly value our parks, our programs and our people, we will do whatever it takes to care for them and ensure they thrive in the months and years ahead.

"Whatever it takes"… the "Big Idea"… or, as I learned at the recent Centennial retreat with the Secretary, "BHAG"…Big Hairy Audacious Goal…. The time has come to think boldly, and I can think of no better people to emulate than those former directors who have joined us today:

Bob Stanton…Long before becoming the National Park Service's first African American director, Bob realized the need for increasing the diversity of the service's staff and public programs to better serve minority populations… One result was the Underground Railroad Network to Freedom….

Roger Kennedy… was especially concerned about expanding the service's educational role and moved to enlarge its presence beyond the parks via the Internet… I do not think we could conceive of how different it would be for our parks, programs and visitors had Roger not led us forward in using the "new" web technology.

Jim Ridenour… stressed the importance of working with other government bodies and private entities to protect lands in and outside the system… "partnerships" are now a way of life for us.

Ron Walker, who advocated "stabilization," foreseeing that NPS funding and staffing would be inadequate for a continuing high influx of new parks and program responsibilities. Today we call it sustainability.

And speaking of executing big ideas and the NPS Centennial… Gary Everhardt oversaw a huge boost in park development and interpretive programming for the bicentennial of the American Revolution…

And how can I speak of achievements without mentioning George Hartzog, who welcomed 70 new areas to the national park system during his nine-year tenure as director and enlarged the service's role in many areas, including urban recreation, historic preservation, interpretation, and environmental education.

Those who have gone before us have left their mark on our Service and on our nation… now it is up to the rest of us to follow their lead, and do whatever it takes to move forward."

II. National Park Centennial Challenge

The National Park Centennial Challenge session was led by Steve Whitesell, Centennial Challenge Coordinator, Kate Richardson, Superintendent, San Francisco Maritime National Historical Park, and Jennifer Mummart, Special Assistant to the Director. Participating with the

NLC in this session were former directors Stanton, Kennedy, Ridenour, Walker, Hartzog, and Everhardt, and former Deputy Director Galvin.

The session began with a powerpoint overview of the process which led to the development of five key themes for the Report to the President. Included were the forty plus listening sessions, on-line and written public and employee comments, program management review, analysis of comments by a think tank group that consisted of NPS field employees and managers, and a listening session for partners hosted by Secretary Kempthorne. The five themes identified were Stewardship, Education, Recreational Experience, Environmental Leadership, and Professional Excellence. Mr. Whitesell informed the group that the Centennial Team was now working on modifying the theme statements and developing specific goals and targets for inclusion in the Report to the President which was due on May 31, 2007. He then opened the floor for discussion.

Director Bomar requested input from each of the former NPS directors that were present at the meeting.

Former Director Jim Ridenour spoke first, noting how quickly things have changed considering he was the first NPS director to use email. He emphasized the need to partner with state and local governments and share responsibilities where possible; stated that NPS should be careful not to dilute its efforts, emphasizing that we should concentrate on what is truly important to the mission; and concluded by recommending that NPS do something for its employees to provide education and instill pride.

Former Director Bob Stanton stated that there is still a need for internal agreement on the definition and scope of the duties of the NPS. Based on the presentation, it was not clear to him that Land and Water Conservation Fund (LWCF), Historic Preservation, Tribal Relations, and International Programs were included in the planning for the Centennial. He added that the lead statement of the Organic Act includes “promote and regulate,” and recommended that NPS not forget this part of it mission and reach out to diverse communities.

Former Director George Hartzog emphasized that the greatest majority of people who need parks, including the elderly, underprivileged, and immigrants, live in urban centers. He called upon the NPS to reach out and include these groups.

Kate Richardson informed everyone that the think tank had discussed the need to engage diverse audiences including the elderly and recent NPS retirees. She added that the Centennial Team is working on how this idea is conveyed in the Report to the President.

Former Director Roger Kennedy stated that it is important for the NPS to train ourselves to be open and willing to change. He recommended that we learn about state and local government operations so that we are better able to work together, and acknowledged the importance of educating employees.

Director Bomar informed the former directors that the thrust of the next two years is on employee development and recognition. She also discussed a new handbook that was developed through the Natural Resources, Stewardship, and Science Associateship that will be distributed at all naturalization ceremonies on NPS lands. The first distribution of the handbook will be at Jefferson National Expansion Memorial on June 14, 2007.

Former Director Gary Everhardt brought the idea of a Museum of National Parks, which would focus on NPS heritage and culture, to the attention of the NLC. He also commended NPS for the efforts to date on the Centennial and applauded the focus on employees.

Former Deputy Director Deny Galvin brought up the importance of external programs, noting that they had been attenuated to "next to nothing" over the past several years. He encouraged the NPS to pay attention and to try to revitalize external programs through the Centennial efforts.

Former Director Bob Stanton concurred with Mr. Galvin's recommendations and noted that a lot of people relate more closely to our external programs than to the parks.

Director Bomar informed the prior directors that when the budget was discussed, she turned to the regional directors and superintendents who emphasized the need for operational funding. The proposed FY'08 budget addresses this need by providing $109 million for base increases at 131 parks.

Former Director Ridenour added that it was up to NPS to challenge state and local parks to live up to their responsibilities, but that he would like to see the Land and Water Conservation Fund be stronger.

Director Bomar responded by letting the former directors know that the next NLC meeting will include joint sessions with the National Association of State Park Directors. Comptroller Bruce Sheaffer added that the NPS cannot neglect park operations. Once park operations are funded, then NPS can address other programs such as LWCF. Regional Director Jon Jarvis concurred that the NPS needs to focus on operations first, but then should shift focus to external programs including LWCF, Heritage Programs, and Urban Park and Recreation Recovery (UPARR). Mr. Sheaffer noted that OMB has added a provision to the proposed FY'08 budget that it can only be used for park projects and programs. This does not include external programs, employee education, etc. Mr. Whitesell encouraged everyone to remember that this is a ten-year initiative and we are just looking at year one right now.

Former Deputy Director Galvin stated that the vision for 2016 should be a fully funded and effective NPS by 2016. He noted that only one-tenth of one percent of the federal budget is devoted to land management and encouraged NPS not to set their sights too low. He added that the NPS budget quadrupled during the eleven years leading up to Mission 66.

Regional Director Pat Hooks commented on the importance of the listening sessions and the need to continue to engage the public and listen to their ideas. She told the group that a representative from Coca-Cola attended the Atlanta listening session and thanked the NPS for the opportunity to provide input. The representative also indicated a desire to work with the NPS to combat obesity and promote health and fitness.

Regional Director Mike Snyder recommended that the report define the "National System of Parks" as being all-inclusive and that this term be used. He also recommended that business practices be included in the Professional Excellence section of the report.

Mr. Whitesell then briefed the group on the proposed next steps which included completing and rolling-out the Report to the President by May 31; developing criteria and vetting proposed Centennial Projects and Programs; preparing a template for park specific Centennial Initiative Implementation Strategies which must be completed by August 25; and announcing the FY'08 Centennial Projects on August 25.

There were several questions about the Centennial Initiative Implementation Strategy that each park must prepare. Mr. Whitesell instructed the NLC that further guidance about the strategies would be issued and that a template would be provided. He also indicated that the strategies should be broad, consistent with park planning documents, and no longer than five to ten pages.

Mr. Snyder expressed concern that larger parks will have an advantage over small parks in the Centennial Challenge, and noted that capacity was needed at the regional level to help small parks raise matching funds. Director Bomar stated that resource sharing is key to the success of the NPS and added that she felt that regional and program offices need to "step up" to assist small parks.

UPDATE: The Report to the President, entitled "The Future of America's National Parks" was delivered on May 31, 2007. It is available online at www.nps.gov/2016.

III. Remarks from Vin Cipolla, President and CEO, National Park Foundation

Mr. Cipolla thanked the NLC for allowing him to come to the meeting and provide an update on the National Park Foundation (NPF). He noted that the NPF has transitioned from corporate to individual fundraising, and is anxious to assist the NPS in the Centennial Challenge efforts. Mr. Cipolla noted that web site development needs more focus, which is something NPF is working on, and he informed the NLC that NPF has recently hired Ms. Loretta Cooper to work in the Development Department. In closing, Mr. Cipolla listed the following as accomplishments under his tenure:

- The NPF has raised $20 million in cash.
- The NPF endowment has increased by $4 million.
- The friends group model was changed from building specific friends groups to supporting all friends groups.

IV. Job Corps

Associate Director Chris Jarvi and Acting Assistant Director Kate Stevenson provided the NLC an overview of the current status of the Job Corps Centers located on NPS lands. Concerns have been expressed over the recent closure of the Oconaluftee Center by the Department of Labor. The NPS goal is to re-open the center and maintain the positions. The Department of Labor will be taking over all of the contracts; however, they will not assume responsibility for the employees. The US Forest Service has offered to take control of the centers and the employees. So far, there has not been a response from the Department of Labor. NPS will continue to work on possible solutions.

UPDATE: Over the past several months, the National Park Service (NPS) has been in discussions with the Department of Labor (DOL) about transitioning the operation of the three NPS Job Corps Centers to an entity that could better manage the centers. Based on several developments, including DOL's recent instructions to potential contractors to visit the Great Onyx Job Corps Center (KY) on June 5, 2007 to prepare for bidding on a contract for operations, the NPS has realized the need to correct or clarify certain past statements and address certain misunderstandings between DOL and NPS. The NPS goal is to put deliberations concerning the Job Corps Centers on a more productive track for the benefit of all concerned.

One recent development that affects this process is a directive from the Office of Management and Budget (OMB) that DOL, the Department of Agriculture, and the Department of the Interior develop an umbrella agreement to supersede the current Interagency Agreement. OMB has specifically stated that there will be no side agreements prior to development of the multi-department agreement. Once the agencies develop the umbrella agreement, DOL and NPS will have clearer direction on the content of site-specific operational agreements. Through this more deliberative process, DOL and NPS will be better able to address the issues of importance to each agency. From the NPS viewpoint, these issues include maintaining an emphasis on

conservation-related training, securing management competent to carry out the conservation mission, clarifying requirements that apply to use of parkland, and taking appropriate response.

The following steps have been taken to date:
The NPS has cancelled all agreements for the Oconaluftee Job Corps Civilian Center (OJCCC) to include the Cherokee Boys Club and the ResCare contracts.

The NPS drafted a legal document, which will allow the DOL to operate the OJCCC starting September 1, 2007. The document is consistent with the current 1988 Interagency Agreement between DOI and DOL. Formal negotiations will began with DOL on the document on July 5th.

The NPS has transmitted to DOL a draft special use permit to allow the DOL contractor's access to the OJCCC for the purposes of making needed improvements to the facilities to allow reopening of the Center in time for the September 1, 2007 opening.

The NPS will provide funding to continue the current level of operation with the existing thirteen NPS staff from July 1, 2007 until September 1, 2007, or until our employees are relocated to another job or terminated by a RIF action. NPS employees at the Oconaluftee Center will continue to receive regular updates from the NPS regarding progress in out-placement services and the status of a RIF, which is the option of last resort.

The NPS is working through the DOI Office of Property and Acquisition Management to develop a new Interagency Agreement that covers the operations and maintenance of all centers operating on DOI and USDA land. The goal is to reach agreement by December 31, 2007.

This is an ongoing issue which will require continued attention from the NLC.

V. Wreath Laying – World War II Memorial

The NLC attended a wreath laying at the World War II Memorial on the afternoon of May 8. Director Bomar and Secretary Kempthorne joined Her Majesty Queen Elizabeth II, His Royal Highness Prince Philip, Duke of Edinburgh, President George H.W. Bush, Mrs. Barbara Bush, Major General Guy Swann, and Major General John Gilchrist for the ceremony which commemorated Victory in Europe Day (VE-Day) and honored the lives lost during the War. After the ceremonial wreath laying, Director Bomar conducted a tour with Her Majesty and Prince Phillip and the official party around the World War II Memorial and greeted the veterans in attendance. The Queen also met with British war brides who married U.S. soldiers more than 60 years ago. Director Bomar also conveyed her sincere thanks and appreciation to Regional Director Joe Lawler and the staff of the National Mall and Memorial Parks.

Wednesday, May 9, 2007
Agenda

I. Welcome and Call to Order
   Dan Wenk, Deputy Director

II. National Park Centennial Challenge
   Steve Whitesell, Centennial Challenge Coordinator
   Kate Richardson, Superintendent, San Francisco Maritime NHP
   Jennifer Mummart, Special Assistant to the Director

I. Welcome and Call to Order

Deputy Director Wenk called the meeting to order at 8:30 am and informed the NLC that Director Bomar had been called into a meeting with Secretary Kempthorne and Chief of Staff Brian Waidmann. Before joining the NLC, Director Bomar was also stopping at a reception in honor of the NPS employees who were receiving awards at the DOI Honor Awards Convocation to offer her congratulations. Deputy Director Wenk then stated that the NLC had been asked by Secretary Kempthorne and Chief of Staff Brian Waidmann to work on the themes, goals, and performance statements for the Centennial Challenge Report to the President.

II. National Park Centennial Challenge

The NLC spent the entire day on May 9 working on the Centennial Challenge report to refine the themes, goals, and performance statements. They broke into five groups for several sessions, and then reported back to receive feedback. The NLC also had the chance to meet with Secretary Kempthorne, who came to the meeting to thank the NLC for their assistance and get an update on the status of the report. A special thanks goes to John Quinley, Alaska Region Assistant Regional Director for Communications, who synthesized the NLC ideas into concise statements the evening of May 9.

UPDATE: The completed report, entitled "The Future of America's National Parks," can be found at www.nps.gov/2016.

Thursday, May 10, 2007
Agenda

I. Welcome and Call to Order
   Dan Wenk, Deputy Director

II. Human Capital PPE
   Marcia Blaszak, Regional Director, Alaska Region
   Jerry Simpson, Assistant Director, Human Capital
   Rob Gordon, Manager, Competitive Sourcing Program

III. Safety
   Karen Taylor Goodrich, Associate Director, Visitor and Resource Protection
   Cicely Muldoon, Deputy Regional Director, Pacific West Region
   Louis Rowe, Risk Manager, Washington Office
   Scott Wanek, Regional Chief Ranger, Pacific West Region
   Chas Cartwright, Superintendent, Shenandoah National Park
   Mike Reynolds, Superintendent, Fire Island National Seashore

IV. Budget
   Bruce Sheaffer, Comptroller

V. Human Capital Survey
   Nathaniel Deutsch, Human Resources Manager, Washington Office
   Charles Richardson, Chief of Classification and Compensation, National Capital Region

VI. Climate Change
   Mike Soukup, Associate Director, Natural Resources, Stewardship, and Science

VII. Closing Remarks
   Mary Bomar, Director

I. Welcome and Call to Order

Deputy Director Wenk called the meeting to order at 8:30 am and informed the NLC that Director Bomar had been called into a meeting with Secretary Kempthorne and Chief of Staff Brian Waidmann. After that meeting, Director Bomar had a scheduled appointment with John Nau, Chairman of the Advisory Council for Historic Preservation, and Jim Lighthizer, President, Civil War Preservation Trust, to discuss the Civil War Preservation Trust, Preserve America, Civil War Battlefields, and an NPS Programmatic Agreement. She joined the NLC at 9:30 am. Deputy Director Wenk then turned the floor over to Chief of Staff Sue Masica. Ms. Masica thanked the NLC for their flexibility yesterday, and then announced the agenda for the final day of the NLC meeting.

II. Human Capital PPE

Regional Director Marcia Blaszak, Assistant Director Jerry Simpson, and Competitive Sourcing Manager Rob Gordon provided the NLC with an update on the Human Capital PPE. Last spring, NPS began the Preliminary Planning Effort (PPE) on Human Capital functions. The goal was to get a better picture of needs, as well as the capacities throughout all of Human Capital. The first phase of the three-phase PPE process concluded in January, and based on the recommendations from the steering committee, the NLC decided that it would be in the best interest of the NPS to move forward with a Competitive Review of Human Capital functions and activities identified in the report: writing and classifying position descriptions; handling time and attendance cards and payroll processing; administering and communicating benefits programs, processing benefits actions; and processing SF50s, maintaining OPFs, medical records, and employee performance files. These four areas cover 122 FTE. The report for the first phase also recommended that NPS pursue resource-sharing and reduction in Servicing Personnel Offices (SPOs), and that NPS invest in automation for processes that are currently done manually.

A Competitive Review process in these limited areas supports the goals of the President's Management Agenda and benefits the National Park Service by committing to responsible change through a structured and recognized process that has both internal and external transparency. The process is expected to take approximately twelve months.

The NLC had a lengthy discussion about the Competitive Review process and the other recommendations from the Phase One report. Several concerns were voiced including that there are a lot of suppliers (both federal and private) that will likely bid during the competition, NPS needs to know and disclose the cost implications before competition gets underway, automation needs to happen sooner rather than later to ensure that NPS is working as efficiently as possible, and the activities listed are often collateral duties for employees, and therefore represent fractions of FTEs. NLC members also discussed the importance of resource sharing, and acknowledge that this may need to occur outside of regional boundaries in the future.

The NLC approved teams to oversee the Performance Work Statement (PWS) and Most Efficient Organization (MEO) development, both critical parts of the Competitive Review Process. Names of team members are listed in Appendix C. The PWS will allow NPS to specify what service must be provided in specific locations, and will allow the government to commit to furnish certain services that will not need to be addressed in the competition.

<u>Action Items:</u>

- Assistant Director Simpson will send information to the Regional Directors within the next 2-3 weeks about SPOs. Each SPO will need to have 3-4 licensees on site.
- The Regional Directors will determine the desired number of SPOs for their regions and submit this determination to Mr. Simpson by June 30, 2007. It was acknowledged, however, that a decrease in the number of SPOs cannot happen until Official Personnel Folders (OPFs) are automated. (Electronic OPFs will be part of an upcoming mandate from OPM and DOI.)
- Assistant Director Simpson will send guidance to the NLC on how to cull OPFs by early July.
- The Steering Committee will prepare a transition cost project and report this back to the NLC.

III. Safety

Associate Director Karen Taylor Goodrich, Deputy Regional Director Cicely Muldoon, Risk Manager Louis Rowe, Regional Chief Ranger Scott Wanek, and Superintendents Chas Cartwright and Mike Reynolds briefed the NLC on safety, and requested concurrence on the formation of a Safety Leadership Council. They reviewed current statistics, and the NLC discussed line-of-duty fatalities. While there has been a 13% downward trend in injuries and illnesses, safety remains at the forefront for all NPS employees, especially with the most recent line-of-duty fatality, Marina Giggleman.

The NLC had an open discussion about leadership and management system failures that have led to accidents and fatalities over the years. They stressed the importance of everyone playing an active role in their safety and the safety of employees and co-workers. "After all our talk about Natural and Cultural Resources, we sometimes fail to emphasize the 20,000 men and women who take care of America's special places." (Director Bomar, January 2007)

Director Bomar encouraged the NLC to perform safety walk-arounds and send out frequent safety messages to employees. Regional Director Snyder noted that Intermountain Region is using leading indicators to evaluate safety, adding fifteen roving safety professionals, and conducting safety walk-arounds. Anything noted as deficient in the walk-around must be remedied within three weeks. The NLC noted that Superintendents and Regional Directors must have the authority to immediately activate a safety stand-down if conditions warrant, as there is often not time to go through a rigorous approval process.

The NLC agreed to form a Safety Leadership Council that will report back to the NLC at each meeting. The vision for the council is to "transform safety from a discrete program to a leadership practice throughout the NPS." Associate Directors Karen Taylor-Goodrich and Mike Soukup and Regional Directors Jon Jarvis and Mike Snyder will serve on the Council. Additionally, the NLC decided to send a letter to the field detailing the service's recommitment to safety.

<u>Action Item</u>

- A letter to the field detailing a recommitment to safety and the formation of the Safety Leadership Council will be drafted, signed by all voting NLC members, and distributed. – COMPLETED

The memo from Director Bomar about the establishment of the Safety Leadership Council, the council's charter, and a list of council members are in Appendix D.

IV. Budget

Comptroller Bruce Sheaffer led a discussion regarding the 2008 and 2009 budgets with the NLC. He was optimistic that NPS will receive much of what was requested in the President's proposed 2008 budget that was sent to Congress. The NLC were then engaged in a conversation about priorities for FY 2009 to ensure that they were in agreement on proposed funding levels. Mr. Sheaffer will use the guidance provided by the NLC to help formulate the proposal for the NPS FY 2009 budget.

Action Items

- Mr. Sheaffer will include funding for the Underground Railroad Network to Freedom as the NLC concurred that this program should be funded.
- Associate Director Taylor-Goodrich will send information to Mr. Sheaffer regarding funding needs for Incident Management Teams.
- Regional Director Blaszak will submit information to Mr. Sheaffer about the travel ceiling.

V. Human Capital Survey

In 2006, the Office of Personnel Management (OPM) conducted a Federal Human Capital Survey. Director Bomar and the NLC were concerned about the results from this survey and asked the Human Capital Survey Team to review the results and make recommendations. Mr. Nathaniel Deutsch, WASO Human Resources Manager, and Mr. Charles Richardson, NCR Human Resources Manager and team co-lead, briefed the NLC on the team's findings.

The OPM survey consisted of 73 questions covering Personal Work Experience; Recruitment, Development and Retention; Performance Culture; Leadership; Learning; Job Satisfaction; and Satisfaction with Benefits. Responses to the questions in 2006 were compared to those given in 2002 and 2004. Based upon the trends observed, the team made the following recommendations to the NLC:

- Ensure that the survey is accessible to all employees. Only 6,648 of the 20,000 NPS employees took the survey.
- Continue to fund NPS Fundamentals.
- Resuscitate the annual Service-wide training needs assessment.
- Ensure that supervisory training is multi-tiered and appropriate for the level of complexity and responsibility of the trainee.
- Ensure that NPS has a vigorous training program for its employees.
- Create permanent base-funded career counselors.
- Develop NPS career employees for senior leadership positions.
- Conduct TEL-NET broadcasts semi-annually to all employees to improve internal communications.

The NPS discussed the recommendations from the team as well as their issues and concerns regarding the survey. There was broad agreement on many of the recommendations, but there was some concern regarding base-funded career counselors. Alternatives discussed included assigning new superintendents a senior superintendent mentor, creating a database of senior level supervisors who are willing to serve as mentors, and enhancing the function of career counseling rather than creating new positions. The NLC agreed to review the recommendations in depth and provide comments to Jerry Simpson by Wednesday, May 16, 2007.

Many NLC members felt that the survey was much too long and took too much time to complete. They also noted that at the time this survey was given, NPS was dealing with the 2006 Management Policies and potential outsourcing. The NLC recommended that the team

speak to Dr. Jim Gramman, NPS Visiting Chief Social Scientist, and ask him to review the survey questions.

Action Items:

- The NLC will submit their comments on the team's recommendations to Jerry Simpson by COB, Wednesday, May 16, 2007.
- Nathaniel Deutsch and Mike Soukup will speak with Dr. Jim Gramman about the survey and ask him to work with OPM and DOI.

VI. Climate Change

Dr. Leigh Welling, Director, Research Learning Center, Glacier National Park, provided the NLC with an overview of climate change that highlighted changes that are occurring and presented ideas for actions that can be taken by NPS. She informed the NLC that six of the warmest years over the last century have occurred in the last eight years, and the latest assessment report from the Intergovernmental Panel on Climate Change noted that "warming of the climate system is unequivocal" based on observations of increases in global average temperature, widespread melting of snow and ice, and rising global mean sea level. Impacts of climate change include changes in precipitation, rising seal level, insect outbreaks, forest pathogens, decreased lake levels in the southwest, changes in the timing of seasons, and changes in the elevational ranges of terrestrial species.

Dr. Welling urged the NLC to incorporate climate change into planning documents, to engage in scenario planning, and identify high risk species and habitats such as those in alpine, aquatic, high latitude, and transitional environments. She also advocated for long-term monitoring, engaging partners and citizens, promoting transportation alternatives, reducing greenhouse gas emissions, and training and education for park employees and visitors.

Dr. Mike Soukup, Associate Director, Natural Resources, Stewardship, and Science, informed the NLC that Secretary Kempthorne has convened a Climate Change Taskforce that is chaired by Deputy Secretary Scarlett. The NPS is an active participant on this Taskforce and is represented on all three subcommittees - legal and policy issues, land and water management, science. The legal and policy issues subcommittee is reviewing current practices for considering climate change effects in land-use planning and decisions. The land and water management subcommittee is evaluating current and prospective options for addressing the effects of climate change, and is cataloguing the types of impacts relevant to our lands and waters. The science subcommittee is looking at regional scale modeling to better project location specific changes to the landscapes we manage, and is evaluating information needs.

Testimony and prepared statements from the April 26, 2007 Hearing Before the Subcommittee on Interior, Environment, and Related Agencies of the Hose Appropriations Committee are in Appendix E.

VII. Closing Remarks from Director Bomar

"I suppose this meeting proved the old maxim, 'The only thing constant is change.'

I truly thank you all for your understanding, cooperation and contributions to our Centennial Report to the President… The Centennial Initiative will be a huge boost to the entire Service…As I said in my 'dumpster diving story,' if we truly value something we will do whatever it takes to achieve it.

I would ask those of you who had members of your team here as presenters to also thank them for their flexibility … And a huge thank you to the Centennial team, Dan and others, who really have worked all hours trying to get the report finished… and neither they, nor the team in Harpers Ferry, are quite finished yet!

I also must thank Sue, who juggled the schedule on the fly, as well as Jim Gasser and Jennifer Lee… you handled it all despite the challenges of a shifting schedule…

Despite the schedule changes, there were clear benefits… first to allow you as the NLC to contribute in a major way to the Centennial report… but equally important was the opportunity to learn for yourselves how deeply committed the Secretary is to our parks and programs with the Centennial Initiative… you can see how much he cares…

While we did not get to all the items on the agenda, we covered an amazing amount of ground… the Human Capital PPE, budget…safety…the Human Capital Survey… climate change, and more…

I especially thank you all for stepping up to the plate on Safety… Jon and Mike as RDs and Mike Soukup joining Karen as the Associates on the team… that is a clear indication of our commitment to a stronger safety program…

The other items on the agenda are also important… Yes it is disappointing we did not get to the Training and Development report… but that gives Sandy, Costa and company a chance to go back and make it even better!

This really is a time for our people, and I heard that from this Council during all our discussions... not just for your regions, or Associateships, but for our Service... I believe we are on the right track as a team…and the NEXT employee Survey will show that!

So, thank you all for a great three days…for me, the whirlwind continues at Jamestown Friday and Saturday… But I know it is the same for all of you… and to recall my canoe story, we are all rowing as hard as we can…

Have a safe journey home... and I underscore the word safe! Thank you all!”

Next meeting

September 4-6, 2007 Williamsburg, VA

Appendix A

List of National Leadership Council Members (updated March, 2007)

Voting Members
Mary Bomar, Director
Dan Wenk, Deputy Director, Operations
(Vacant) Deputy Director, Support Services
Sue Masica, Chief of Staff
Bruce Sheaffer, Comptroller
Chrysandra Walter, Acting Northeast Regional Director
Ernest Quintana, Midwest Regional Director
Mike Snyder, Intermountain Regional Director
Marcia Blaszak, Alaska Regional Director
Pat Hooks, Southeast Regional Director
Jon Jarvis, Pacific West Regional Director
Joe Lawler, National Capital Regional Director
Bill Shaddox, Acting Associate Director Park Planning, Facilities & Lands
Mike Soukup, Associate Director Natural Resources, Stewardship & Science
Jan Matthews, Associate Director Cultural Resources
Karen Taylor-Goodrich, Associate Director Visitor & Resource Protection
Chris Jarvi, Associate Director Partnerships and Visitor Experience

Standing Staff Members
Dave Barna, Chief, Public Affairs
John Snyder, Acting Chief Information Officer
Tom Wolfe, Assistant Director—Congressional and Legislative Affairs
Kate Stevenson, Acting Assistant Director—Business Services
Jerry Simpson, Assistant Director—Human Capital
Phil Sheridan, Acting Associate to the Director

NLC Support Staff
Jennifer Lee, Administrative Program Specialist
Jim Gasser, Program Specialist

Appendix B

Agenda Items for upcoming NLC calls and/or the September 2007 NLC meeting:

- Training and Development
- Comments on Human Capital Survey recommendations
- Hunting
- Harpers Ferry Center
- Nationwide Programmatic Agreement for Section 106 Compliance
- Border Issues
- Contracting Red Report
- Status of revisions to partnership construction process and other improvements to facilitate philanthropy and partner engagement with NPS
- Native American plant collecting regulations – findings of the work group and proposed regulations change to be published in the Federal Register.
- Wild and Scenic Rivers – task force recommendations review
- NCR case study: Material Safety Data Sheet (MSDS) business practice change through automation

Appendix C

Human Capital PPE

Performance Work Statement Team
Marcia Schramm, HR Specialist (WASO) - PWS Team Lead
Dave Fuller, HR Officer (PWR/OLYM)
Maribeth Wuertz, HR Officer (IMR/YELL)
Helen Stewart, Lead HR Specialist (ARO)
Valerie Marquez, HR Specialist (IMRO)
Keith Newlin, Superintendent (NER/Western PA Parks)

Most Efficient Organization Team
Phil Hechtman, Admin Off. (MWR) – MEO Team Lead
Teresa Wright, HR Specialist (PWR/Seattle)
Lindy Lawson, HR Specialist (ARO)
Marlene Doty, HR Specialist (NCRO)
Christopher Moos, Superintendent (IMR/CAVO)
Liz McConnell, Chief of Admin. (NER/BLAC)
Cynthia Kretzschmar, Admin Off.(SER/VIIS)
Debbie Burton Orton, Supv. HR Specialist (APC Denver) - Advisor

Appendix D

- Safety Leadership Council Memo
- Safety Leadership Council Charter
- Safety Leadership Council Members

United States Department of the Interior

NATIONAL PARK SERVICE
1849 C Street, N.W.
Washington, D.C. 20240

(0001)

July 10, 2007

Memorandum

To: All Employees

From: Mary A. Bomar
Director

Subject: Establishment of the National Park Service Safety Leadership Council

In April, I had a telephone conversation with Craig Giggleman, whose wife Marina died in an accident at Padre Island National Seashore. I learned much about Marina from speaking to him. She married a wonderful man, had a loving son and followed her life's passion for the ocean and its creatures. She left the land of her birth and followed her passion to a new country she would call home. Her work was important, and it mattered not only to her but to the living biosphere we call Earth. A beautiful life, cut short by a tragic accident.

While the number of accidents in the Service is declining, the severity and frequency of serious accidents remains sobering. We have experienced one on-duty death in the last three months; seven in the past year; and eighteen in the past five years.

During the press of business in our parks, we tend to focus on the problems of today and forget about past accidents at other parks. But during the May National Leadership Council (NLC) meeting, a slide listing the names of our colleagues who died on duty over the past 20 years brought the issue into sharp focus. There were names of people we knew, at parks throughout the system. There could be no better reminder of the need for safety than by seeing their names:

Robert Kasparek	James Spirer	James Hudson
James Laney	Edward Wisniewski	Robert Mahn, Jr.
Ricardo Preston	James Hatfield	Kee Won Kim
Harold Parsens	Anne Dickenson	Fernando Abeyta
William Holland	Charles Avery	Ryan Weltman
Truman James	Steven Milton	Herbert Whitaker
Robert Lewis McGhee	Don Reid	Mathew Lambert
John Ethridge	Alan Quellette	Barry Hance
George MacDougall	Corey Washington	Wesley Fox

Sean Ryan	Steve Makuakane-Jarrell	Ryan Waltman
Philip Otis	Dorie Lent	Susanne Roberts
Randall Thompson	Andy Artz	Daniel Holms
Randy Morganson	Kenneth Smith	Jeff Christensen
Michael Beaulieu	Cale Shaffer	Dan Madrid
Nelson Griffith	Brian Reagan	Jim Schlinkmann
Roderick Hutchinson	Adam Kolff	Joe Sordi
Diane Dustman	Robert Larson	Arnold Kovin Jr.
Rory Perkins	Phillip Conner	Dan Quilter
Taryn Hoover	Kristopher Eggle	George Ratliff
Mike Vanderbeek	Hakim Farthing	Michael Gresham
Ford Mattice	Tom O'Hara	Dan Green
Joseph Kolodski	Matthew Engelhardt	Marina Giggleman
Tim Taggert	Ricky Campbell	
Anthony Carone	Armando Caceres	

Without exception, organizations that have radically improved their safety performance are those in which the highest levels of management have become directly involved in creating and sustaining a culture of safety. These organizations universally exhibit factors common to high safety performance— vision, leadership, accountability, communication, and evaluation. Not surprisingly, these factors are also common to organizations with high overall performance.

Safety must be integrated as a leadership practice and become part of our culture, and not viewed as an isolated program or initiative. A culture change of this magnitude demands vision and credibility from the top down, and will not succeed without the visible commitment of NPS leadership.

A Safety Leadership Council, chartered by and accountable to the NLC, will help the NLC create, deliver, and sustain an effective safety strategy for the Service. An executive level council drawn from field practitioners, park managers, and regional and national leadership will have the credibility and support to transform *NPSafe* into a working blueprint for excellence and help bridge the gap between management vision and front line implementation.

Attached to this memo are a charter, signed by the entire National Leadership Council, and a list of the members of the Safety Leadership Council. I think the clearest indicator of commitment at the national level is that rather than a single NLC representative to advocate for safety, the NLC insisted on four members as representatives: Associate Directors Mike Soukup and Karen Taylor-Goodrich and Regional Directors Jon Jarvis and Mike Snyder. And, because at its core, safety is about people, Jerry Simpson, our Assistant Director for Human Capital, will also participate actively on the council.

We have a promising beginning. A growing body of park managers and field practitioners throughout the Service has instituted progressive, innovative management

systems to instill a safety culture. A Safety Leadership Council will assist the NLC in fostering these efforts to benefit the NPS workforce as a whole.

In our Centennial Report to the President, we choose Professional Excellence as one of our major themes. That includes keeping our workforce and our visitors safe. In this 'Year of the People,' there could be no better gift for us to give one another than a year without further fatalities among our colleagues. Thank you for taking care of one another and for all you do each day.

Attachments: Safety Leadership Council Charter
Safety Leadership Council Members List

NATIONAL LEADERSHIP COUNCIL

SAFETY LEADERSHIP COUNCIL

VISION
Transform safety from a discrete program to a leadership practice throughout the National Park Service.

FOUNDATION
Accident rates in the National Park Service have declined in the last few years, indicating we have made some progress in increasing safety performance. While the safety climate in parks has improved, we can and must do better. Our injury and fatality rate remains unacceptably high for a high performing organization that values its employees as we do in the Service.

The National Leadership Council believes that with leadership commitment and employee engagement, we can succeed in changing the safety culture within the Service. This transformation requires the active engagement of leaders, present and emerging, at all levels of the organization.

ACTION
Establish a servicewide Safety Leadership Council charged with assisting the NLC in creating, delivering, and sustaining an effective safety environment for the NPS. A servicewide council with a shared passion for safety leadership will help guide efforts to transform NPSafe into a working blueprint for excellence and bridge the gap between management vision and front line implementation.

APPROVED

Mary A. Bomar

Christopher Jarvi

Marcia Blaszak

Dan Wenk

Jan Matthews

Patricia Hooks

Sue Masica

Bill Shaddox

Jonathon Jarvis

Karen Taylor-Goodrich

Chrysandra Walter

Ernest Quintana

Bruce Sheaffer

Joseph Lawler

Michael Snyder

Michael Soukup

Safety Leadership Council
Membership

The National Park Service Safety Leadership Council serves as an interdisciplinary advisory forum, a leader in advocating a shift in safety within the Service from a discrete program to a leadership practice. The Council is representative of a range of disciplines and grade levels, including field, regional, and national program representatives and senior executives. The Council will report to the National Leadership Council.

NLC REPRESENTATIVES

Karen Taylor-Goodrich, Associate Director, Visitor and Resource Protection
Jon Jarvis, Regional Director, Pacific West Region
Mike Snyder, Regional Director, Intermountain Region
Mike Soukup, Associate Director, Natural Resources, Stewardship and Science
Jerry Simpson, Assistant Director, Human Capital

SUPERINTENDENTS

Chas Cartwright	Superintendent, Shenandoah
Stephanie Dubois	Deputy Superintendent, Glacier
Karen Gustin	Superintendent, Big Cypress
Mike Reynolds	Superintendent, Fire Island
Kate Richardson	Superintendent, San Francisco Maritime
Alex Romero	Deputy Superintendent, National Capital Parks - East
Tom McGrath	Superintendent, Historic Preservation Training Center
Greg Dudgeon	Superintendent, Sitka National Historical Park

DEPUTY REGIONAL DIRECTOR

Cicely Muldoon	Pacific West

PROTECTION RANGERS

Jill Hawk	Regional Chief Ranger, NER

STRUCTURAL FIRE

Joe Mazzeo	Regional Structural Fire Specialist, NER

WILDLAND FIRE

Al King	Fire Safety & Prevention Specialist, NIFC NPS

FACILITY MANAGEMENT

Michael Castagnetto	Facility Manager, Harpers Ferry

REGIONAL SAFETY MANAGER

Dickie Brown	Regional Safety Manager, MWR

PARK SAFETY MANAGER

Roger Farmer	Safety & Occupational Health Manager, Yosemite

COLLATERAL DUTY SAFETY OFFICER

Sena Wiley	Collateral Duty Safety Officer, Grand Teton

WASO RISK MANAGEMENT

Richard Powell	Risk Management Program Lead
Sarah Newman	Public Safety Specialist
Ed Perez	Occupational Health Manager

COUNCIL SUPPORT

Louis Rowe	Deputy, Risk Management Program
Glenn Dean	Safety Specialist/Training Manager
Steve Hastings	Training Manager, Facilities Management

Appendix E

Climate Change Testimony – April 26, 2007 Hearing Before the Subcommittee on Interior, Environment, and Related Agencies of the Hose Appropriations Committee

- Statement of Dan Kimball, Superintendent, Everglades National Park
- Statement of Don Neubacher, Superintendent, Point Reyes National Seashore
- Testimony of Sam D. Hamilton, Southeast Regional Director, USFWS
- Statement of Ron Huntsinger, National Science Coordinator, BLM
- Testimony of P. Lynn Scarlett, Deputy Secretary of Interior
- Statement of Mike Pellant, Great Basin Restoration Initiative Coordinator, BLM
- Statement of Dr. Thomas R. Armstrong, Senior Advisor for Global Change Programs, USGS

STATEMENT OF DAN KIMBALL, SUPERINTENDENT, EVERGLADES NATIONAL PARK, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON INTERIOR, ENVIRONMENT, AND RELATED AGENCIES OF THE HOUSE APPROPRIATIONS COMMITTEE CONCERNING CLIMATE CHANGE AND LANDS ADMINISTERED BY THE DEPARTMENT OF THE INTERIOR.

APRIL 26, 2007

Mr. Chairman and members of the subcommittee, I appreciate the opportunity to appear before you today at this hearing on climate change and its impact on lands administered by the Department of the Interior. My remarks will focus on Everglades National Park and the potential effects of climate change on the Everglades ecosystem, the park's infrastructure, and our visitors.

At 1.5 million acres, Everglades National Park is the third largest park in the lower 48 states and protects the largest wilderness area east of the Rocky Mountains. The park includes the largest freshwater sawgrass prairie in North America and the largest protected mangrove ecosystem in the Western Hemisphere. To the members of Congress who debated the park proposal in 1932, Everglades National Park was a new idea: the first national park to be established not as a scenic showplace, but as a biologic marvel.

Everglades National Park is part of the greater Everglades, a 100-mile long, 50-mile wide shallow, freshwater "River of Grass" that historically flowed south from Lake Okeechobee through the freshwater sloughs and prairies to the Gulf of Mexico and Florida Bay. Summer rains flood this river and fuel the reproduction of small fish, algae, and other organisms at the base of the food chain. The winter dry season concentrates this life into ponds and alligator holes that once fed "super-colonies" of wading birds, colonies so large that observers claimed that in flight they blocked out the sun. Where fresh water from the marshes meets salt water at the coast, vast mangrove forests and winding coastal creeks begin. Here, crocodiles and alligators uniquely live side by side. Beyond the mangroves is Florida Bay, a half-million acre estuary made up of shallow basins, grassy mud banks, and mangrove islands. The bay serves as a nesting area, nursery, and feeding ground for lobster, pink shrimp, crocodiles, manatees, turtles, dolphins, and a variety of birds and game fish. As many say, "There are no other Everglades …" The park has also been designated as a World Heritage Site, an International Biosphere Reserve, and a Wetland of International Importance.

The Everglades also serve the people of South Florida. They are a source of drinking water for almost 5 million residents; a giant limestone sponge that helps to absorb the floodwaters from tropical storms and hurricanes; and one of the major engines of tourism for South Florida.

During the last 130 years, the Everglades have been put in peril by a series of water management projects that were conceived with good intentions, but with little understanding of the ecosystem. As a consequence, wading bird colonies have shrunk by 90%. Sixty-nine species of plants and animals have been listed as threatened or endangered by the State of Florida or the Federal government. The ability of the ecosystem to store water – for both people and nature – has been seriously compromised. The existing "plumbing" of South Florida makes it almost impossible to improve conditions for one user of water without harming another.

As you are aware, the Department of the Interior, in partnership with the U.S. Army Corps of Engineers, the State of Florida, and the Native American tribes, has embarked on a 35-year,

$11 billion effort to restore the greater Everglades. As I hope to show later in my testimony, this effort is even more critical in a time of rising seas.

Everglades National Park is very vulnerable to sea level rise. The entire park lies at or close to the level of the sea. Sixty percent of the park is at less than 3 feet above mean sea level. The highest ground in the park is 11 feet above mean sea level. The February 2007 report of the Intergovernmental Panel on Climate Change (IPCC) allowed the park to model the potential impact of sea level rise on its lands and waters. Using six different climate change scenarios, the IPCC report projects that sea level could rise between 7 inches to 23 inches by the end of this century. If this projection proves true, 10% to 50% of the park's freshwater marsh would be transformed by salt water pushed landward by rising seas.

The key to predicting the impacts of sea level rise is knowing the rate at which the water will rise. Sea level has been rising in South Florida since the end of the last ice age, more than 10,000 years ago. Geologic evidence shows that much of the marine area of the park, including Florida Bay and the Gulf Coast, was freshwater marsh 10,000 years ago. Beginning 5,500 years ago, rapidly rising seas (a rate of 9 inches every 100 years) flooded the bay and Gulf Coast and pushed saltwater inland far beyond today's coastline. Approximately 3,200 years ago, the rate of sea level rise dropped to about an inch and a half every hundred years. In this time of slow sea rise, South Florida gained land, including Cape Sable and the Ten Thousand Islands.

The rate at which sea level would rise in the future is an important factor. Past evidence tells us that if sea levels were to rise slowly, mangroves and shallow mud banks might be able to keep pace with the change. If sea levels were to rise rapidly, it is likely that mangrove areas and coastal wetlands would likely not be able to adapt and would be submerged.

What impacts would sea level rise have on the natural systems within the park? Much is unknown and the subject of scientific speculation. Most scientific reports agree that sea level in South Florida has risen by 10 inches since 1930. During that time, we have seen the erosion and collapse of a few coastal creeks. As water eats away at the land, it carries away nutrients that have been locked up in peat and mud soil and makes them available for algae, microscopic organisms that are a normal part of the ecosystem, but that can increase to levels that harm other life if nutrient levels are too high. To date, the impact of coastal erosion has been local and has not threatened the Everglades' ecosystem. But things could change if the rate of sea level rise increases.

A rise in sea level of between 7 and 23 inches, as projected by the IPCC report, would submerge tidal flats and inland freshwater marshes and impact the species that inhabit these areas, such as wading birds and the Federally endangered Cape Sable Seaside Sparrow. If sea level rises 23 inches, it could submerge the park's pinelands, one of the rarest ecosystems in South Florida. Rising sea levels could also erode beaches, leaving fewer habitats for nesting sea turtles.

On the other hand, this level of sea level rise would increase the area of shallow basins, mangroves, and brackish marshes resulting in the increase of salt water dependent species.

In the Florida Bay area of the park, rising sea levels could submerge shallow seagrass flats under more water and raise salinity concentrations, adversely affecting fish habitat and associated estuarine fisheries. A June 2006 report by the National Wildlife Federation and the Florida Wildlife Federation highlighted these potential impacts and also suggested that sea level rise would harm the world-class recreational fishery in Florida Bay for bonefish, yellowtail snapper, permit, redfish, snook, spotted sea trout, and tarpon.

Florida Bay could be affected not only by sea level rise, but by rising temperatures as well. The IPCC report predicts that sea surface temperatures could rise between 2 and 5 degrees Fahrenheit by 2100. Scientists have linked high sea surface temperatures in 1987 to the seagrass die-off that occurred that same year. Higher sea temperatures could fuel algal blooms or promote marine diseases.

Sea level rise could also impact park buildings, trails, campgrounds, roads, and historic sites. Structures such as fixed docks and backcountry camping platforms (chickees) might become unusable if waters rise. On the other hand, deeper water might reduce the number of boat groundings in Florida Bay, a major problem facing the park. Sea level rise will exacerbate storm surge impacts and coastal erosion associated with tropical storms, both to natural systems and park infrastructure.

Sea level rise would likely push salt water into the Everglades and threaten the viability of South Florida's drinking water supply. Today, surface water from the Everglades is the principal source of freshwater for the underlying Biscayne Aquifer, which is in turn the source of drinking water for close to 5 million people in South Florida.

Everglades National Park is undertaking a number of actions in response to climate change. First, we are working hard with our partners to complete the Comprehensive Everglades Restoration Plan (CERP). By removing the canals and levees that form barriers to natural water movement, we hope to restore natural flows to the park and restore the Everglades' capacity to store water. More water in the Everglades would create a freshwater head that would act as a barrier to the landward push of saltwater. This freshwater head would make the Everglades ecosystem more resilient to climate change.

Second, we are carefully monitoring climate change indicators and projections, and using this information to shape our management actions. For example, recent information suggests that failed saltwater dams – or plugs – along canals in the Cape Sable area of the park have led to a decline in the number of American crocodiles in the area. From the 1990s until the failure of the plugs, the Cape Sable canals were the most productive crocodile nesting area in the park. The failed plugs let the tides push into the canals, creating strong currents and saltier conditions, both of which make the canals less suitable for nesting. While we would like to replace the plugs to block salt water incursions into the freshwater backcountry of the cape and protect the crocodiles, sea level rise suggests that we should consider structures that are less expensive and permanent than those we would consider in the absence of sea level rise. We are also considering more extreme actions such as storing the seeds of rare, endemic, and threatened and endangered species, and relocating coastal plant and animal species to adjacent protected areas.

Third, we are carefully evaluating how (and if) we construct and rebuild park facilities in flood-prone zones. For example, we have replaced fixed docks with floating or removable platforms so they are more resistant to sea level rise and storm events. We are taking sea level rise into account as we develop our plans to rebuild the lodging, docks, stores, and other visitor services at Flamingo that were seriously damaged by Hurricanes Katrina and Wilma in 2005. We plan to elevate buildings or construct temporary or mobile buildings that can be relocated in advance of major storms.

Fourth, we are one of nine units of the National Park System that has participated in the National Park Service's Climate Friendly Parks Program, a partnership effort between the Park Service and EPA. As part of that program, we have inventoried our sources of greenhouse gases and taken actions to reduce our emissions; utilize alternative fuels, such as biodiesel; operate a more efficient motor vehicle fleet; and implement comprehensive recycling and sustainable design and procurement programs.

Lastly, the park is a member of the newly-formed Miami-Dade Climate Change Advisory Task Force. This 25-member Task Force makes recommendations to the Miami-Dade Board of County Commissioners regarding ways that the South Florida community can work together to reduce locally produced greenhouse gases and to adapt to sea level rise and the impacts of hurricanes with potentially greater intensity and frequency.

In summary, given its geography and topography, Everglades National Park is very vulnerable to sea level rise. Sea level rise would impact the ecosystem, the park's infrastructure, our visitors, and our greater South Florida community. We will continue to monitor indicators of climate change in the park, and adapt accordingly based on what the science tells us. Most importantly, we will continue to do everything we can to restore the River of Grass, resulting in an Everglades ecosystem that will be healthier and more resilient to the effects of climate change.

This concludes my prepared testimony. I would be pleased to respond to any questions you or other subcommittee members might have.

STATEMENT OF DON L. NEUBACHER, SUPERINTENDENT, POINT REYES NATIONAL SEASHORE, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE APPROPRIATIONS SUBCOMMITTEE ON INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
REGARDING CLIMATE CHANGE

APRIL 26, 2007

Mr. Chairman and members of the subcommittee, thank you very much for the opportunity to present testimony on the role of the National Park Servicce (NPS) in addressing climate change impacts on national park lands and their resources. I am the Superintendent of Point Reyes National Seashore along the California coast north of San Francisco. Over my 26-year career in the NPS, I have worked at Glacier Bay National Park, the Presidio, and the NPS Denver Service Center, in addition to Point Reyes.

Today my testimony will focus on our observations of the effects of climate change in national parks and more specifically, at Point Reyes National Seashore and the actions we are taking to prepare for the current and predicted changes from climate change.

Point Reyes National Seashore is one of 74 coastal units in the National Park System encompassing more than 5,100 miles of coast and three million acres of submerged resources including beaches, estuaries, coral reefs, kelp forests, and wetlands. These parks attract more than 75 million visitors every year, and generate over $2.5 billion in economic benefits to local communities. To conserve and restore these tremendous recreational and biological values, NPS Director Mary Bomar recently announced the Ocean Park Stewardship Action Plan (Plan), as called for by the President's U.S. Ocean Action Plan. This Plan sharpens our scientific focus and heightens our emphasis on conserving marine, estuarine and coastal resources in the National Park System. It acknowledges that we must expand collaborations with the states, the National Oceanic and Atmospheric Administration (NOAA), U.S. Geological Survey (USGS) and academia to better understand and respond to impacts on ocean park resources from climate change and other issues.

National parks represent a wide range of ecosystems scattered across the nation, and present us with a tremendous opportunity to observe the effects of climate change on resource conditions that scientists and managers have documented over decades. More recently, the NPS Natural Resources Challenge Initiative that began in 2000 ensured that parks across the nation complete inventories and initiate monitoring of natural resources. The combination of these sources of information (long-term legacy monitoring data and new inventories) has provided us with timely examples of the effects of climate change in parks now.

Within the Intermountain and Pacific West Regions of the NPS, here are a few examples of what superintendents are observing, some of which may be associated with climate change:

- From 1850-1993, at Glacier National Park, there has been a 73% reduction in the area covered by glaciers and numerous smaller glaciers have disappeared altogether. Only 27 km^2 of glaciers remain from the 99 km^2 which previously existed. Similar reductions are occurring at Mount Rainier, Olympic, and North Cascades National Parks.
- In the western mountain parks, such as North Cascades, Yosemite, Rocky Mountain, and Glacier National Parks, snow pack is reduced and lower water content is present in the snow. This has led to water shortages throughout California and lower runoff to the ocean, which exacerbates already contentious issues over wildlife (salmon and other endangered

fish species) versus agricultural and urban needs for water. This year the snow pack in the Sierras was down approximately 30 percent.

- In high elevation parks, the ranges of animals and plants are shifting upward in elevation because of the warming of habitats with several species, such as picas, predicted to be lost with the loss of the boreal zone. This shift was documented in Yosemite by a recent repeat survey of areas that naturalist Grinnell surveyed in the 1930s.
- Coral reef die-off in Pacific island parks and kelp forests' loss in the Pacific coastal parks such as the Channel Islands National Park has been documented during El Nino events such as the one that occurred in 1998 due to the rise in average Pacific Ocean water temperatures.
- Dead zones off the coast of Oregon for the past 5 years have caused large pulses of nutrient input and phytoplankton blooms. These "dead zones," which suffocate crabs, fish, sea stars, and anemones on the ocean floor, have continued with those of 2006 now on the books as the largest, most severe, and longest lasting on record for the West Coast. These dead zones differ from those that have occurred elsewhere in the United States and widely around the world, because they are related to warm water rather than nutrient pollution. Redwood National Park is on the edge of a dead zone that is predicted to expand into California.
- Populations of six species of nearshore fish in California have collapsed due to lack of recruitment over the past 25 years. Over fishing, potentially combined with warming climate, could have decimated reproductive success in these nearshore rockfishes. These rockfish species are important as food for local marine species in all coastal parks from Redwood National Park to Cabrillo National Monument and to local fisherman.

Along with these examples, we have observed a number of specific impacts at Point Reyes National Seashore:

- The California rocky intertidal species` range shifted northward from 1931 to 1994,
- Almost every year, Point Reyes National Seashore experiences severe winter storm damage that requires emergency funding. Some parks are experiencing wetter winters with more rain in shorter periods, which results in increased erosion, flooding, and storm damage. Dryer summers and autumns lead to increased fire danger.
- Nearly one-third of all plants are non-native and an invasive plant pathogen called Sudden Oak Death is rapidly spreading throughout the park and other parks in the West. Non-native invasive species spread more rapidly with fire because they have a greater advantage in disturbed and rapidly changing environments, displacing native species.
- Seals were washed away by elevated sea levels and large waves in 1998 during an El Nino event. One western snowy plover nesting beach at Point Reyes is no longer usable because of over wash at high tides. The habitat of this federally threatened species will continue to diminish with sea level rise. Sea level rise also will cause loss of breeding and roosting habitat for seabirds and pinnipeds (seals and sea lions).
- Point Reyes is considered one of the foggiest places in the world, but in 2004 and 2005, the amount and timing of summer fogs were reduced because nearshore waters were warm. The fog patterns changed due to increased nearshore sea surface temperatures. Many forest and scrub species derive much of their moisture from fog drip.
- In 2005 and 2006, Point Reyes researchers documented very low krill populations off Point Reyes and Golden Gate National Recreation Area, resulting in complete breeding failure for the seabird, Cassin's Auklets. These are the first breeding failures recorded for this species in 30 years.

These impacts are not the only ones expected for our parks. Others are anticipated with the Intergovernmental Panel on Climate Change reporting that sea levels are rising and predicting that they will rise up to 7-23 inches this century. A Shoreline Vulnerability map for Point Reyes and other parks of the nation, created by the U.S. Geological Survey (USGS), predicts that rising seas will erode beaches and coastlines, submerge wetlands and swallow up Native

American cultural artifacts at coastal national parks. Inundation of coastal estuaries, intertidal zones, and beaches will result in overall beach loss. Estuaries (which are fish nurseries, filter pollutants, and protect the coast from storm surges) will be submerged faster than new sediment can build up. Valuable habitat for eelgrass beds, foraging waterbirds, shorebirds and nearshore fish will be lost.

Stronger and more frequent El Nino events may promote harmful algal blooms that are toxic to seals, seabirds, and fish, and can poison shellfish and the humans that consume them. Over the past decade the number and frequency of California sea lions exposed to toxic domoic acid from harmful algae have increased dramatically. Changes in the timing of upwelling bring nutrients and food to salmon that feed at sea too late. Salmon are a critical species protected by streams and nearshore ocean waters of Point Reyes. Global climate change may undermine extensive restoration efforts by NPS to improve stream habitat for salmon while the salmon starve at sea. The salmon go out to sea in mid-April to mid-May, but in 2005 they found nothing to eat at sea and by the time upwelling started, they were dead from starvation.

Additionally, wildfire intensity is increasing in the West. Nationwide, the 2006 wildland fire season set new records in both the number of reported fires as well as acres burned. A total of 96,385 fires and 9,873,429 acres burned were reported. This season was 125 percent above the 10-year average. Also, predictive climate models suggest there will be no Joshua trees in the future at Joshua Tree National Park.

Each of the above examples has ecological and economic costs associated with them. Wildfires damage ecosystems but also burn down private homes that are on the borders of parks. Sea level rise and storm surges result in erosion of shoreline and damage shoreline infrastructure such as roads and lighthouses.

Facing these scenarios of predicted change, how can parks prepare to preserve the nation's natural and cultural treasures, protect the supporting infrastructure, and inform the public? What is the role of national parks in this national and global challenge?

I want to assure you that the NPS is proactively addressing these issues, and in the Pacific West Region, climate change has been identified by park managers and scientists as their highest priority. In 2006, Jon Jarvis, the Pacific West regional director hosted three one-day workshops of park superintendents, scientists, interpreters, and resource managers to discuss global climate change and the National Park System. The workshops were held in Washington State, California and Hawaii.

In the first half of each workshop, scientists working in the field of climate research presented the "state of knowledge" of global climate change in order to build first a basic understanding among the participants of what we have learned from climate data around the world and particularly in the West. Scientists also presented likely outcomes of global climate change such as sea level rise, changes to oceanic currents, trade wind variations, animal migrations, and fire regime changes. The second half of each workshop was an open dialogue on what field managers are already seeing in the parks, the role the NPS might play in global climate change and the actions we should take next.

Out of these workshops, the parks are strategically advancing in five areas: 1) consolidating information from existing sources and through inventories to establish a baseline of condition; 2) monitoring resources to detect changes in trends of resource condition and to provide an early warning of changes; 3) developing a systematic approach so that parks adaptively manage to preserve and protect resources; 4) informing the public through example; and 5) collaborating with partners locally, regionally and nationally so that we provide a seamless network amongst land and ocean managers.

Collaboration is vital to success. Point Reyes along with other coastal parks in the Pacific West Region is working with state and federal agencies, and universities to advance this strategy. Some examples include:

- The parks are coordinating with state and county fire fighting agencies to train and respond to wildfires, and reduce fire hazards.
- USGS will monitor shoreline change using Light Detection and Ranging (LIDAR) remote sensing technologies.
- Point Reyes is working with the NOAA Integrated Ocean Observing Systems (IOOS) and the California IOOS is monitoring nearshore ocean currents and essential fish habitat.
- Coastal parks are providing data to the California eMARINE regional program to monitor changes in intertidal communities and to detect invasive aquatic species, latitudinal shifts in species and recruitment level impacts from global climate change.
- The park is monitoring trends in populations of marine bird, marine mammal, and krill, and monitoring changes in water quality and oceanography with the U.S. Fish and Wildlife Service and NOAA's Marine Sanctuaries.
- The California parks are working with the state and USGS to map nearshore habitats and to create Marine Protected Areas. MPAs will protect biodiversity from over- fishing and climate change by allowing species some time to adapt to new conditions without concurrently suffering population stress from harvesting. Channel Islands National Park was the first pilot MPA designated in the state and Point Reyes and Golden Gate are now working with the state.
- The parks are accelerating restoration of degraded coastal ecosystems such as estuaries and streams flowing into estuaries, so that the ecosystems become more resilient. A line item construction project that will start this year will restore Drakes Estero at Point Reyes by removing old dams and abandoned roads. A commercial oyster operation lease, a source of habitat degradation to the estuary, is scheduled to expire in 2012. The resiliency of ecosystems to climate change is greatly enhanced by removing destructive activities. For many ecosystems, it is truly a death by a thousand cuts.

Parks are a conduit for information and ideas provided by scientists in other agencies and institutions. We can provide real examples of how changes are occurring and steps that can be taken to protect and preserve resources. Two million visitors come through Point Reyes National Seashore every year, providing an exceptional opportunity to communicate the science of global climate change and its effects on communities, and to demonstrate examples of how to conserve biodiversity. Through resource stewardship, parks can set a standard and be models of sustainability. By using biodiesel, photovoltaic cells, electric and hybrid vehicles, and recycled materials, the parks demonstrate how to reduce energy consumption. By so doing, parks can serve as a catalyst for generating momentum and action in the larger community.

Finally, through the Research Learning Centers in park networks, middle-school and high school students have the opportunity to work alongside scientists and science educators to understand their future careers and life choices. Of all the actions we are undertaking in the Pacific West, and actions we are planning to do, the most important is to be positive and creative. The esteemed scientist Peter Raven stated in a recent editorial in the Journal Science that global climate change is a challenge for all of us, but if we act quickly, we can do something to slow it down and to prepare for the changes that are coming. The nation's parks are preparing for that challenge.

Thank you for the opportunity to present this testimony. I will be pleased to answer questions you and other members of the subcommittee might have.

TESTIMONY OF SAM D. HAMILTON
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U.S. FISH AND WILDLIFE SERVICE
DEPARTMENT OF THE INTERIOR
BEFORE THE HOUSE APPROPRIATIONS SUBCOMMITTEE ON INTERIOR, ENVIRONMENT AND RELATED AGENCIES
REGARDING CLIMATE CHANGE

APRIL 26, 2007

Introduction

Chairman Dicks and Members of the Subcommittee, I am Sam Hamilton, Regional Director of the U.S. Fish and Wildlife Service's (the Service) Southeast Region. I am pleased to be with you today to discuss climate change and the Service's perspective on the habitat changes we are seeing, the impacts to trust resources, and the actions we are taking or anticipating to address some of those impacts.

Mr. Chairman, I want to thank you and your colleagues for your interest in this issue and your focus upon what is happening on the ground today. I also look forward to discussing some of the innovative steps the Service is taking to address this profound challenge to the stewardship of fish and wildlife resources.

Observations in the Natural Environment

Although debate continues over the extent to which global warming in a given region can be attributed to human activity versus natural variation, there is unambiguous scientific consensus that the earth's climate system is changing and that the related climate warming will have a significant impact on Earth's natural environment. For example, the recent contribution of Working Group II to the Intergovernmental Panel on Climate Change's (IPCC) Fourth Assessment Report concerned the impacts of climate change on the natural and human environment and the capacity of these systems to adapt. Based on observational evidence world-wide, the Assessment concluded that there "is high confidence that recent regional changes in temperature have had discernible impacts on many physical and biological systems (IPCC WGII Summary for Policymakers, 2). The Assessment included the following examples illustrating the impact on natural systems:

- changes in some Arctic and Antarctic ecosystems, including those in sea-ice biomes, and also predators high in the food chain (IPCC, 2)
- earlier timing of spring events, such as leaf-unfolding, bird migration and egg-laying (IPCC, 3)
- poleward and upward shifts in ranges in plant and animal species (IPCC, 3)
- shifts in ranges and changes in algal, plankton and fish abundance in high-altitude lakes (IPCC, 3).

As you know, the Service is a field-based organization and our field employees are observing changes in many of our natural systems that appear to be correlated with changing climate. Nowhere are these changes more acutely evident than in the Arctic and Antarctic ecosystems. In the Service's Alaska Region, observations of Arctic changes include diminishing sea ice, coastal erosion, shrinking glaciers, thawing permafrost, wetland drainage, and earlier "green-up"

of Arctic vegetation. Related to the deterioration of glaciers, we are seeing changes in the hydrology of glacially-fed streams. Increased temperatures in the Arctic have also contributed to the earlier onset of snow melt and the lengthening of the melting season, resulting in decreased total ice cover at summer's end. To explore these changes and begin discussions of management strategies, the Service and the U.S. Geological Survey (USGS) co-hosted a workshop on climate change in Anchorage during March 7-9, 2007. The workshop provided the opportunity for the Service to collaborate with USGS on recommendations for research and monitoring priorities, management directions, and how to improve partner involvement.

These climatic changes in the Arctic will have profound impacts on ice-dependant wildlife like ring seals, walruses, and the polar bear. On January 9, 2007, the Service published a proposed rule to add the polar bear to the federal list of endangered and threatened species. The primary threat to this species is loss of habitat through the decrease in summer sea-ice coverage. Indeed, sea ice is essential habitat for many of the polar bear's life functions such as hunting, feeding, travel, and nurturing cubs. In collaboration with the USGS, the Service is continuing to study the polar bear's status and population trends, learning more about the polar bear's relationship to sea ice habitat and pursuing research to improve models for projecting the effects of a changing environment on the polar bear. Such research will be important in the Service's final listing determination and will play a key role in the decision about what is needed to ensure the conservation of the polar bear. Our final decision is due to be published in January 2008.

Like the polar regions, the Northeast, Northwest, and the Mountain-West, have also been experiencing reductions in annual snowpack. According to the USGS, climate changes of the last 50 years in these areas of the country have led to as much as a 17 percent decline in annual winter snowpack. The result is a diminished replenishment of ground water systems, increased stress to public water systems, changes in the timing of river ice-outs, and reduced river flows that impact spawning environments for fish such as Pacific and Atlantic salmon. Snowpack declines also have been accompanied by earlier annual peaks in river run-off, as documented in stream gage monitoring and analyses across the lower 48 states and throughout Alaska. As wildlife managers, we have managed around and through weather patterns like drought, which occur annually and can last years. However, now we are beginning to face growing certainty that these recent observations are not part of an annual or even decadal change in weather pattern, but are potentially linked to a long-term change in the climate system itself. If so, the implications for wildlife and fisheries management are consequential.

Apart from hydrology changes associated with increased warming, we are also noting changes in abundance and distribution of species. These changes in species' geographic ranges have also included the expansion of pests and invasive species. For example, we are seeing the expansion of the pine bark beetle into higher latitudes, areas that were once too cold to support it. These expansions are increasingly impacting our forest habitats, not just killing trees, but making these landscapes more susceptible to catastrophic wildfires. In turn, those wildfires could then drive fundamental shifts in ecosystem function.

Even if some species adapt or succeed in a world that is slowly warming, the fact remains that many will not. Species most at risk are those that are unable to generalize or adapt. Long-distance migrants and birds with limited geographical ranges, for instance, may not be able to adjust to the changes caused by rising temperatures. Increased competition for habitat and the lack of suitable or available food in new locations also means that the shift northward will not be a permanent solution for bird populations adapting to climate change.

Other significant changes associated with increased warming concern rising sea levels and water temperatures that pose threats to marine habitats, coastal wetlands, and estuaries, which are part of more than 160 national wildlife refuges we manage along the nation's coastline. For

example, Pea Island National Wildlife Refuge is part of the Alligator River National Wildlife Refuge Complex along the North Carolina coast adjacent to the Albemarle peninsula. This refuge is losing ground annually to the Atlantic Ocean and the projected rise in sea level over the next 50 to 100 years will likely transform large chunks of marsh to open water, forest into marsh, and complicate habitat needs for species including the federally endangered red wolf, as well as other species of birds and wildlife.

Similar threats are facing other refuges, like Merritt Island National Wildlife Refuge, which overlays and surrounds the Kennedy Space Center in Cape Canaveral, Florida and serves as a home to more than 300 species of birds. At this refuge, projected sea level rise over the next few decades threaten to engulf much of the refuge. The Oregon Islands National Wildlife Refuge, which supports significant seabird nesting and the Aransas National Wildlife Refuge along the Texas coast are also expected to experience substantial sea rise and subsequent loss of habitat for wildlife.

We are also seeing the consequences of rising temperatures in the Gulf of Mexico and elsewhere. Surface water temperatures in the Gulf of Mexico are exceeding 80 degrees for longer periods. Researchers believe these higher water temperatures are accelerating the intensity of algae blooms and incidents of red tide. Red tides are caused by marine phytoplankton that produce potent chemical toxins, which can cause significant fish kills, contaminate shellfish, and create severe respiratory irritation to humans along the shore. Some research also suggests a linkage between sea surface warming and increased hurricane wind strength.

Warmer ocean temperatures are also increasing the prevalence of bleaching in coral reefs globally. In reefs along the Florida Keys and elsewhere, increasing sea surface temperatures are generating more frequent and more intense events of coral bleaching and disease. Under thermal stress, coral expel the algae that live symbiotically in its tissues. The symbiotic algae gives the coral its color and without the algae, the translucent coral animal exposes the color of its skeleton and appears white – or bleached. Severe bleaching episodes can kill corals. Weakened by bleaching episodes, corals are more susceptible to disease and may have reduced growth and lower competitive ability with algae. Coral reefs managed by the National Wildlife Refuge System, like other reefs world-wide, are already being negatively impacted by bleaching episodes - most recently the reefs of Navassa National Wildlife Refuge were affected by the extreme Caribbean bleaching episode of 2005.

Through research sponsored by NOAA and the Climate Change Science Program, we are also learning that rising atmospheric carbon dioxide levels are making the ocean more acidic. Oceans are the largest absorbers of atmospheric carbon dioxide. As they absorb more carbon dioxide, the availability of carbonate ions is reduced. Reef-building organisms require an abundance of carbonate ions to build their skeletons and shells. As carbonate is reduced, coral and other species are less able to build their skeletons, maintain their structure, and battle erosion.

Adaptation and Mitigation Strategies

Floodplain and coastal wetland restoration are an important part of an emerging adaptive strategy to better position our collective agencies to effectively conserve trust resources. Barrier islands and coastal wetlands are our first line of defense against extreme weather events, serving to slow down the speed and intensity of hurricanes and storm surge and thereby reducing the damage and loss of life that can occur. For nearly four decades, the Service, in cooperation with NOAA and others, has chronicled the loss of coastal wetlands along the Gulf Coast, particularly along Louisiana's coast. Unfortunately, Hurricanes Katrina and Rita combined to transform more than 200 square miles of coastal wetlands, marsh, and barrier

islands to open water and accelerated projected wetland losses by a staggering 45 years to levels not expected before 2050. Notably, about two-thirds of Breton Island National Wildlife Refuge, part of a chain of barrier islands known as the Chandeleur Islands located off the coast of Southeastern Louisiana, disappeared in the wake of Katrina. In fact, Katrina shrunk this important chain of barrier islands – an important wintering ground for migratory waterfowl and neotropical birds – to about half its size before the storm.

In an effort to restore the Louisiana and Mississippi coastline, we will continue our work with the U.S. Army Corps of Engineers, which is leading the development of both the Louisiana Coastal Protection and Restoration Project and the Mississippi Coastal Improvement Project. These two projects are examining options and needs aimed at providing protection from future storm events through restoration of the coastal ecosystem and structural improvements such as levees.

Through the Coastal Wetlands Planning, Protection, and Restoration Act, funded through the Aquatic Resources Trust Fund, a joint federal-state task force, made up of representatives from the Departments of Interior, Commerce, and Agriculture, the Environmental Protection Agency, the Louisiana Governor's office, and the Corps of Engineers, has approved more than 78 wetland restoration projects for construction and allocated $625 million toward their completion since its inception 15 years ago. To date, the task force's work has protected, restored and enhanced nearly 400,000 acres of important coastal wetlands along the Gulf Coast.

In addition to coastal wetland restoration, the Service is learning to be more strategic in rebuilding facilities that were lost in the wake of Hurricanes Katrina and Rita. As a result, the Service is currently working to repair or replace dozens of facilities at refuges along the coast. As part of this effort, we are not replacing some facilities and are relocating others to more secure locations. We are well on our way to rebuilding our facilities for people across the region to enjoy as they once did.

Another strategy that the Service is pursuing is carbon sequestration. In the Service's Southeast Region, an innovative partnership was launched eight years ago aimed at restoring native habitats to bolster populations of wildlife and migratory birds through a terrestrial carbon sequestration initiative. We're working with The Conservation Fund, the Trust for Public Land, and energy companies like Detroit Edison, American Electric Power, and Energy to add 40,000 acres of habitat to our refuge system and reforest a total of 80,000 acres with more than 22 million trees sequestering 30 million tons of carbon over 70 years.

Last month, we announced a new partnership with The Conservation Fund and its Go Zero[SM] initiative that gives individuals and organizations a way to offset their own carbon emissions annually by calculating carbon emissions based on daily commuting patterns and home energy usage among other things. The Conservation Fund then offsets the carbon footprint by working with the Service to plant native trees on refuges. It's voluntary, non-regulatory, and represents a positive step towards reducing carbon emissions.

The next frontier for this effort is to figure out how we can create an incentive to engage private landowners to restore native habitats that sequester carbon. In addition, the Service is working with the Department of Agriculture and others members of the U.S. Coral Reef Task Force to replicate this sequestration initiative in other state and federal land management agencies as well as territories.

Increasing Our Knowledge Base

An improved ability to understand and model future abrupt climate change is essential in order to provide natural resource decision-makers with the information they need to plan for

potentially significant changes. To that end, the Service is working with the USGS to develop modeling and other research for assessing potential impacts from climate change. For example, the USGS is currently conducting research into water use and availability trends in order to examine the implications for managing the National Wildlife Refuge System. Part of this analysis will include projections on climate related changes in water availability.

In its Future Challenges partnership with USGS, the Service has also identified climate change as one of four overarching challenges facing natural resource management. The Future Challenges report is currently being finalized and will include recommendations for addressing climate change.

The Department of Interior is a member of the U.S. Climate Change Science Program, an interagency coordination body that sets research priorities for federal climate change science. Through the CCSP, Interior is partnering with other Federal agencies to author a chapter on adaptation strategies for the National Wildlife Refuge System. This chapter is part of the Synthesis and Assessment Product effort of the CCSP and will coincide with chapters on National Parks and National Forests. As part of this effort, the Service has obtained sea-level rise predictions for four National Wildlife Refuges in Florida, and we are working on ways to make modeling available for additional refuges so they can determinate the potential impacts on trust species and better plan future management strategies and land acquisitions for coastal refuges.

Finally, the Service is cooperating with USGS to implement a framework for conservation that we call “Strategic Habitat Conservation.” This is an adaptive management framework that begins with explicit trust resource population objectives.
The objectives are met by applying models and conservation biology principles into landscape habitat goals. Simply put, it’s a new conservation paradigm that looks at conservation in terms of “how much” and “where” to accomplish our highest conservation priorities, rather than “x” number of acres all over the place. It’s happening in the Lower Mississippi Valley and is being replicated across the country. We believe this science-driven framework will be a key ingredient in adapting our management strategies in response to changing climate.

Conclusion

Critical to our success in addressing these challenges will be our ability to build the capacity to understand the changing climate and to predict and adapt to its forcing effects on the natural environment. Admittedly, there is still a lot of work to be done, but the Service is making significant strides in developing adaptive and mitigation responses and expanding our knowledge of climate change trends and effects. Despite the enormity of the many challenges associated with this issue, the Service is committed to addressing climate change and its potential impacts on our Nation’s fish, wildlife, and habitat.

STATEMENT OF
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U.S. DEPARTMENT OF THE INTERIOR
BEFORE THE HOUSE APPROPRIATIONS SUBCOMMITTEE ON INTERIOR, ENVIRONMENT AND RELATED AGENCIES
REGARDING CLIMATE CHANGE
APRIL 26, 2007

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to appear here today to discuss natural resource management and climate change. I am the Bureau of Land Management's National Science Coordinator and as such oversee the application of science in the Bureau's resource management programs.

Background

The Bureau of Land Management (BLM) has the responsibility to manage over 261 million acres of public lands and natural resources for multiple uses by the American public while sustaining the health, diversity and productivity of these resources for future generations. My testimony today will address our natural resource management programs, as well as our own land management activities, in relation to climate change impacts.

Although the issue of climate change is getting increasing attention, the BLM has been dealing with factors related to climate change for decades, as some of these factors intersect with land management responsibilities included in legislation, such as the Clean Water Act, the Clean Air Act, the National Environmental Policy Act and our own Federal Land Policy and Management Act, hazardous materials and hazardous waste legislation, as well as Executive Orders and Agency and Bureau policies and regulations resulting from these mandates. We have also been addressing our responsibilities from additional mandates such as the Endangered Species Act, and agency initiatives such as rangeland and riparian health, and potential climate change impacts.

The BLM natural resource management program takes a comprehensive approach to managing the public lands under our jurisdiction, including addressing factors affecting climate change in the planning process. Through the planning process we identify the current condition of the resources, resource capabilities, and the potential impacts of proposed projects or management initiatives. The plans are designed to have a 15-20 year lifespan and accommodate unanticipated changes through updates and amendments. For a proposed project to be approved it must be consistent with the plan, and under the authorization process we impose whatever operational restrictions are necessary, require mitigation of unacceptable impacts and, if appropriate, restoration of the site at the completion of the project. The final step in the process is monitoring to assure that the conditions of the permit are adhered to, and the desired outcome is achieved. If it is determined that the resource objectives are not being met, changes can be made to implementation procedures. Through monitoring and evaluation, knowledge and experience are incorporated in to the next planning/management cycle.

The Bureau has reduced energy use and pollutant discharge and conserves natural resources in our business operations,. We are requiring that energy conservation features be incorporated in the design and construction of new facilities, and that existing facilities be retrofitted with these features. We are increasingly using renewable energy sources, such as green energy

programs and on-site solar and wind generation installations, in operating our facilities. We are using conservation practices such as low- or ultra-low flow plumbing, energy efficient lighting, recycled water for flushing toilets and landscape irrigation, and native landscaping to further reduce water use. We have also reduced the size of our vehicle fleet, and required that future purchases be of the most fuel efficient vehicles suitable to the job.

Changes that we have seen resulting from climate change

The Bureau has witnessed many changes, which may be associated with climate change, over the past decades in carrying out management programs. One of the most pervasive has been the evidence of desertification as a result of an increase in the frequency and duration of drought. This has been accompanied by reductions in surface flow and groundwater levels, and therefore a reduction in water availability. Changes in flow regimen have resulted in modification of stream channels and channel capacity, and a potentially permanent reduction in groundwater storage capacity. It has also resulted in conversion of vegetative stands to more drought hardy species of plants, accompanied by or resulting from the expansion of non-native and other undesirable species. Vegetative species adaptation has occurred, from changes in growth form to changes in life cycles. In order to survive the dry conditions, plants may respond through changes such as stunted growth or reduced reproduction. Because of the early onset of warm weather conditions they may initiate growth earlier than normal, or, depending on the rainfall or other factors that year, may remain dormant the entire season and not grow or reproduce at all. The effect of these changes has been a reduction in use by both domestic and native animals. This has resulted in the reduction of species numbers, and even the loss of species in the affected habitat.

The overall results of these changes are more fragile ecosystems, a greater susceptibility to the outbreak of attacks by parasites and diseased, increased vulnerability to wildland fire and erosion, and an overall reduction in carrying capacity of the land. In Alaska we have seen increased ablation and melting of glacial masses. We have also seen melting of the permafrost, resulting in loss of soil stability and increased erosion. This impacts such activities as winter road construction in support of economic development, such as for energy production.

There are other environmental impacts from factors resulting in climate change which are less well understood, such as the direct local effects of reduced visibility or increases in the impacts of wind storms. Given the state of our current knowledge, some of the effects are, no doubt, unknown at present

Further changes that we expect from climate change

Based on the models of climate change, and the fact that where the BLM is seeing these changes are in areas experiencing the most rapid growth of human populations in the US, particularly in arid areas such as southern California, Nevada and Arizona, we can expect these changes to continue, and the effects of the changes to increase from what we are seeing today. We may anticipate the loss of critical wildlife habitat, and habitat connectivity, and therefore eradication of both susceptible plant species and of species dependent on these habitats. This could be accompanied by the replacement of native desirable species with less desirable and non-native species, both plant and animal.

There could also be a continuation or possible increase, at least in the short term, of wildland fire hazard due to the low humidity and fuel moisture content of plants, vegetative die-off, and increased temperature regimes and accompanying wind events. There could be additional

reductions in available water supply in arid regions, further stressing the natural as well as dependent human systems.

The result is that we can anticipate further reductions in the level of allowable uses on public lands due to loss of productivity and capacity, and changes to dependent human communities both as a direct result of climatic factors and due to loss of economic opportunity.

What we are doing to address climate change factors

We have been dealing with the environmental effects of climatic variability and human activities for decades. Many of these factors are the same as are implicated in what we now recognize as climate change. As a bureau, we are beginning to address climate change as a comprehensive factor in general management planning, and to identify the effects under our cumulative impact analysis in environmental assessments. However, at this point there is little guidance in dealing with this issue, and differences of opinion as to the exact cause-effect relationships. As our knowledge of climate change processes matures our ability to address it will improve.

Additional steps that we are taking at present include changes to both administrative and on-the-ground activities. We are establishing policy and technical committees to address necessary actions and develop guidance to address climate change in agency management practices. For example, the Department has recently initiated the Climate Change Task Force, with subcommittees to address the issue from three perspectives: legal and policy, land and water, and science. Bureau manuals are incorporating guidance on addressing climate change. The air quality manual, undergoing approval now, is the closest to finalization.

BLM works collaboratively with others to understand climate change causative factors and effects, and to develop methodologies to identify impacts and measures to mitigate, adjust to, and remediate those impacts. Examples of these efforts include cooperating with the Fish and Wildlife Service, National Park Service and other agencies in Alaska on the North Slope Science Initiative to evaluate regional landscapes and the effects of development. Although climate change is not the focus of the effort at this time, it will likely be included as the program evolves, and regardless will provide additional information on climate change effects in arctic systems. We have designated the Bering Glacier as a Research Natural Area to facilitate research associated with glacial melting and how climatic changes are related in changes to that glacier.

We are including appropriate restrictions and mitigation requirements in permitting and implementing public land projects. We are monitoring, to a limited extent, implementation of projects to assure consistency with approved procedures, determine if adjustments are necessary, and determine the outcomes of our management practices. These results will be rolled back into our management programs to improve our management practices.

We are also implementing programs to address climate change on a broad scale. Our rangeland and riparian health initiatives are two examples. Under these initiatives we are identifying areas of Bureau-managed lands that are in less than healthy condition and implementing remediation projects to improve their condition. These projects include modification of permit stipulations, such as changes in grazing use; and improvement projects, such as seeding and invasive species treatments and fencing projects to exclude uses of sensitive habitats. We are participating in a restoration initiative for sagebrush habitat in the Great Basin, which has been extensively impacted by land uses, wildland fire, non-native plant intrusions, and climatic changes.

We are providing opportunities for increased production of renewable energy through permitting of wind, solar and geothermal generation projects, and projects for use of biofuels. At the same time we have reduced the adverse effects of new and traditional energy production and energy transportation through requirements such as reducing the footprint of production and transportation facilities, remediation and restoration of surface disturbances, limitations on activities during critical periods, offsite development of energy in sensitive habitats, and identifying specific utility corridors for energy transportation.

We are developing additional tracking, analysis, and predictive capabilities as well. As examples, the wildland fire program, in cooperation with the other federal agencies responsible for wildland fire management, is conducting a joint fire science program which produces fire response predictive models, and data bases of environmental monitoring and fire suppression data, and information on fire behavior under various climatic conditions. We are participating in realtime climate monitoring through operation and expansion of our Remotely Accessed Weather System (RAWS) and are cooperating in the Natural Resource Conservation Service snow survey program to assess winter snow loading, and moisture content to predict water availability and spring runoff.

In conducting Bureau activities we are implementing policies and practices that result in reduction of our use of energy and other natural resources, as well as production of pollutants that exacerbate climate change effects. We have issued Instruction Memorandum 2006-2207, which addresses high performance and sustainable buildings. Our standard leasing contract is being revised to require that LEED design on all facilities, contingent on the results of evaluations of three pilot projects requiring LEEDs compliant construction. We are converting from use of fuels which produce relatively greater amounts of air borne pollutants, such as fuel oil and gasoline, to cleaner fuel types, such as biofuels and propane (LPG). These efforts have resulted in a 49.7 percent increase in use of LPG and a significant reduction in the use of fuel oil. We are convening an Energy Conservation Workgroup to further develop our conservation strategies and providing training to field offices on fuel efficiency and alternative fuels. We are complying with Executive Order 13149 by reducing the size of our vehicle fleet, as well as requiring that future purchases be of smaller, fuel efficient vehicles while still being appropriate for the use. A percentage of these vehicles must use alternative fuels. Our new facilities, such as the California Trail Center in Elko, NV, the Pompey's Visitors Center near Billings, Montana, and the Rawlins Field Office in Rawlins, WY are being designed and constructed to take advantage of natural lighting, solar orientation, and natural landscaping, and energy efficient, green construction. Existing facilities are being retrofitted to take advantage of new technologies, such as on-site solar generation, reduced flow plumbing, climate control using ground source heat pumps, natural and energy efficient lighting using more efficient, hazardous material free ballasts and bulbs.

These are just some of the multitude of examples of actions that we are taking that address the issues associated with climate change.

What we anticipate doing to address climate change

The Bureau anticipates that, with the increased focus on climate change, we will place greater emphasis on those factors responsible for the phenomenon in continuing to support analysis and research to address specific questions related to public land resources. As our experience and knowledge increases, and working with other natural resource management and research organizations, we will develop further guidance to address climate change and its effects. We will also continue to improve our analyses
of cumulative effects resulting from activities on public lands, and the actions that are needed to address the effects of climate change on natural resource systems functions and uses. We will continue to refine management practices, including monitoring, mitigation, restoration and

adaptation, to address the impacts of climate change. And we will continue to utilize conservation practices in carrying out our own activities and programs in managing the public's resources.

Conclusion

Because of our experience in dealing with natural processes and human activities implicated in climate change the BLM is positioned to take the measures necessary in managing public land resources in the future in responding to climate change. We have contributed to, and participated in, numerous efforts to identify climate change factors and their effects on natural resources. But despite all of the efforts up to the present much is still to be learned, including answers to such fundamental questions as how much of the change we are witnessing is attributable to natural changes and how much is a result of anthropogenic effects, and what measures are robust enough and appropriate to reasonably address the impacts of climate change. Answers to these questions have substantial implications for how we respond to the effects of climate change now and in the future.

Thank you for the opportunity to discuss these issues with the committee. I would be happy to answer any questions that you have.

TESTIMONY OF P. LYNN SCARLETT
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BEFORE THE HOUSE APPROPRIATIONS SUBCOMMITTEE ON INTERIOR, ENVIRONMENT AND RELATED AGENCIES
REGARDING CLIMATE CHANGE

April 26, 2007

Mr. Chairman, members of this committee, I am pleased to participate in this hearing on climate change. Through my overview, accompanied by presentations from several of the Department of the Interiors bureaus, we will highlight the effects of climate change on Federal lands, and waters, and how we are responding to those changes, and the role Interior plays in moderating greenhouse gas emissions.

Perhaps no subject relevant to managers of public lands and waters is as complex and multi-faceted as climate change. A changing climate may affect precipitation patterns, types and distribution of vegetation, incidence and severity of storms, the habits and habitat of wildlife, fire frequency, sea levels, and disease trajectories.

Interior's mission lies at the confluence of people, land and water. Hence, these possible landscape changes resulting from a changing climate may directly affect how we fulfill our mission. Consider Interior's vital statistics. We manage one in every five acres of the U.S. land mass. We operate dams and irrigation facilities that provide water to farmers who generate nearly two-thirds of the Nation's produce. We manage leases from which one-third of the Nation's domestic energy supplies are produced. The lands and waters we manage account for significant contributions to alternative energies such as biomass, geothermal, solar, and wind power. Our presence along the Coast is significant, with extensive areas of shoreline managed by parks and refuges.

Interior's U.S. Geological Survey plays an important role in generating earth science information and analysis. The Department also has a special role working with the State of Alaska and rural and Native Alaskan populations in maintaining fish and wildlife to support subsistence harvests.

In short, how well we do our jobs touches the lives of each and every American. It is, therefore, imperative that we understand climate dynamics, evaluate changes on the landscapes we manage, and take prudent steps to adjust and adapt our management to new circumstances. We must anticipate and prepare for likely changes on those landscapes to reduce adverse effects. Finally, we must also implement feasible and prudent measures to reduce greenhouse gas emissions through our own land, facility and fleet management.

Complicating our planning and responses are continued uncertainties, especially about the timing, scale, and site-specific incidence of climate change impacts. Widely respected models differ in their projections about precipitation patterns, changes in vegetation, extent of sea level rises, and so on. Moreover, global climate modeling is currently unable to provide meaningful descriptions and projections at the regional and smaller scales that are need to be useful for land managers on the ground.

These are our challenges but we are, across the entire Department, undertaking deliberate and focused efforts to address them. To coordinate and focus our efforts on climate change, Secretary Kempthorne convened a Climate Change Task Force, which I chair.

The Task Force comprises three subcommittees. The first, on legal and policy issues, is reviewing current practices for considering climate change effects in land-use planning and other formal procedures and decisions. That subcommittee is also reviewing relevant court decisions, Administration policies, and practices of other agencies. Their goal is to help guide the Department toward coherent, consistent decision making and documentation.

The second subcommittee focuses on land and water management. We will be cataloguing the types of impacts relevant to Interior managed lands and waters. The subcommittee will evaluate current and prospective options for addressing the effects of climate change. They will also examine our role in carbon sequestration. Finally, they will evaluate the management of Interior's facilities and fleet to identify opportunities for energy conservation and a broadening of the mix of energy resources we use.

The third subcommittee, chaired by USGS scientist Tom Armstrong, will focus on climate change science issues specifically relevant to Interior's responsibilities. The sub-committee will explore whether modeling might be developed at regional scales to better project more location specific changes to the landscapes we manage. They will evaluate information needs and whether new types and greater extent of monitoring might strengthen our understanding of on-the-ground trends in water availability and timing of flows, vegetative patterns, movement of species and so on.

With our extensive responsibilities in land and water management, several climate-sensitive problems are particularly relevant to the Interior Department. These include disaster management, water resource management, and habitat management.

My colleagues here today will detail some of our current and potential responses in these areas. But I will offer a flavor of the adaptation strategies we are both implementing and considering.

In water management, we've augmented our cooperation with States, irrigation districts and others to improve and implement conservation measures through precision irrigation, water banking and other best management practices.

Especially significant are our strategies to enhance the resilience of coastal ecosystems. We believe we need to continue to reduce wetland loss, both for the environmental benefits that result and because coastal wetlands and sea marshes serve as "horizontal levees", absorbing and reducing impacts from coastal storms.

For terrestrial areas, fire management and the President's Healthy Forests Initiative have a nexus to managing for the effects of climate change. One possible outcome of climate change is an increase in the incidence and severity of wildland fire in some parts of the continent and in Alaska. Such predictions underscore the imperative of continuing to reduce high fuel build up that has resulted in unnatural, catastrophic fires.

Though the effects of climate change present challenges for Interior, we also see opportunities to mitigate greenhouse gases through reforestation. Reforestation offers direct benefits for habitat enhancement while, at the same time, bringing about carbon reduction results. Already, in the Southeast, our Fish and Wildlife Service is working with the private sector to replant over 80,000 acres of forested lands in a carbon sequestration partnership.

Interior is working on carbon sequestration partnerships, in collaboration with the Department of Energy, EPA, and others. We are also developing ways to cost-effectively broaden the portfolio of energy sources we use in our operations, and increase energy efficiency in Interior's facilities and vehicle fleet. Interior manages approximately 145,000 facilities, more than any other agency except the Department of Defense. With many diverse facilities, Interior has opportunities to

showcase for the Nation energy conservation strategies. Already, use of renewable energy accounts for nearly 15 percent of the Department's energy use. With that percent, we outperform much of the Nation. Over the past 15 years, we've developed some 867 on-site renewable energy projects that include solar thermal projects, geothermal heat pumps, photovoltaic and wind projects.

Interior's consumption of petroleum based products in vehicles has declined 15 percent since 1999. We've achieved these reductions by reducing the size of the motor vehicle fleet, right sizing vehicles to meet mission requirements, and using alternative fuels. In fact, over 2,400 alternative fuel vehicles are part of Interior's motor vehicle fleet.

As Interior's managers anticipate and observe changing landscape conditions, several considerations may complicate our decisions. Most modeling efforts in climate change do not offer site specific predictions, yet actual impacts are and will be site specific. Modeling efforts to date that strive to give location specific detail still involve significant uncertainties. These uncertainties make incorporating climate considerations into land management decisions difficult. On the other hand, many of our land managers are already observing changes to the lands they manage that may be a result of climate change. Some of these changes, such as glacial retreat, are well documented through our own decades long monitoring, although our understanding of the role that climate change plays in this retreat is still developing. Appropriate responses to such observed changes are unclear.

For example, many parks, refuges and other conservation areas were created to preserve a specific mix of species within specific boundaries. Is in situ conservation possible within current, fixed boundaries, if species composition is changing? One possible management response to this dynamic, shifting context for species is cooperative conservation.

If species are shifting their nesting, forage, and other sites, partnerships with those who own and manage the sites may enable us to fulfill our wildlife management responsibilities.

Consider another question. If climate change alters the range, type and abundance of species on Interior lands, does that affect how we define and think about invasive species?

These are the kinds of questions Interior's land and water resource managers are asking. Through Secretary Kempthorne's Climate Change Task Force, we expect to illuminate our biggest challenges, prioritize our actions, and coordinate with USGS and the broader scientific community to identify prudent response strategies.

I thank you for convening this timely hearing and look forward to answering any questions.

STATEMENT OF
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BEFORE THE HOUSE APPROPRIATIONS SUBCOMMITTEE ON INTERIOR, ENVIRONMENT AND RELATED AGENCIES
REGARDING CLIMATE CHANGE
April 26, 2007

Mr. Chairman and Members of the Subcommittee, thank you for the opportunity to appear here today to discuss the potential impacts of climate change and activities in progress to mitigate these effects on public lands in the Great Basin. I am the Coordinator for BLM's Great Basin Restoration Initiative and am responsible to coordinate restoration-related activities across a five-state area for BLM.

Background

The Great Basin is North America's largest desert, encompassing 135 million acres of land between the Rocky and Sierra Nevada Mountains in western North America. The largest land manager in the Great Basin (includes parts of Nevada, Utah, Idaho, Oregon, and California) is the U.S. Department of Interior's Bureau of Land Management with oversight of 75 million acres of public land. (I could attach a map showing the boundary of the Great Basin in the five state area). The Great Basin is characterized by aridity (over half the area receives less than 12 inches annual precipitation) and a mix of shrubs, sagebrush (Artemisia tridentata) being the dominant with an understory of native grasses and forbs. Today, population growth, wildfires, and invasive species are reducing the quality of native rangelands at an accelerating rate. In 1999, a consortium of organizations led by The Nature Conservancy identified the Great Basin as the third most endangered ecosystem in the United States due in large part to the dominance of exotic species. Climate change is expected to accelerate these changes and associated impacts.

The Great Basin is a land of wide, historical fluctuations in climate both on a relatively short and long time frame. Extremes in precipitation (wet years followed by multi-year extreme droughts) and temperature challenge the management of livestock, wild horses and burros, and wildlife on public lands. Given this variability in climate, public land managers have flexibility in adjusting time and amount of forage consumption and water use to sustain land health over the long term. BLM managers evaluate these situations on a local basis and have the regulatory authority to remove livestock or wild horses during extended droughts when forage production or water sources are inadequate to sustain native vegetation. The challenge is to separate the natural climatic variation that has always existed in the Great Basin from the more recent climate changes in order to modify and adapt management strategies to better adjust to the changing environment.

Climate Change in the Great Basin

Observed 20th century climate changes in the Great Basin are similar to those reported in the western U.S and include:

1) Overall warming of 0.6° to 1.1° F in the last 100 years with the probability of very warm years increased and very cold years decreased.
2) Slight increase in precipitation across parts of the Great Basin with greater variability in high and low precipitation years.
3) Decline in snowpack since around 1950 with earlier loss of snowpack.
4) Increase in CO_2 and other greenhouse gases.

Observed trends are generally consistent with climate changes predicted to occur in the Great Basin by climate change models. Global change models produce variable results that provide an expected trend but not exact results. Projections are highly dependent on the model and the greenhouse gas scenario that are used. Projections made by the Intergovernmental Panel on Climate Change and results from the United Kingdom's Hadley Centre's climate model (HadCM2), indicate that by 2100, temperatures in the Great Basin could increase by 3-4 ^{o}F in spring and fall (with a range of 1-6 ^{o}F), and by 5-6 ^{o}F in winter and summer (with a range of 2-10 ^{o}F). Precipitation is estimated to increase by 10% in summer (with a range of 5-20%), to increase by 30% (with a range of 10-50%) in fall, and to increase by 40% in winter (with a range of 20-70%). The amount of precipitation on extreme wet or snowy days in winter is likely to increase. The frequency of extreme hot days in summer would increase because of the warming trend. It is unclear how the severity of storm events might be affected.

Potential Impacts of Climate Change on Great Basin Resources and Uses

The impact of climate change on Great Basin ecosystems may be magnified compared to other ecosystems due to the aridity and lower resiliency of these lands. Rangelands in the Great Basin are always "living on the edge" given the uncertain timing and quantity of precipitation, invasive species, altered fire regimes and increasing human population pressures.

Water

Water is the lifeblood of the Great Basin given the low precipitation and high evapotranspiration over the majority of the desert. Water is needed to support an increasing population (three of the ten fastest-growing metropolitan areas in the US are in or on the edge of the Great Basin) while still meeting livestock, wildlife and fish needs. The predicted changes of less winter snow accumulation, earlier peak spring streamflows, lower summer streamflows, and elevated stream temperatures could have dramatic effects on habitats and resources available to stream fishes. Rainbow and brown trout are predicted to be restricted to higher elevations than they currently are. The geographic distribution of the Lahontan cutthroat is projected to be reduced while the bull trout, currently listed under the Endangered Species Act as "threatened" with extinction in the northern portion of the Great Basin, could potentially face even greater risks as a result of climate change.

Change in the timing and amount of streamflows, spring and seep discharges will affect a wide range of wildlife species, livestock, and wild horses and burros. Water availability from these sources could dry up earlier in the summer as a result of the early melt of the snowpack causing increased competition for water and forage in smaller portions of the landscape. Climate change and the associated impacts on the timing and quantity of water available may exacerbate conflicts over water rights between agricultural and urban interests. Proposals to transport water from the Great Basin to Las Vegas are already a contentious issue under current water storage and use.

Vegetation

Impacts to the diverse plant communities in the Great Basin may occur at the landscape as well as the local level. On a regional basis, an increase in woody vegetation encroachment into grasslands, including a significant expansion of pinyon pine and juniper into sagebrush steppe, is expected. One model predicts that much of the sagebrush in the southern Great Basin could eventually be replaced by the more xeric Mojave Desert shrubs to the south due to projected higher temperatures and less frost in this portion of the Great Basin. The increase in trees will reduce palatable forage for livestock, habitat for wildlife, understory vegetation and thus result in increased soil erosion. Loss of sagebrush will have significant impacts on wildlife species, especially sage-grouse, which are dependent on this shrub-dominated ecosystem for food and shelter.

Increased CO_2 in the atmosphere is a topic of research and has not been clearly demonstrated. However, initial results indicate increased overall plant production favoring cool season plants (spring growers) relative to warm season (summer growers) plants. This plant response would change the composition of plant communities with potential negative effects on wildlife and insect species. However, livestock and some wildlife species could benefit from this increase in forage production.

Perhaps our greatest concern is that cheatgrass and red brome, exotic cool season grasses largely responsible for increased wildfires, respond more favorably to the increased atmospheric CO_2 than do most native plants. One recent study hypothesized that the recent increase in wildfires is caused in part by cheatgrass increases stimulated by increasing CO_2 levels. This study also found that cheatgrass will become more coarse (e.g., lignin content will increase) in the future which will reduce the time that it is palatable to livestock and wildlife and cause fuel loads to accumulate due to reduced decomposition rates. Fire suppression and rehabilitation costs, and private property losses may continue to accelerate under these plant community changes projected for the Great Basin. Besides the increased cost to the American public, wildfires in the Great Basin could be more extreme, especially in areas where woody vegetation has increased fuel loads. Risks to fire fighters and the public may continue to rise as well. More severe and frequent wildfires could increase weed expansion, soil erosion, and carbon loss, especially in areas dominated by the exotic annual grasses like cheatgrass. Disruptions to livestock operations on public lands could be more common and habitat important to wildlife and wild horses and burros may continue to decline. One unknown is the impact of climate change on the distribution of state or federal listed noxious weed species which currently cause great ecological and economic harm within the Great Basin.

What is BLM Doing To Prepare for Climate Change in the Great Basin?

Planning

Great Basin Restoration Initiative (GBRI) has assisted in preparing some draft guidance on incorporation of climate change in Great Basin Land Use Plans. The Ely, Nevada RMP in progress now includes a section on climate change.
Climate change is addressed in the “2006 Conservation Plan for Greater Sage-grouse in Idaho” as it was ranked as the ninth of 19 threats to sage-grouse and sage-grouse habitat in Idaho. Twenty conservation measures were developed to help local sage-grouse working groups address climate change as they develop conservation strategies and local projects. More emphasis on climate change will be incorporated into land use and sage-grouse plans in the future with additional Washington Office guidance and GBRI technical assistance.

Science and Monitoring

A key component of GBRI is the application of science and monitoring to improve our ability to maintain healthy landscapes and strategically restore degraded areas. Consideration of potential effects of climate change are incorporated into these restoration strategies since treatments applied today will have to be able to survive and flourish into the future to meet resource and social needs. For example, re-establishment of sagebrush in areas burned by wildfires is a high restoration priority. Sagebrush is very sensitive to the local climatic conditions in which it evolved. Since sagebrush has an expected life span of 50-100 years, it is imperative that appropriate seed sources be selected for current seeding projects to maximize the potential of the sagebrush that establishes to be adapted to survive in an altered climate in the future.

One of the most appropriate strategies to increase the resiliency of Great Basin ecosystems to future disturbances and climate change is to either maintain or restore a diverse native plant

community. Native plant diversity acts as an insurance policy against future changes by including a suite of species adapted to different environmental conditions. Loss of a few species, although not desirable, will not cause the system to crash. To improve BLM's ability to restore degraded rangelands now and into the future, GBRI has sponsored a regional science and development project to increase the availability of native plants for restoration. This program, "Great Basin Native Plant Selection and Increase Project" was initiated in 1999 as part of the BLM's Native Plant Initiative and has 17 state, federal, academic and seed industry cooperators today. Native seed collections have been made from nearly 1,500 sites in the Great Basin providing the project cooperators with an extensive collection of native seed to evaluate, select and augment production of native plant seed. Having a wide variety of native seed available for purchase in the future will provide managers with the needed plant materials to re-establish diverse native plant communities more resilient to the effects of a warmer climate with more erratic precipitation patterns.

Monitoring the potential impacts of climate change on the flora and fauna on the 75 million acres of public land in the Great Basin requires a landscape approach. GBRI is participating with the USGS on the development of a "Great Basin Integrated Landscape Monitoring Pilot Project" that will assist managers to predict effects of climate change on stressors such as invasive species and wildfires at a landscape scale. GBRI has also implemented a regional pilot project under the BLM Assessment, Inventory, and Monitoring Project in the heart of the Great Basin in the Owhyee Uplands. This project has been designed in part to provide baseline data at the landscape level to monitor plant community changes over time. This will improve BLM's ability to detect plant community changes over time and to better distinguish climate change influences from other forms of disturbance.

BLM is represented on the Executive Committee for the development of the Intermountain Regional Ecological Observatory Network (IRON), the Great Basin regional application to the National Science Foundation's National Ecological Observatory Network (NEON). NEON seeks to establish a continent-wide distribution of environmental monitoring infrastructure, including eddy flux towers, sensors for air, soil, and surface water temperatures, windspeed and direction, precipitation, and barometric pressure, photosynthetically active radiation, plant transpiration, and atmospheric composition (CO, CO_2, O^3, others). Measuring biological response to climate and climatic variation, including the spread of invasive species and infectious diseases, is central to this program. The IRON application seeks to install the monitoring infrastructure on BLM land in the Utah West Desert. IRON asks how ecosystems and their components will respond to changes in natural and human-induced climate across spatial and temporal scales and what system attributes best predict sensitivity to climatic factors. BLM scientists are participating in the design of experiments specific to land management in the Great Basin.

GBRI is representing BLM in the development of a charter for the "Great Basin Research and Management Partnership" to improve communication and research to better meet manager needs across the Great Basin. Over 200 managers, scientists, non-government organizations and private citizens met in Reno, Nevada in the winter of 2006 and identified climate change as one of the key challenges in the Great Basin where better linkages between scientists and managers would prove beneficial.

BLM is an active participant in other research that has or is producing data and analysis with application in adaptation to climate change. These efforts include the National Center for Ecological Analysis and Synthesis Nevada Conservation Area Design, the Joint Fire Science-Funded Sagebrush Steppe Treatment Evaluation Project and the USDA-funded Integrating Weed Control and Restoration for Great Basin Rangelands.

Restoration Implementation

Restoring native vegetation where conversions to exotic annual grasses or noxious weeds have taken place will provide more plant community stability under an environment affected by climate change. In addition, carbon sequestration will be facilitated in native communities compared to annual grass communities that reburn at frequent intervals. Nearly 25 million acres of public lands in the Great Basin have some cheatgrass (Bromus tectorum, an invasive exotic) as a component of the community.

The DOI's Healthy Lands Initiative is providing support and funds to implement restoration projects at the landscape level with multiple partners. All of the projects implemented under this Initiative will promote the maintenance or restoration of healthy native plant communities with the increased ability to survive or adapt to anticipated changes in the environment in the future. Three of the six geographic areas receiving Healthy Lands Initiative funding are in the Great Basin which provides multiple opportunities to improve or maintain land health in this important landscape.

GBRI will continue to serve as a focal point for the application of science and technology to successfully restore Great Basin rangelands. As the science and predictive ability of climate change models continues to evolve, GBRI will provide a basin-wide perspective on this issue to inform BLM managers of appropriate restoration strategies.

Summary

The Great Basin is experiencing climate change effects that are expected to increase in the future. Key indicators of climate change are changing distributions of plant and animal species in the Great Basin. Managers in the Great Basin are cognizant of some of these changes but the magnitude of the changes expected in the future probably exceed the capability of this fragile desert to adapt in full to the changes. However, BLM has a long history of adapting to current environmental changes so the mechanism is in place to adjust management to accommodate some of the projected changes. GBRI and the BLM as a whole maintain a watching brief on climate change, following discussion in the scientific community and participating in and supporting mission-relevant research. GBRI will continue to assist managers in the adaptation process by supporting the science and technology required to maintain or restore healthy plant communities. This concludes my testimony. I would be happy to answer any questions you may have.

STATEMENT OF
DR. THOMAS R. ARMSTRONG
SENIOR ADVISOR FOR GLOBAL CHANGE PROGRAMS
U.S. GEOLOGICAL SURVEY
U.S. DEPARTMENT OF THE INTERIOR
BEFORE THE HOUSE APPROPRIATIONS SUBCOMMITTEE ON INTERIOR, ENVIRONMENT AND RELATED AGENCIES
REGARDING CLIMATE CHANGE
APRIL 26, 2007

Mr. Chairman and Members of the Subcommittee, thank you for the opportunity to participate in today's hearing on climate change and particularly to discuss its impacts on public lands. My name is Thomas R. Armstrong, and I am the senior advisor for global change programs at the U.S. Geological Survey (USGS). I also represent USGS and the Department of the Interior (DOI) as a member of the U.S. Climate Change Science Program (CCSP) and am the U.S. Head of Delegation to the Arctic Monitoring and Assessment Program, a working group of the Artic Council.

Global climate change is one of the most complex and formidable environmental challenges facing society today. While climate change is a natural, continuous Earth process, changes to the Earth's climate are related to human activities as well. Whether the causes are natural or from human influence, our focus is on understanding the impacts of climate change and the potential adaptive strategies for managing natural resources and ecosystems in the face of these changes.

Climate change affects biota, water, ecosystems, cultures, and economies. In order to effectively manage its lands and trust resources, the Department of the Interior, working within the broader U.S. interagency climate change science framework, has a responsibility to further the scientific understanding of climate change processes and impacts. The USGS has a long and distinguished history of conducting research, monitoring and modeling of climate change and its physical and biological impacts. The USGS strives to understand how the earth works and to anticipate future changes. We conduct scientific research to understand the likely consequences of climate change, especially by studying how climate has changed in the past and using the past to forecast responses to shifting climate conditions in the future; distinguishing between natural and human-influenced changes; and recognizing ecological and physical responses to changes in climate. These strengths allow USGS to play a critical role in conducting climate change science across the Nation's terrestrial, freshwater, and coastal systems and in providing objective science to assist decision-makers.

The United States and other nations will be challenged to develop adaptation and mitigation strategies that will anticipate the effects of a changing climate and its impacts on humans and ecosystems. The USGS provides on-the-ground scientific information from its numerous observation and monitoring networks and research activities. These observations and related research efforts are important components for building climate models, especially those that deal with the impacts of climate change to terrestrial, freshwater, and marine ecosystems. The ability to provide ground-truthing across multiple scientific disciplines in a wide variety of spatial and temporal scales enables USGS to play a key role within the climate science community as nations strive to develop adaptation and mitigation measures.

USGS findings and data provide critical information to decision-makers regarding many important climate-related issues, such as:

- Future availability of water for people and ecosystems. The USGS climate change science program has resulted in several scientific findings regarding how streamflow has been changing in recent decades. In particular, these studies point to significant shifts in the timing of snowmelt runoff in New England, and throughout the mountains of the western United States. These studies are crucial for informing operations and planning for water resources.

- Current and future trends of climate warming in the Arctic and resultant permafrost degradation and impacts on energy and transportation. USGS is conducting several coordinated studies on the North Slope and Yukon Basin of Alaska. Emphasis is on permafrost and climate effects monitoring and related ecological and socio-economic changes. This work is a partnership with the U.S. Forest Service, the U.S. Fish & Wildlife Service, the Bureau of Land Management, the National Park Service, the University of Alaska, Alaska State agencies, and various Native communities.

- Impacts of climate change on land use and landscape change. In partnership with NASA and NOAA, USGS is involved in a variety of activities that are critical to understanding the impacts of climate change on public lands. These include monitoring of coastal zone topography and bathymetry; the production and distribution of national topography data; and improving our knowledge of topographic surface change through Landsat, and Light-Imaging Detection and Ranging (LIDAR) and radar imaging of the U.S. national land surface.

- Proliferation of invasive species and impacts on biodiversity, habitat, and ecosystems. USGS is conducting several major studies throughout the United States looking at the evolution of forest and rangeland communities as a response to warming climate and changes in precipitation. The U.S. Forest Service, several land resource bureaus of the Department of the Interior, and numerous State resource agencies are important stakeholders.

The USGS and other Federal agencies are engaged in understanding the impacts of climate change on both humans and ecosystems. Scientists must relay relevant information, analyses, and conclusions to policymakers, resource managers, and the general public. Aside from warming temperatures, other ecological and physical consequences of climate change may include strong storms, sea-level rise and coastal erosion, loss of coral reefs, droughts and floods. If scientists can better inform decision-makers about what to expect from climate change, this will enhance the development of short- and long-term strategies for protecting the public welfare and maintaining healthy and viable ecosystems and natural resources. For instance, studies conducted by USGS and others show that sea-level rise will continue to impact coastal zones throughout the world. Present and future resource managers can take into consideration this scientific conclusion when developing adaptive management strategies for restoration and long-term stewardship of land, water, and biological resources in coastal areas. Scientific findings related to climate change must be delivered in a timely manner so that decision-makers are informed by the most relevant, up-to-date, objective information possible. Furthermore, scientists must provide this information with accurate estimates of uncertainty so that conclusions and recommendations drawn from scientific studies can be properly evaluated. The Climate Change Science Program (CCSP), of which USGS and DOI are members, is actively involved in developing a more effective decision support strategy for stakeholders.

Although science has come far in understanding the impacts of climate change on humans and ecosystems, many significant challenges and unique opportunities to better understand the long-term climate future for our planet remain. These include:

- Developing a holistic, earth-systems science approach to help communities and natural resource managers prepare for climate change impacts;
- Better distinguishing natural climate change from that imposed upon the natural system through human activities so that effective mitigation strategies can be developed and implemented by decision-makers;
- Developing a better understanding of how the earth and its physical and biological processes interact, and with this understanding respond to climate change over the short-term and well into the future;
- Forecasting climate-related impacts for physical and biological systems;
- Forecasting precipitation changes as a consequence of changing climate;
- Determining how global warming may affect the frequency, intensity, and paths of strong storms, including hurricanes;
- Understanding effects of climate change on ecosystems.

There is increasing consensus that these climate change effects must be monitored and the impacts on the Nation's resources must be managed. DOI has a natural role among Federal agencies to address climate change on Federal lands and can bring all of its resource management, science, and information capabilities to bear in accomplishing that goal. Initiatives such as the Healthy Lands Initiative, the Healthy Forests Initiative, and the U.S. Ocean Action Plan, which are highlighted in the Department's fiscal year 2008 budget request can assist DOI land managers in the management of lands and resources.

Areas where DOI has expertise or activities underway include:

1. Studies of large watersheds to monitor and investigate climate change effects on the landscape. The study of large watersheds provides data that can be used to better understand the processes involved in climate change and to improve climate models that depend on this data to make accurate predictions of climate change.
2. Monitoring networks focused on water, biota, and permafrost to establish a stronger basis for future detection and definition of climate change impacts at a national and regional scale.
3. Ongoing land remote sensing programs of the United States to track changes on the earth's surface at regional to global scales.
4. The collection of paleo-environmental and instrumental information for a continuous long-term record of past and present climate change and its impacts.
5. Geospatial climate information management system for decision support for resource managers building on existing data systems such as The National Map, National Biological Information Infrastructure (NBII), National Water Information System (NWIS), National Phenology Network, and the NPS Vital Signs Network.
6. Decision support tools and products to assist decision-makers in the management of wildfire, water resources, ecosystems, and coastal and wetland landscapes in the future.

Thank you, Mr. Chairman, for the opportunity to present this testimony. I will be pleased to answer questions you and other Members of the Subcommittee might have.

Appendix F

Reference Section

This section contains links to more detailed information on some of the topics discussed by the NLC.

DOI Competitive Sourcing Green Plan
http://www.doi.gov/perfmgt/competitivesourcing/green_plan_approved.doc

Greenbook
http://home.nps.gov/applications/budget2/downloads.htm

Human Capital Preliminary Planning Effort
http://inside.nps.gov/waso/waso.cfm?prg=114&lv=2

National Park Centennial Challenge
http://www.nps.gov/2016

National Park Foundation
http://www.nationalparks.org/Home.asp

OPM Federal Human Capital Survey - 2006
http://www.fhcs2006.opm.gov/

National Park Service
U.S. Department of the Interior

NLC*Journal*

Report of the September 4-6, 2007 Meeting of the National Leadership Council

The National Leadership Council (NLC) convened on September 4-6, 2007 in Williamsburg, VA for its third meeting under the leadership of Director Mary Bomar. The NLC joined the National Association of State Park Directors (NASPD) for several joint sessions.

Tuesday, September 4, 2007
Agenda

I. Welcome and Call to Order
   Mary Bomar, Director

II. FY'09 Budget
   Bruce Sheaffer, Comptroller

III. National Heritage Areas Budget Allocation
   Bruce Sheaffer, Comptroller
   Jan Matthews, Associate Director for Cultural Resources

IV. Eastern National
   Chesley Moroz, President
   Bill Schenk, Vice Chair

V. Training and Development
   Jerry Simpson, Assistant Director Workforce Management
   Costa Dillon, Acting NPS Training Manager
   Ernie Quintana, Regional Director, Midwest Region

VI. Joint Event with the National Association of State Park Directors

I. Welcome and Call to Order

Director Mary Bomar called the meeting to order at 8:00 am with a warm welcome to all of the NLC members. She then delivered the following remarks:

"Good morning… Thank you all for cutting into your Labor Day Weekend to be here this morning… The travel schedule in August kept me out of the summer doldrums, as I traveled to Grand Teton twice, New York City, and of course the announcement of our Centennial Projects in Yosemite…It was a great event… and please thank all your superintendents and the staff who worked so hard on submitting the projects…

My story this time is not first person… rather, it was sent to me by one of our own employees… as you know I don't block anyone from emailing me…

His email spoke about my all employee memos that share information about the important issues that face our service… He appreciated them, especially those that deal with people… as he put it, 'The most important part of the Service.'

It was the attachment he sent that I really want to talk about…

It talked about a man named Charles Plumb, a naval officer, shot down in Vietnam, held captive for six years, and who is now a nationally known speaker… Many years after his F-4 was hit by a surface to air missile and he parachuted to the ground, he was sitting in a restaurant when a stranger came up to him and introduced himself as the sailor who packed the parachute that carried Captain Plumb to the ground safely.

Plumb later reflected on the encounter and thought about those days aboard the USS Kitty Hawk… How he was supported by a team that packed his chute, maintained his aircraft, and supported him on his missions… and he really never thought about their efforts… Perhaps, he thought, he felt too important as a pilot…or the press of daily business aboard the ship…

And as Captian Plumb wrote:
'… the philosophical question is 'Who's packing your parachute?' Everybody needs someone to pack their parachute. We all need that kind of support in time of need. We all need those who step out in front and say, 'Yes, I'll help.''

We have those people, right here in the National Park Service—I have them right here in this room…And I thank each of you for your help, each and every day.

The Places are the National Park System, the People are the National Park Service… and this must be a time for our people…To train and develop that future generation of leaders… to keep our people safe and healthy… and to recognize people for their actions and accomplishments, not just for the big achievements, but each and every day…
We have a busy schedule, and I am happy to see so many people issues on our plate… Now it will be up to us to make a Centennial Commitment to the 20, 000 men and women of the National Park Service, not only in what we do here, but in how we demonstrate our appreciation of our own team. Sometimes a sincere "thank you" can be the most valuable currency of all.

So thank you all, and let's get started…we have a full schedule ahead! With much hard work on the Centennial, we have built the new car…now, we need fuel to run…and all we need is a credit card…So there is no better lead-off speaker than Bruce Sheaffer himself….the man whose performance plan this year includes getting the Centennial legislation through the Congress…now, he's going to share some of his insights with us, and tell us how he'll get the job done!"

Following Director Bomar's remarks, Linda Wright, the meeting facilitator, outlined the following ground rules for the meeting:

1. All blackberries and cell phones must be on silent or vibrate.
2. No side bar conversations.
3. Listen and talk respectfully.
4. Be "one" with time.

II. FY'09 Budget

Comptroller Bruce Sheaffer updated the NLC on the status of the FY'08 budget and then led a discussion on the FY'09 budget. He stated that neither an approved appropriations bill nor centennial authorizing legislation was likely by October 1, 2007 and that he is expecting to begin the fiscal year on a continuing resolution. He also informed the NLC that the House had approved $50 million for the Centennial Challenge, but that the Senate had not approved any funds for the Centennial Challenge. Once the final appropriations bills go to conference, the Centennial Challenge fund will be negotiated. Mr. Sheaffer did indicate that there had been support from both the House and Senate to fully fund the Centennial Initiative for FY'08.

The FY'09 proposal will be submitted to OMB in mid-September. The NPS proposal is focused around the Centennial Report, and used scorecard and regional priorities. As with FY'08, park operations will continue to have a prominent spot.

Action Items

- Regional Director Jon Jarvis and Acting Associate Director Bill Shaddox will prepare a proposal regarding realty issues/land acquisition. They will report back to the NLC at the next meeting.
- Associate Director Chris Jarvi will check on the status of Cooperative Agreements and report back to the NLC.

III. National Heritage Areas Budget Allocation

Comptroller Bruce Sheaffer and Associate Director Jan Matthews updated the NLC on the National Heritage Area budget allocations. In August 2007, the regional Heritage Area representatives met with NPS staff in Washington D.C. to determine how to distribute the FY'08 Heritage Area funds. In years past, funding has been assigned for each Heritage Area by Congress and the funding amounts appeared as line items in the Department of Interior budget. For FY'07, Congress directed NPS to determine criteria and a formula to distribute funds. NPS moved quickly to develop a method for distributing '07 funds, and subsequently convened the task force to be more inclusive in formulating a strategy for FY 2008. The task force recommended that: all of the established Heritage Areas receive three percent of the appropriations; the ten new Heritage Areas receive one and one-half percent of the appropriations; and that the one million dollars be set aside for National Park Service Heritage Areas support staff in the regions and Washington Office. All but one of the twenty-eight heritage areas endorsed the recommendation; the exception was Blackstone National Heritage Area. The NLC concurred with the recommendation for funding allocation.

The FY'09 request for the National Heritage Areas is $15 million. A sub-group is working on the proposal. While the agreement for distribution of the funds for FY'08 will suffice for this fiscal year, it is likely that a more analytical formula will need to be developed for future years to meet OMB guidance.

IV. Eastern National

Eastern National President Chesley Moroz and Vice Chair Bill Schenk presented the Eastern National (EN) strategic plan to the NLC. The plan, prepared by a committee composed of EN board members and officers, and NPS superintendents, was approved by the EN Board of Directors in June 2007.

The mission of EN, as defined in the strategic plan, is that "Eastern National promotes the public's understanding and support of America's National Parks and other public trust partners by providing quality educational experiences, products, and services." To this end, EN has proposed to establish a $10 million endowment, diversify and better market its products and

services, and potentially pursue a name change that more clearly defines its role as a cooperating association. Over the years, EN has donated over $89 million to the NPS. The funding is used to support all NPS units, not just those that are a part of EN. Additionally, EN employs a revenue sharing model in which the larger, more profitable outlets support the smaller, less profitable outlets. With large outlets like Gettysburg leaving EN, this model may not function as well in the future.

EN asked the NLC for clarification of NPS policy on Cooperating Associations. In a May 2006 letter from then Director Mainella to EN, Director Mainella indicated that a review committee convened by the NLC concluded "The NPS should require that in regions where EN currently operates, any park manager who wants to establish a partnership for visitor center and/or bookstore operations with another entity outside of the existing agreement with EN, must first request such a waiver through the Regional Director with approval by the NPS Director. In the event that such a partnership is approved, the NPS should require as part of that arrangement, the new external partner(s) direct a percentage of the Association sales revenue which could be adjusted periodically for inflation, through an annual contribution to a specific fund at EN for interpretive operations as associated parks."

Based on the recommendations in the letter, EN developed its new strategic plan that included maintaining the revenue sharing model. Ms. Moroz and Mr. Schenk asked the NPS for clarification of the above policy regarding parks leaving EN and for concurrence on the revenue sharing philosophy. They also proposed the establishment of a cooperating association alliance that could meet to discuss the issues faced by all NPS cooperating associations (CAs) and ensure that various CAs are not duplicating each others efforts.

To conclude their session, Ms. Moroz and Mr. Schenk detailed the other services that EN provides including: the Employee and Alumni Association, publication of the Oh Ranger! Book, arrowhead cards, and the Arrowhead store. Additionally, EN is developing a volunteer-in-parks product line.

After the presentation by Ms. Moroz and Mr. Schenk, the NLC engaged in a discussion about EN's request for clarification of NPS policy and whether or not they supported the revenue sharing model. It was noted that revenue sharing is unique to EN and the parks it serves and has not been required of other CAs. The Regional Directors shared how the CAs in their regions operate, and it was suggested that a national endowment be created that all CAs could contribute to. This endowment would be used to help support interpretive products for smaller, less profitable parks. The NLC concluded that a small group look needed to look at the big picture and then come back to EN and all CAs on what the NPS policy should be.

Action Item

- The Regional Directors will discuss the issue on an upcoming conference call and comeback to the NLC with recommendations that will be used to shape NPS policy on CAs.

UPDATE: The Regional Directors discussed this issue on a conference call with Associate Director Chris Jarvi. WASO has met with cooperating association steering committee twice. Outreach to other cooperating associations is occurring. There will be further discussion at the January 2008 NLC meeting.

V. Training and Development

Jerry Simpson, Assistant Director Workforce Management, Costa Dillon, Acting NPS Training Manager, and Ernie Quintana, Regional Director, Midwest Region updated the NLC on the work

of the NPS Training and Development committee. In January 2007, Director Bomar asked for a comprehensive review of NPS employee training and development. The steering committee broke this task into three phases: identify what we have now; determine what we are striving for; and decide how we best organize to accomplish what we need and want.

Phase I – Identify what we have now - Conclusions:

- There is no national level policy on training and no national training process or system.
- The training and development budget has decreased by $3.4 million from 2004-2007.
- Training lacks a strategic connection to mission achievement and is often developed as a discrete response to immediate needs.
- NPS lacks data on employee training due to inconsistent use of the SF-182 and difficulties with DOI Learn.
- External expectations from the Department of Interior, Office of Personnel Management, and the President's Management Agenda, have a direct influence on employee training.

Phase II – Determine what we are striving for – Strategies:

- NPS will have a clear human resource development strategy that links organizational goals to succession planning and employee development.
- NPS will have a coherent, integrated, and comprehensive curriculum, to prepare the next generation of leaders.
- NPS will support employee career development through regular needs assessments, Individual Development Plans (IDPs), access to mentoring, and other instruments.
- Training and development curriculum will be content driven.
- Measureable results of training will be documented for accountability and continuous improvement of learning.
- NPS will leverage resources to Training and Development to reflect a strong organizational commitment to employee development.

Ultimately, NPS wants to be able to ensure that all necessary training is available.

Phase II will be completed during a meeting of the committee in early October 2007. Jerry Simpson will report the conclusions to the NLC. Additionally, the committee has been working on a developing a new superintendent's course. The NLC asked that Jerry send out a list of competencies for new superintendents and that they be updated regularly on the status of the course. Finally, language for an NPS Training Centers Fee Retention Act has been included in the 2008 legislative package. If passed, the Act will allow fees generated at Albright and Mather training centers to be retained at the training centers. Currently, the USFWS National Conservation Training Center has the authority to retain its fees.

The presenters noted that the committee has not discussed what training NPS employees are receiving from non-NPS sources. They will look into what is available outside of NPS and how it fits in with the goals established above.

The NLC agreed that consistency, quality, and maximized return on investment were all important characteristics of the training and development program. They also agreed that the committee had done a good job "scratching the surface." They then posed the following questions for the committee to consider:

- How many employees have IDPs in place with training clearly identified?
- What specifically are our training needs?
- Where should funding be focused?

Jerry asked that the NLC review the information provided and submit comments by September 28, 2007. He committed to reporting back to the NLC in November informally, and to follow-up with a formal presentation at the January 2008 NLC meeting.

Action Items

- Jerry Simpson will send out a list of competencies for new superintendents and will update the NLC regularly on the status of the course.
- NLC members will submit comments on the Training and Development presentation to Jerry by September 28, 2007.
- Jerry Simpson will report back to the NLC in November informally, and will follow-up with a formal presentation at the January 2008 NLC meeting.

Before adjourning for the joint event with the NASPD, Director Bomar made the following announcements:

- Mike Soukup, Associate Director for Natural Resources, Stewardship, and Science is retiring the first week of November.
- Patricia Hooks, Regional Director, Southeast Region, has resigned.
- Dennis Reidenbach has been selected as the new Northeast Regional Director.

VI. Joint Event with the NASPD

After the first day of the NLC meeting was adjourned, the NLC members joined the National Association of State Park Directors for a tour of the Jamestown settlement and Historic Jamestowne followed by dinner and a reception at Historic Jamestowne. Both Director Bomar and Secretary Kempthorne gave brief remarks to welcome both groups to Colonial National Historical Park.

Wednesday, September 5, 2007
Agenda

I. Joint Session with NASPD
   Opening Remarks by Charles (Chas) Salkin, NASPD President
   Welcome to the Colonial Capital by George Washington
   Opening Ceremony
   Welcome to VA and introduction of Conference Theme by Joe Elton, VA State Parks Director, and Johnny Finch, President of the VA Association for Parks
   Welcoming Remarks by Joseph Maroon, Director, VA Department of Conservation and Recreation
   Welcoming Remarks by Virginia Lt. Governor Bill Bolling
   Welcoming Remarks by NPS Director Bomar
   Introduction of Secretary Kempthorne by Director Bomar
   Welcoming Remarks by Secretary Kempthorne
   Roundtable discussion

II. Welcome and Call to Order
   Mary Bomar, Director

III. 2008 General Conference
   Mary Bomar, Director
   Jim Gasser, Meeting Planner

IV. Centennial
   Mike Reynolds, Superintendent, Fire Island National Seashore
   Jennifer Mummart, Special Assistant to the Director

I. Joint Session with the NASPD

The joint NLC/NASPD session opened with remarks by the following: outgoing NAPSD President Chas Salkin, Virginia State Parks Director Joe Elton, Virginia Association for Parks President Joseph Maroon, Virginia Lt. Governor Bill Bolling, NPS Director Mary Bomar, and Secretary of the Interior Dirk Kempthorne.

The remarks by Director Bomar were as follows:

"Thank you for a lovely welcome last night. As I said, I had the honor of participating in the events marking the 400th anniversary of Jamestown, including a visit by President Bush and the launch of a replica of Captain John Smith's shallop to commemorate his exploration of the Chesapeake.

If there was a single word to describe the success of that anniversary weekend, it would be: engagement.

- Engagement by partners – the National Park Service, the State of Virginia, APVA and others…Preparing over the years for this once in a lifetime commemoration.
- Engagement of visitors…Tens of thousands for the weekend, but countless more over the next year…And more via the internet.
- Finally, engagement of groups and stories untold in the past…Stories of those who were here before the Europeans arrived, as well as stories of the fee and enslaved Americans who also journeyed to the New World.

It is no secret that visitation to our national parks has plateaued, if not decreased since the turn of the millennium. And while I am far more concerned about the quality of visitor experience than in mere numbers, there are some disturbing trends…

Who among us has not read the Richard Louv book, Last Child in the Woods? ...And who has not thought about his assertion that children no longer have the opportunity to play outdoors…to enjoy the sunshine and fresh air…

Who has not heard educators and historians bemoan the lack of knowledge among Americans about the history that forms the common bond among Americans? And is there anyone surprised that more Americans know Homer Simpson's hometown than Abraham Lincoln's??? (FYI – both towns have the same name: Springfield)…

As my colleagues in the National Park Service know, I have what I term a "trifecta" of goals: to re-engage all Americans with their parks; to increase the capacity of the system; and to develop the next generation of leaders for our parks… But how do we truly engage ALL Americans? You may have seen the Associated Press article recently in your local papers asserting that in 10 percent of our counties, whites are now the minority…and the article goes on to say that in 40 years, minorities will account for half of the population of the United States.

This is not news… The past, it is said, is the key to the future. Who among us in not looking at ways to diversify our workforce, to broaden our stories and to reach new groups of visitors?

In 2001, the National Park System Advisory Board developed: "Rethinking the National Parks for the 21st Century." That report stated: "The public looks upon national parks almost as a metaphor for America itself. But there is another image emerging here, a picture of the National Park Service as a sleeping giant – beloved and respected, yes; but perhaps too cautious, too resistant to change, too reluctant to engage the challenges that must be addressed in the 21st century."

All parks, not just national parks, are confronting similar issues as they ponder how to serve new groups who are unlike traditional park visitors. I recently saw an article in the Washington Post that told an interesting story – a story about a local park:

'One chilly April morning two years ago, manager Jill Vanden Heuvel was at her desk at Algonkian Regional Park expecting a quiet Sunday when the cars started to arrive. Hundreds at first, then more than a thousand, bringing scores of Iranian families toting blankets, coolers and small grills.

Picknickers without reservations plunked down in areas reserved by others. Toilets overflowed. Cars were parked haphazardly on the grass. Tempers flared. When Vanden Heuvel tried to get the crowd to disperse, the accused her of racial discrimination.

As the crowd quickly grew to 3,000 people, more than twice what the park could handle, Jill called her boss in a panic. They decided to shut down the park to cars – a rare move for the Northern Virginia Regional Park Authority.

Feeling helpless, park employees turned to their computers, Googling such terms as "Persian" and "holiday" and "spring." That's how they learned that on Sizdeh Bedar, a popular celebration in Iran, it's considered unlucky to stay indoors. Now each April, the park is ready with extra staff.'

…What a story…moreover, what a magnificent response by park staff!

I am heartened by similar stories in our national parks as well…In late July, I traveled to Lowell National Historical Park in Massachusetts…For those of you not from New England, Lowell is a wonderful example of the Industrial Revolution…but whose technology and industry has been overtaken by global realities…leaving it part of the "Rust Belt"…a city that is struggling in many respects, and whose population has changed drastically in recent years.

It is the park's response to this change that serves as an example to other parks…serving new audiences, developing a nationally-recognized volunteer program…and becoming a model for educational programs in the region and the country.

While I would love to stand before you and boast, it is truly superintendents who make the margin of difference just like Jill…But to truly drive my message home, please suffer me for a few moments…I promise you that I will stay on time…I am proud that Superintendent Mike Creasy is here today from Lowell, to tell us a bit about his program and to introduce some very special guests."

Superintendent Michael Creasy spoke briefly about the partnership between Lowell National Historical Park and the local Cambodian community. He introduced Duey Kohl, a Cambodian-American NPS employee at Lowell. She explained the history of the Angkor Dance Troupe and introduced the Sophy Leng, Sopheap Sou, Monica Veth, and Peter Veth, who then performed two traditional Cambodian dances for the group. The Angkor Dance Troupe is the only nonprofit cultural group in Lowell, MA, whose sole mission is to preserve the traditions of Cambodian performing arts. The Troupe develops and teaches Cambodian dance, promotes an understanding and appreciation of Cambodian culture, and provides a positive social and educational outlet for Cambodian youth. Through a partnership with Lowell National Historical Park, the Troupe has offices and rehearsal space in a building owned by the NPS.

At the end of the performance, Director Bomar returned to the podium to conclude her remarks and introduce Secretary Kempthorne.

"Thank you all…that was wonderful! And thanks to all of you for your attention!

I often say that National Parks are special places that unite all of us as Americans, whether your ancestors arrived thousands of years ago or three weeks ago…But to truly engage ALL Americans, we must replicate the success of Lowell across the nation.

Addressing the Case for Change is an essential part of the Report on the Future of America's National Parks – the report that establishes the framework for the National Park Service Centennial Initiative – celebration of 100 years in 2016 of NPS.

It is said that action, not just position, is the essential quality of leadership…and I am privileged to work for a man who clearly has a bias for action. As a mayor, a Senator, and a governor, he did not sit on the sidelines but was actively involved in change and building for a better future. And, while it was the President who appointed me as Director, I accepted the job because of the man I would work for.

By any measure, he is the right person at the right time to head the federal agency that not only manages one fifth of the land in our nation but cares for the special places in the country – our national parks. He is an outdoorsman…a conservationist…an overachiever in the areas of the environment and the quality of life at the local, state, and federal levels.

As Secretary, he has in one short year made his stamp upon all aspects of the Department of the Interior…but none has been more dramatic than as the chief architect of the President's National Park Centennial Initiative…a bold plan to pump three billion dollars of new funding into our national parks to make them ready for the National Park Service Centennial in 2016.

His legacy as leader, and as a man of action, will truly stand the test of time. It is my privilege and pleasure to introduce the 49th Secretary of Interior, Dirk Kempthorne!"

In his remarks, Secretary Kempthorne pledged to encourage all DOI agencies to work collaboratively with the states. "I hope we can reach a day when families and children move seamlessly from state parks to national parks, with doors open everywhere and pathways that lead from one program to another, from one life-changing and life-enriching experience to another," he said. "A day when children beg their parents to take them to a park as much as they beg them to buy a new video game."

At the conclusion of the remarks, the NLC and NASPD broke into groups based on geographic regions to discuss the following topic: "What is the best way for state agencies to work with the NPS and other federal agencies in partnership to address the collective issues of children and nature, health and recreation, and reaching diverse audiences?" The results of these sessions were then used to develop a Children and Nature Plan for Action that was adopted by both groups on Thursday, September 6, 2007. (Appendix C)

II. Welcome and Call to Order

The joint session with the NASPD concluded with lunch. After lunch, the NLC reconvened on its own. Director Bomar thanked the NLC for their contributions during the morning session and asked them to make sure that they follow-up and stay committed to the items agreed upon by the two groups. The NLC then shared their impressions and experiences from the groups they met with that morning.

Before moving to a discussion of a general conference in 2008, Director Bomar informed the NLC that Christmas ornaments had been sent to all of the parks by the White House for decoration as the theme of this year's White House decorations is "Holiday in the Parks." The

ornaments must be returned by September 30, 2007, and all of the artists will be invited to a reception at the White House to view the decorations.

III. 2008 General Conference

NPS Meeting Planner Jim Gasser reported to the NLC that he had been asked to find locations and dates for a 2008 General Conference. Based on the request for proposals, he presented the following option: Boston, MA for December 8-11, 2008; Atlanta, GA for October 10-24, 2008; or Salt Lake City, UT for October 6-10, 2008. The Regional Directors had discussed this topic during their last meeting and recommended three smaller regional conferences instead of one large conference. One day of each of the regional conference would focus on national issues, but the remaining days could focus on the issues impacting the specific regions. In addition, area partners could be invited to the regional conferences. The NLC decided unanimously to pursue three regional conferences, which would be divided as follows: Pacific West and Alaska Regions; Midwest and Intermountain Regions; Northeast, Southeast and National Capital Regions.

Action Items

- Jim Gasser will work on finding locations and dates for the three regional conferences.
- Jon Jarvis will serve as the NLC lead on developing an agenda for the day of national issues at each conference.

IV. Centennial

Mike Reynolds, Superintendent, Fire Island National Seashore, and Jennifer Mummart, Special Assistant to the Director, updated the NLC on the status of the Centennial Challenge proposals.

Three hundred seventy-six proposals were submitted by parks and program offices. Of these, seventy-six were removed using the screen out criteria. The remaining three hundred projects were reviewed by two NPS teams. From this list, two hundred and one proposals were determined to be "eligible for funding consideration in FY'08." The total cost for these proposals is $281 million, of which, $165.1 million has been committed by park partners.

The NLC discussed potential challenges for the Centennial Initiative including: the need to deposit all funds into the federal treasury rather than transferring federal funds to a non-federal partner; the need to ensure that all selected proposals are successful; the implications of transferring funds directly to a partner without competition (if this is permitted by the legislation); use of Centennial Challenge funds for the creation of endowments; cost estimates in the volatile construction market; and obtaining silver LEED certification for new construction.

It was noted that all land acquisition proposals have been set aside in a separate pool. There are several issues that need to be worked out including whether or not the appraised value of land can serve as a match. The Associate Director for Park Planning, Facilities, and Lands will continue to work on this matter.

At this point, the NLC segued to a discussion centered on a memo sent to Secretary Kempthorne from the DOI Inspector General (Appendix D). The IG has been included from the beginning of the centennial discussion at the request of Secretary Kempthorne and Director Bomar to make sure that we are transparent and completely above board in all of the actions related to the centennial. The memo recommends creation of a Centennial Independent Review Board and the development of a Business Plan.

The NLC concurred with both recommendations; however, they decided as a group that the Board should focus on financial transparency/accountability and not on proposal selection. They discussed various models for the Board including creating a subgroup of the Development Advisory Board (DAB) or a subcommittee of the National Park System Advisory Board (NPSAB) once it is re-established. They also agreed that the workload of the Board and NPS staff will depend upon which version of the Centennial legislation is passed. If in-kind contributions are allowed, the workload will increase substantially.

Comptroller Bruce Sheaffer indicated that his staff could take the lead on preparing the Business Plan. The plan will include staffing requirements, details on the existing accounting systems and controls, and an explanation of roles and responsibilities of NPS staff and the Board. The NLC concurred that a full-time Centennial Coordinator should be hired to manage the initiative.

Action Items

- Jerry Simpson will participate on an upcoming RD conference call to discuss hiring the new 3000 seasonals.
- The Centennial office will specify what partners should be submitting in their commitment letters to ensure consistency.

Thursday, September 6, 2007
Agenda

I. Welcome and Call to Order
   Mary Bomar, Director

II. Guidelines for Advertising in Park-Related Publications
   Chris Jarvi, Associate Director, Partnerships and Visitor Experience

III. Relevancy
   Mary Bomar, Director
   Dr. Robert Burns, West Virginia University
   Dr. James Gramann, NPS Visiting Social Scientist

IV. NLC Meeting Dates 2008-2009
   Jim Gasser, Meeting Planner

V. Closing Remarks
   Mary Bomar, Director

VI. Joint Session with NASPD
   Breakout sessions on Foundations, Partners, and Children and Nature
   Closing Session (Dogwood Room)

I. Welcome and Call to Order

Director Bomar called the meeting to order and asked Associate Director Jarvi to provide a brief summary to follow-up on the joint sessions with the NASPD on September 5, 2007. Mr. Jarvi informed the NLC that a full summary of each of the sessions has been prepared and that a small group will be meeting that morning to prepare a Children and Nature Plan for Action that will be endorsed by both the NPS and NASPD. Sandy Walter, Deputy Regional Director for the Northeast Region, will be representing the NPS at the meeting. Additionally, the groups agreed to form a steering committee to continue working on the identified issues. Regional Directors Jon Jarvis and Ernie Quintana and Associate Director Chris Jarvi agreed to serve on the steering committee as the NPS representative. The NLC discussed the need to follow through on the action items generated as well as the importance of not undertaking too many tasks. They concurred that it was important to focus on two or three action items and make sure that they are accomplished.

II. Guidelines for Advertising in Park Related Publications

Associate Director Chris Jarvi led a discussion with the NLC on NPS guidelines for advertising in park related publications. The regulations governing advertisements in parks are: "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. Such permission may be granted only if the notice or advertisement is of goods, services, or facilities available within the park area and such notices and advertisements are found by the Superintendent to be desirable and necessary for the convenience and guidance of the public." (36 CFR 5.1) "Park area" is defined in 36 CFR 1.4 as "any area 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." Thus, publications distributed within parks by the NPS or by partner organizations such as cooperating associations and friends groups may not include advertisements of goods, services, or facilities available outside park boundaries, regardless of whether the publications are viewed as official or unofficial publications of an NPS unit.

At issue is the fact that they regulations are either not being enforced or are not well understood. Mr. Jarvi brought forth several examples of publications currently being disseminated in parks that contain advertisements. The regulation applies to documents produced by NPS as well as those produced by our partners. He then reviewed a matrix of Regulation versus Actual Practice for the following categories: multi-color park guides containing ads; "official" park newspapers; unofficial newspapers; business directories; brochures; interactive media; and directional or information signs and publications for concessions or cooperating associations. The matrix is attached in Appendix E.

NLC members then raised the following questions for discussion:

1. Should bulletin boards be listed as a separate category?
   - The NLC concurred that this should be a separate category.
2. What about co-sponsored events that contain advertisements?
   - Donor recognition can be done. It is not prohibited by the regulations.
3. What about local chamber of commerce publications?
   - It is very common for parks to hand out local chamber of commerce publications/directories that provide the list of services and businesses in the local community. Under the current regulations, only a concessioner could distribute this type of material. The NLC concurred that this is an issue that needed to be further studied. It is very important for potential NPS visitors to know what services are available to them both inside and outside the park. Not having access information may preclude new visitors from

travelling to a park. Also, parks without concessions would not be able to provide any information about the local community.
4. What about NPS websites that have links to outside websites?

The NLC agreed that this is a difficult issue and clear guidelines need to be developed for parks. They concurred with the recommendations presented in the matrix and decided that a memo would be issued from Deputy Director Wenk to the field within the next month. The Regional Directors also agreed to look into what is happening in the parks in their regions, and it was suggested that this topic would be a good agenda item for superintendents' conferences.

Action Items:

- Associate Director Jarvi and John Piltzecker, Chief of Partnerships, will continue to study this issue and report back to the NLC.
- Associate Director Jarvi and Deputy Director Wenk will work on a memo to the field that explains the requirements of the advertisement regulation.

UPDATE: Deputy Director Wenk issued a memo to the field on the regulations for commercial advertising in parks on October 2, 2008 (Appendix F).

III. Relevancy

Director Bomar kicked off this session by stressing the importance of maintaining relevancy for our parks. One of her trifecta of goals, Re-engage the American people with their parks, relates directly to this issue. She called attention to the article she referenced in her remarks on September 5, and informed everyone that a full copy had been disseminated for their review. She then introduced Dr. Robert Burns, Assistant Professor, West Virginia University, and Dr. James Gramann, NPS Visiting Social Scientist. Dr. Burns and Dr. Gramann addressed the following topic "How are National Parks to remain or become relevant to all populations (as perceived by potential/existing users)?"

Dr. Burns began by citing two studies he conducted on US Forest Service lands in Oregon and Washington. The results of his work indicated that the critical demographic and social changes facing outdoor recreation providers were a rapidly aging population; an increasingly diverse population; fewer youths learning outdoor skills; and increasing levels of physical inactivity. He also found that lack of time, information, and interest were the top three constraints listed by non-traditional users, and that additional information was the top change that the non-traditional users asserted would increase their interest in utilizing public lands.

Dr. Gramann noted that Dr. Burns' results paralleled the results of the first NPS Comprehensive Survey of the American Public. He recommended that NPS work with Parks Canada, the US Army Corps of Engineers, and the US Forest Service as they are all dealing with the same issues. Dr. Gramann strongly encouraged the NLC to share information with other agencies and to benchmark good programs. Finally, he called for a system-wide social monitoring program similar to the Inventory and Monitoring program that could track indicators and possibly make projections.

The NLC engaged in a lengthy dialogue on this topic with Drs. Burns and Gramann. They discussed the need to produce signs and informational materials in multiple languages, to have staff that are fluent in other cultures as well as languages, to work more closely with other agencies and non-profits, and to improve the diversity of the NPS workforce. They noted that the NPS has an opportunity in FY'08 with the 3000 new seasonals to hire diverse candidates.

Action Item:

- The NLC committed to revisit this issue at future meetings or on conference calls.

IV. NLC Meeting Dates 2008-2009

Mr. Jim Gasser reminded the NLC of the 2008 meeting dates:

January 15-17, 2008	Washington, DC (subsequently changed to January 14-16, 2008)
May 13-15, 2008	Washington, DC
August 12-14, 2008	Dayton, OH*
November 16-20, 2008	Washington, DC

*The Dayton, Ohio location was agreed to by the NLC during this discussion.

Mr. Gasser then proposed the following dates for 2009:

January 13-15, 2009 or January 27-29, 2009
May 5-7, 2009
August 25-27, 2009
December 1-3, 2009

Action Item

- The NLC must respond to Deputy Director Wenk within seven days about the 2009 meeting dates.

UPDATES:

The August 2008 NLC meeting has been changed to August 5-7, 2008 due to scheduling conflicts.
January 13-15, 2009 was selected for 2009.
The December 2009 meeting was moved to November 17-19, 2009.
The January, May, and November 2009 meetings will be in Washington, DC. The August 2009 meeting site is to be determined.

A complete revised schedule is in Appendix B.

V. Closing Remarks

Director Mary Bomar closed the meeting with the following remarks:

"When I thought about our agenda and what we had discussed at this meeting, I realized that at the NLC we talk about two basic issues: money and people… Discussions of the 09 budget, Heritage Area funding, Eastern National and the Centennial speak to money… Our sessions of Training and Development and reaching out to non-traditional visitors deal with people.

I am confident about the money… I believe that both the operating budget and the Centennial Challenge will make it through the Congress… and I trust in Mr. Sheaffer that 09 is bright as well…That is why now, more than ever, we simply must turn our attention to people.

Just consider the openings we have in the Service… Business Services… the CIO position…DSC… the Southeast Regional Director….openings at the Arch and Independence, and many more… Have we prepared the next generation of leaders for those jobs?

What exactly is the career progression for superintendency…a regional directorship...an associateship? Just who, Michael, should replace you? What are those qualifications? And how are we training people who follow in another ten years?

On Tuesday, you may recall, I acknowledged to Jerry Simpson that I was sometimes hard on him….But believe me this is not a personnel issue… it is one for each and every one of us in this room… And I am looking for more than just training…

We need career paths to show our junior colleagues where they can go with their careers… then back it up with the training they deserve… We need the mentoring that goes on among many of us, but is not accessible to all…

My shopping list is long, and my time is short, so I truly need your help….I am in free fall, and I need you to help pack my parachute.

Thank you all for helping to pack my chute each day… thank you for traveling over your all too rare holiday weekends … and thank you from the National Park Service, the 20,000 men and women who depend on your leadership each and every day.

It is late in the day, and many of us, as Robert Frost said, have 'miles to go before they sleep….' Thank you, have a safe journey and I look forward to seeing you all again in January!"

The NLC then adjourned their meeting and proceeded to a joint session with the NASPD.

VII. Joint Session with NASPD
Breakout sessions on Foundations, Partners, and Children and Nature
Closing Session (Dogwood Room)

The afternoon joint session with NASPD consisted breakout sessions on Foundations (panelists – Johnny Finch, VA Association for Parks and Elizabeth Goldstein, California Parks Foundation), Partners (panelists – Judy Braus, National Audubon Society, and Rose Harvey, Trust for Public Lands), and Children and Nature (panelists – Gina McCarthey, Deputy Secretary of Connecticut Natural Resources, Derrick Crandall, American Recreation Coalition, and Dr. Michael Suk). Participants could choose to attend two of the sessions which included insight and examples from the panelists followed by Q&A from the session participants. The goal of the sessions was for everyone to leave with new ideas and concepts that would help invigorate their parks/regions/systems.

After the breakout sessions concluded, the NLC and NASPD members converged for the closing session. Remarks were given by incoming NASPD president Greg Butts, California State Parks Director Ruth Coleman, NPS Associate Director Chris Jarvi, and NPS Director Mary Bomar. Director Bomar's remarks were as follows:

"If you recall my remarks at the opening reception, I quoted Ben Franklin's maxim of 'Well Done is better than well said.' He, along with General Washington and a handful of others certainly put this into practice when they drafted our nation's Constitution. Clearly a small group can make a huge impact on the world!

Now, 220 years later, we can also help change the world as we focus on our nation's children…How to help them be healthy today, and to develop the habits that lead to a lifetime of good health. – Secretary Kempthorne not only cares about parks, but especially about children's health and to keep them healthy by visiting parks.

We are not there yet… In the breakout sessions, there were many good ideas…some new, some shared by others… I heard equally good thoughts today… But I look at this as only the beginning… and I also hearken back to Franklin's words—"well done, not just well said."

So we must take steps now to put the words of the action plan into action… I talked with our NLC last night and we believe that a national steering committee can help focus on the major issues and provide the continuity to keep us on track… Jon Jarvis, Pacific West Region Director, will represent the NPS on the steering committee.

We are all together on this journey…and together we can be an awesome force for progress… From those of us in the National Park Service, we do pledge to do all we can to work with you and support each other in our mutual endeavors.

By working together over the months and years ahead, we can accomplish great things... We truly will make some history of our own… We appreciate the opportunity to get together and that we have participated and agree with how we will move forward together.

Chaz Salkin, President of the National Association of State Park Directors, Chris Jarvi, Associate Director for Partnerships and Visitor Experience, and Greg Butts, incoming President of the NASPD, thank you for your invitation, your warmth and your hospitality. I would also like to offer a special thanks to all of the unsung heroes – not the group up front, but those behind the scenes that do all of the heavy lifting – especially Paula Hill and Tom Cervenak from VA state parks, and Jim Gasser from the NPS – thank you. Also thanks to all of the state park Directors and the National Leadership Council. And to all of you...I have said many times that there are special places that unite us all as Americans, and parks are those places. Thank you for what you do to care for them, each and every day."

Next meeting

January 14-16, 2008, Washington DC

Appendix A

List of National Leadership Council Members (updated December, 2007)

Voting Members
Mary Bomar, Director
Dan Wenk, Deputy Director, Operations
Lindi Harvey Deputy Director, Support Services
Sue Masica, Chief of Staff
Bruce Sheaffer, Comptroller
Dennis Reidenbach, Northeast Regional Director
Ernest Quintana, Midwest Regional Director
Mike Snyder, Intermountain Regional Director
Marcia Blaszak, Alaska Regional Director
Paul Anderson, Acting Southeast Regional Director
Jon Jarvis, Pacific West Regional Director
Joe Lawler, National Capital Regional Director
Patrick Gregerson, Acting Associate Director Park Planning, Facilities & Lands
Bert Frost, Acting Associate Director Natural Resources, Stewardship & Science
Jan Matthews, Associate Director Cultural Resources
Karen Taylor-Goodrich, Associate Director Visitor & Resource Protection
Chris Jarvi, Associate Director Partnerships and Visitor Experience

Standing Staff Members
Dave Barna, Chief, Public Affairs
Sue Hawkins, Acting Chief Information Officer
Tom Wolfe, Assistant Director—Congressional and Legislative Affairs
Kate Stevenson, Acting Assistant Director—Business Services
Jerry Simpson, Assistant Director—Human Capital
Melissa Kuckro, Associate to the Director

NLC Support Staff
Jennifer Lee, Special Assistant to the Director
Jim Gasser, Meeting Planner

Appendix B

NLC Meeting Schedule 2008-2009

January 14-16, 2008	Washington, DC
May 13-15, 2008	Washington, DC
August 5-7, 2008	Dayton, OH
November 18-20, 2008	Washington, DC

January 13-15, 2009	Washington, DC
May 5-7, 2009	Washington, DC
August TBD, 2009	TBD
November 17-19, 2009	Washington, DC

Appendix C

National Association of State Park Directors and National Park Service Children and Nature Plan for Action



National Association of State Park Directors
and
National Park Service

CHILDREN AND NATURE PLAN FOR ACTION

THE CRISIS

The way children understand and experience their natural world has changed radically over the past several decades. Their physical contact and intimacy with the natural outdoors has diminished greatly. Their inability to connect with nature is now recognized as a national issue of concern. There is speculation that the loss of a child/nature connection threatens their independent judgment, their value of place, their ability to feel awe and wonder, their sense of stewardship for the earth and their psychological and physical health. Physical inactivity and a lack of contact with nature among our youth and families are becoming increasingly recognized as contributing to a national health crisis that can manifest itself in child obesity and attention deficit hyperactivity disorder.

THE CHALLENGE

Stephen T. Mather's original vision for the National Park Service included the recognition that a comprehensive system of state parks would be needed to complement the unique resources provided by the National Park Service as we collectively address the many environmental and social challenges facing this nation and its unique natural resources. As the trusted stewards of these resources, it is now our challenge to reengage our children and families with the natural world and reverse the trend which has led to nature deficit disorder.

THE APPROACH

The leadership of our system of state and national parks will work collaboratively to reconnect our youth and families with the land in such a way as to create a new generation of stewards, improve the mental and physical health of our nation, reduce the cost of health care, increase awareness of the important role nature plays in our lives and ensure the perpetuation of the resources entrusted to our care.

THE GOAL

To see this nation's children and their families again fully participating in outdoor recreation activities and rediscovering their natural and cultural heritage.

THE PLAN OF ACTION

The National Association of State Park Directors and the National Park Service Leadership Council have met on this sixth day of September, 2007 in Williamsburg, Virginia and have agreed to work collectively on the following plan of action.

- *Focus on individual initiatives to increase the public's awareness and value of connecting children and nature toward a goal of improving the knowledge of our nation's natural resources and the health and welfare of the present and future generation of young Americans.*
- *Join together in a continuing dialogue to discuss common issues and implement solutions to create a seamless system of services.*
- *Share information and knowledge on developing and expanding natural resource education and recreation opportunities for children and their families.*
- *Engage other federal, state, local, tribal and non-government partners in shared technology and interactive programs and problem solving activities to achieve mutually agreed upon goals to connect children and nature.*
- *Promote a national campaign to recognize the importance of connecting children and families to nature.*

NATIONAL PARK SERVICE

Mary A. Bomar
Director

NATIONAL ASSOCIATION OF STATE PARK DIRECTORS

Greg Butts
President

Appendix D - Advertising – Regulation vs. Actual Practice

Categories:	Regulation	Practice	Recommend
Multi-color park guides containing ads. These include APN and similar publications which contain useful information about a park. Ads are scattered throughout the publications and tend to be of products and services available nation-wide. Current reg prohibits them, even if the ads are for products or services available in a gateway community. Distribution:			
---at entrance stations…….……	No	Yes	No
---at visitor centers ……	No	Yes	No*
---at concession operations ……...	Yes	Yes	Yes
"Official" park newspapers. These include newspapers produced by a park or by a partner organization acting on a park's behalf. They include useful information about the park and contain NPS graphic identifiers such as the arrowhead symbol.			
---with advertising of goods and services within the park ...……	Yes	Yes	Yes
---with advertising of goods and services both within and outside the park …...…	No	Yes	No
---with donor recognition but no advertising …...……	Yes	Yes	Yes
Unofficial newspapers. These include newspapers that look similar to "official" ones, but without the arrowhead symbol or formal park sanctioning. Produced by partner organizations, Chambers of Commerce, or other publishing entrepreneurs.			
---with advertising of goods and services within the park …….	Yes	Yes	Yes
---with advertising of goods and services within and outside the park …….	No	Yes	No
---with donor recognition but no advertising ……	Yes	Yes	Yes
Business directories. These are booklets issued by tourism bureaus or Chambers of Commerce containing comprehensive lists of commercial facilities and services within a defined geographic area. A payment is sometimes required of those who wish to be listed. Distribution:			
---at visitor centers ……	No	Yes	No*
---at concession operations ……	Yes	Yes	Yes
Business directories compiled by park staff, with simple descriptions, non-endorsement disclaimer, and no slogans, coupons, or other promotional content.…	Yes	Yes	Yes
Brochures (and brochure racks). These typically include the standard 4" x 8" multi-color ads that promote a particular gateway facility or service. Gateway establishments that advertise the parks typically expect a reciprocal arrangement.			
--at visitor centers …….	No	Yes	No*
--at concession operations ……	Yes	Yes	Yes
Interactive media. This category includes computerized information about commercial facilities and services available locally. Distribution:			
---at visitor centers ……	No	Yes	No*
---at concession operations ……	Yes	?	Yes
Directional or informational signs for concessions or cooperating associations, and publications featuring facilities, products and services of concessioners, cooperating associations, and holders of commercial use authorizations.	Yes	Yes	Yes

* Current regulations do not allow "general fulfillment" brochure racks in visitor centers; however, we understand this is common practice. NPS will study appropriate management for this activity.

Appendix E

Memo from the Inspector General to Secretary Kempthorne regarding the Centennial Initiative

United States Department of the Interior

OFFICE OF INSPECTOR GENERAL
Washington, DC 20240

AUG 20 2007

To: Secretary Kempthorne

From: Earl E. Devaney
Inspector General

Subject: Critical Point Evaluation - National Park Service Centennial Initiative

We were pleased to have the opportunity to brief you on the Office of Inspector General (OIG) Critical Point Evaluation (CPE) of the National Park Service (NPS) Centennial Initiative (CI), and were heartened to hear your continuing support of our early involvement in this effort. During that briefing, we identified two areas of particular import - the establishment of a Centennial Independent Review Board (CIRB) and the development of a Business Plan to implement the Centennial Initiative. We discuss each of these in more detail, below.

Subsequent to our meeting with you, we briefed the NPS Director and members of her CI team, all of whom were both interested in and receptive to the ideas we presented. In addition to copying them on this memorandum, we will continue to provide assistance to the NPS Centennial Team regarding the CIRB and Business Plan, as well as in other areas, as needed.

Centennial Independent Review Board

We envision the CIRB as being an autonomous advisory body to the NPS Director and you in the following essential areas:

- Independent review and approval of requests for distribution of all federal CI Funds to "matching" funds from the private sector.
- Oversight of the internal controls over CI projects.
- Adjudicate the value of potential in-kind donations.

Members of the CIRB should have substantial background and expertise in finance and/or organizational management. The members should be drawn from government, business and/or private philanthropic organizations. We recommend that the CIRB be structured as follows:

1 - Rotating Foundation/Friends Group Member (2-year term)
2 - Standing NPS Members
1 - Standing Department of the Interior Member
1 - Independent Member from the business and/or philanthropic community
1 - Non-voting, advisory Member from the OIG

The CIRB should meet on a regular basis, at least quarterly, to address issues on pending CI projects and donations. One of the standing, voting members should be designated as Chair to manage the CIRB's operations and records. Administrative support for the CIRB should be provided by NPS. The CIRB should receive information in advance of each meeting in a standard format, that contains all the details about any pending Cl project necessary for the Board's meaningful consideration. Appropriate NPS officials and partner project sponsors who are knowledgeable about pending CI projects should be available to the Board at every meeting, to answer questions as they arise.

The CIRB, in turn, should produce concise written summaries of its reviews, including issues and concerns that stakeholders may overlook, to ensure transparency and consistency. Although non-binding, such summaries would become a part of the record for a given CI project.

Elements of a Business Plan

Following the NPS Centennial Initiative Strategic Plan, a detailed Business Plan must be developed to ensure that the necessary business processes are in place to successfully implement the C1. The Business Plan must detail individual responsibilities, procedures, time frames and resources necessary to accomplish identified goals. Although the Business Plan may include other areas, we have identified the following as crucial:

- Organizational Structure and Processes
  - Overall management of Cl program
  - Structure - centralized/decentralized
  - Process to obtain organizational buy-in
  - Roles and responsibilities of CI project partners
  - Process for approval of projects
  - Mechanism to ensure completion of projects
  - Role and responsibilities of CIRB

- Financial Management
  - Establish Cl financial management systems requirements (FBMS, FFS, Foundation Based?)
  - Establish internal controls over release of matching funds
  - Develop capacity for prompt, accurate financial reports (daily, weekly,
  - monthly, and quarterly?)
  - Establish a prompt, accurate mechanism to track funding

- Human Resources Management
    - Determine necessary staffing to handle increased demand for contracting, legal support, training and other areas
    - Staff location - centralized/decentralized
    - Develop interim human capital strategy to assign existing employees to CI projects, including impact on other programs
    - Develop human capital strategy to recruit, hire and train new employees
    - Determine funding sources for new hires

- Training
    - Develop a CI training curriculum
    - Develop a delivery strategy
    - Establish partners' role in training effort

- Program Metrics and Feedback
    - Establish performance measures tied to the Strategic Plan and Goals
    - Develop processes to collect and compile predominance data for reporting
    - Develop an internal control review program and establish frequency of such reviews

At this time, I have asked the OIG CPE team to step back and give NPS an opportunity to establish the CIRB structure and develop its Business Plan. In Fiscal Year 2008, we will initiate another CPE to review their progress and offer additional suggestions. Please let me know if you have any questions or would like additional information.

cc: Mary Bomar

Appendix F

Memo from Deputy Director Wenk to the NLC regarding Commercial Advertising in Parks

United States Department of the Interior

NATIONAL PARK SERVICE
1849 C Street, N.W.
Washington, D.C. 20240

IN REPLY REFER TO:

A5639(0004)

OCT 02 2007

Memorandum

To: National Leadership Council

From: for Director Daniel N. Wenk

Subject: Regulation Regarding Commercial Advertising in Parks

The following memorandum is being provided to clarify the National Park Service (NPS) policy with respect to allowing advertisements in units of the National Park System.

The regulation regarding advertisements (36 CFR 5.1) states the following:

> 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. Such permission may be granted only if the notice or advertisement is of goods, services, or facilities available within the park area and such notices and advertisements are found by the Superintendent to be desirable and necessary for the convenience and guidance of the public.

Since 36 CFR 1.4 defines "park area" to mean any area of land and water administered by the NPS, publications distributed within parks by the NPS or by partner organizations such as, cooperating associations and friends groups may not include advertisements of goods, services, or facilities available outside park boundaries, regardless of whether the publications are viewed as official or unofficial publications of an NPS unit.

Although advertising is prohibited, existing NPS policy does allow donor recognition, which occurs when an individual, corporation, or some other entity is publicly thanked for their gift or service to the NPS (or to one of the NPS's non-profit partners). Such recognition in the NPS publications, or publications produced for distribution within a park by a non-profit partner, must be consistent with Director's Order #21: Donations and Fundraising. For example, a donor recognition section introduced with a disclaimer such as: "Big Tree National Park does not endorse the organizations and enterprises listed below, but we wish to thank them for their generous support in producing this publication as a visitor service" would be allowed.

Publications that contain commercial advertising cannot be distributed to visitors by park employees, VIP's or cooperating association agents at entrance stations, visitor centers, embarkation points or other locations within a park. However, publications meeting the donor recognition standard in the previous paragraph may be distributed regardless of whether they are represented as "official" park publications containing the arrowhead symbol or as "unofficial" publications produced as a visitor service by a non-profit organization and approved by the superintendent. Publications sold or distributed within a concession or cooperating association operation may contain advertising.

Introductory or welcome messages by a park superintendent or other NPS staff, whether or not accompanied by a photo, in any type of commercial publications are considered a form of endorsement of a commercial product and are not authorized. Articles about park programs that happen to include photos of park rangers engaging in these programs are authorized. Where the publications are not of a commercial nature—as with park newspapers that include donor recognition—the superintendent's welcome message and photo may also be included.

The National Leadership Council recognizes that park visitors often request information about restaurants, lodging, and other facilities and services typically provided by the local business community. These requests can create operational difficulties when park staff want to provide good customer service, but are prohibited by our regulation from distributing materials that would efficiently meet visitor needs. The business community is often puzzled, as well, when parks seem unwilling to actively contribute to the success of the local tourist economy by sharing information that tourists want and need about their facilities and services. As part of our ongoing effort to explore ways to improve our park operations and our relationships with park neighbors, we will continue to review ways to resolve these problems. Meanwhile, superintendents who currently allow the display of such information may continue to do so at current levels, provided that a non-endorsement disclaimer is clearly posted in the immediate vicinity.

When working with organizations or businesses, keep in mind that the NPS Arrowhead Symbol is registered as a service mark with the U.S. Patent and Trademark Office. Its use is controlled through law, regulation, and policies issued by the Director. Non-NPS uses—and some NPS uses—require prior approval. Further guidance is provided in Special Directive 93-7 (which will be superseded by the Director's Order #52D: Use of the Arrowhead Symbol).

Please distribute this memorandum to your superintendents and program managers, and contact the Partnership Office or the Office of Policy if you have any questions.

Appendix G

Reference Section

This section contains links to more detailed information on some of the topics discussed by the NLC.

Cooperating Associations
http://www.nps.gov/interp/coop_assn/

Director's Order 21
http://www.nps.gov/policy/DOrders/DO21-reissue.html

Eastern National
http://www.easternnational.org/

Greenbook
http://home.nps.gov/applications/budget2/downloads.htm

National Association of State Park Directors
http://www.naspd.org/

National Heritage Areas
http://www.nps.gov/history/heritageareas/

National Park Centennial Challenge
http://www.nps.gov/2016

National Park Service Social Science Program
http://www.nature.nps.gov/socialscience/index.cfm

National Park Service Training Information
http://www.nps.gov/training/
https://doilearn.doi.gov/

NLC*Journal*

Report of the January 14-16, 2008 Meeting of the National Leadership Council

The National Leadership Council (NLC) convened on January 14-16, 2008 at the American Geophysical Union building in Washington, DC. It was the fourth meeting under the leadership of Director Mary A. Bomar.

The meeting was facilitated by Linda Wright, NPS organization consultant.

Note: tab numbers in brackets refer to tabs in the binder prepared for the meeting.

Monday, January 14, 2008
Agenda

I. Welcome and Opening Remarks
Mary Bomar, Director

II. Training and Development Review
Jerry Simpson, Assistant Director, Workforce Management
Ernie Quintana, Regional Director, Midwest Region
Jill Hawk, Chief Ranger, Northeast Region
Cam Sholly, Deputy Associate Director, Visitor and Resource Protection

III. Future Direction of New Superintendents Course
Sandy Taylor, Training Manager, Supervision, Management and Leadership, WASO Training and Development

IV. Wounded Warrior Project
Jackie Lowey, Consultant and former NPS Deputy Director
John Melia, Executive Director, Wounded Warrior Project

V. NLC/NASPD Follow-up: Children in Nature
Lindi Harvey, Deputy Director, Support Services
Jon Jarvis, Regional Director, Pacific West Region
Ernie Quintana, Regional Director, Midwest Region

VI. Centennial
Lindi Harvey, Deputy Director
Bruce Sheaffer, Comptroller

I. Welcome and Opening Remarks

Opening Comments from Director Mary Bomar:

Good morning, Happy New Year and welcome to our first National Leadership Council meeting for 2008! For the first time we have our leadership team in place. Today we have both our

Deputy Directors with us: Lindi Harvey, Deputy Director, Support Services and Dan Wenk, Deputy Director, Operations.…again I say we have the "right time, right place and right people." January truly is a time for looking forward and also seeing how far we've come in the past year.

I begin with a recent news article which stated that our citizens are less satisfied with federal government services than they are with private sector services. Citizen satisfaction with the federal government is 67.8, while private-sector services score 74.

But far down in the article, there is a single sentence that says, "The Department of the Interior, home of the National Park Service, leads federal departments as a whole at 79." This is great news! After all, the study holds that we are doing a better job than our private sector counterparts—and a better job than any other federal agency in customer satisfaction.

It has been a great year in many other aspects as well. Visitation is on the rebound, and although the final numbers are not yet available, it looks like a 2.5 million increase in visitors—despite the drastic rise in gas prices. Truly we are re-engaging the American public with their parks!

The largest increases in visitation were at:

- Golden Gate National Recreation Area (+ 476,000)
- The Lincoln Memorial (+ 385,000)
- St. Croix National Scenic Riverway (+ 308,000)
- Yellowstone National Park (+ 277,000)
- The World War II Memorial (+ 264,000)
- Yosemite National Park (+ 234,000).

I have had great feedback from my emails to the field, but some have said, "Maybe we talk too much about the Centennial?" or "Why so much emphasis on the White House holiday decorations?" I will tell you: with the Centennial, we did get over a $100 million increase in operations, and we had $25 million more to "prime the pump" for the Centennial Challenge—that is more great news! Further, the Centennial—and the White House decorations—have given the Park Service huge publicity—positive publicity—across the nation. You could not buy these headlines!

But I am not finished yet—I want the earth, moon and stars for our parks and programs…and if you think that is overreaching my grasp, wait 'til I tell you all about the conversation I had last week with one of our NASA astronauts!

Each one of you in this room—and each member of your respective staffs—deserve credit for a great year of accomplishments in 2007. We will highlight those accomplishments for the past year in our first annual report which will be published in March, but let me share with you just a few of our 2007 successes:

- An extraordinary collection of 450,000 artifacts from Alaska's Gold Rush was saved when the National Park Service joined in a partnership to preserve the items for posterity.
- On April 23, Sand Creek Massacre National Historic Site became the 391st national park. That, along with the progress on the President's House site in Philadelphia and the dedication of the memorial at the African Burial Ground, clearly show our commitment to telling the full story of our nation—a story for ALL Americans.
- We opened many new visitor centers to enhance the visitor experience, including ones at:
    - Washita Battlefield National Historic Site
    - Grand Teton National Park (The Craig Thomas Discovery and Visitor Center)
    - Alibates Flint Quarries National Monument

- Grand Portage National Monument
- Homestead National Monument of America
- Ulysses S. Grant National Historic Site
- Monocacy National Battlefield
- Pu'ukoholā Heiau National Historic Site.

- The National Park Service awarded $37.7 million in Land and Water Conservation Fund grants to 249 recreation projects in 46 states and territories.

- The Historic American Engineering Record and its sister programs, the Historic American Buildings Survey and the Historic American Landscapes Survey, documented 477 places.

- Our Rivers, Trails, and Conservation Assistance Program coordinated the designation of 40 new National Recreation Trails, and helped 900 communities protect more than 336 miles of river, develop 2,198 miles of trail, conserve 62,000 acres of open space, and leverage $40 million in project funding.

- Parks in the Pacific West Region generated more than 500,000 kilowatt hours of power from renewable sources in 2007 – that's enough to power 13 small parks for one year, but that also avoided putting up to 500 pounds of nitrogen oxides, 350 pounds of sulphur dioxide, and 425 tons of carbon dioxide into the air.

- As part of "Military Appreciation Day," on September 18, Denali National Park invited members of the military and their families to drive the Denali Park Road and experience the heart of the park. Permits were distributed through internal military channels; 245 families came out on the cold, clear day. Fifty park staff were stationed along the road to ensure that these special visitors had an enjoyable and safe visit.

- The new America the Beautiful pass was launched on January 1, 2007. The National Park Service led the interagency team that developed the pass, and by the end of FY 2007, the NPS had sold nearly 220,000 passes generating more than $18 million in revenue.

- Through "citizen science" like the bio-blitzes, the National Park Service is engaging kids – and grownups – in understanding the world in which we live, and how we can all learn to be better stewards.

- A photo by park scientist Dan Duriscoe was chosen as one of NASA's "Astronomy Pictures of the Year" for 2007. Dan is a physical scientist and a member of the NPS Night Sky Team that has worked hard to remind all of us of the importance night skies as a natural resource. Their work led the International Dark-Sky Association to designate Natural Bridges National Monument as the world's first International Dark Sky Park.

Clearly, this has been an amazing year on many fronts. But this is a time for looking forward as well. One year from now we will be looking at a new Administration, and there are some who would say we should hold off to see what the future will hold. In the military there is an acronym—FIGMO—which is translated in the non-profane version—as "Forget it—Got my Orders." While it would be easy to declare victory with the Centennial, visitation and other successes, it is not my style to rest on my laurels. With the forward progress we have made, marching in place will only lose ground for our parks and our employees.

But I do not think you, or any of the men and women of the National Park Service, want to stand still. Nor do our partners—not the National Park Foundation, which is considering a massive

effort to raise funds in anticipation of Centennial Legislation, nor NPCA, which is asking Americans to take personal steps to improve the parks in 2008. Indeed, all our partners who have sensed progress do not want to lose momentum even in this election year. We certainly cannot take a year off from preservation—that's not possible under the Organic Act; we must continue being faithful to the mission of the National Park Service, and that is a 24/7 job. We must continue to address many management issues; 21st century relevancy; reaching non-traditional users of our parks; climate change; technology and communications; border issues; conservation, preservation and education. Our parks are continually under many pressures—we must ensure continued vigilance that we keep our promise to pass the parks on unimpaired for the enjoyment of future generations; and of course our people in the service….the list goes on and *so must we*!

That's also the reason I have asked Lynn Scarlett and Lyle Laverty to join us during the meeting—to hear from them on the Department's initiatives for the coming year. It is also your opportunity to glean their thoughts on issues we currently deal with.

We must consider how to continue our success with our trifecta of goals—continue to reengage Americans with their parks. But what are our next steps to ensure we move forward?

Lindi will tell us more about the initiative to bring our children back to nature, and how to go even further to engage young people and families with their parks. It is a wonderful concept to work with our colleagues at the National Association of State Park Directors—but does it go far enough? We have a host of efforts to focus attention on kids and families in parks, but that is only the beginning. Lindi will tell us how her team went beyond the basic charter with a host of projects and programs that will help take us to the next level in re-engaging our young people with their national parks.

While the Centennial Initiative has given us a huge boost in funding to help increase the capacity of the system, we must consider how to spend our operational funds wisely—there is the Centennial Business Plan to discuss, and how to effectively bring on thousands of seasonals to boost our visitor service and resource protection even more. We must show Congress and the American people that we can move forward with the "seed money" for the Centennial Challenge and show results as we stated in our report to the President last May. I am an optimist, as you know, and I see $25 million as a very positive sign—to me it is a down payment on what's to come in the future.

That leaves the remaining leg of the trifecta—the people part. From the agenda you can clearly see that most of what we will focus on at this meeting are people programs: Training and Development, the Future of the New Superintendents Course, Human Capital Competitive Sourcing, the NPS Safety Leadership Council Report, and the Diversity Intake Program and Human Resources Update.

And that is as it should be. We have a customer satisfaction rate better than the private sector. The places we care for do not provide service—our people do. Our people ensure our parks are protected and preserved while providing our visitors with the services they want—whether it is clean campgrounds, safe trails, a great interpretive talk or a safe environment to enjoy the park. Our workforce, our volunteers, our partners, our concessionaires and cooperating associations work together to make it possible. All of us can take a great deal of pride in knowing just how well we do. Now it is time to take care of our people.

I know it will be an exciting year ahead, and before we begin I want to welcome some new additions to the team. It is hard to believe that this is Deputy Director Lindi Harvey's first NLC meeting, because she has taken on so many projects that it seems she's been with us for many months. As you know, she has over 20 years of private-sector experience in the financial

arena, but also has worked in government at the State Department and for Senator Elizabeth Dole. With her background in mind, I expanded her portfolio beyond the customary support services to include the Centennial and the Partnerships and Visitor Experience Associateship. Lindi is like us, a person used to getting things done, and she has hit the ground running since her arrival. Thank you Lindi.

I will welcome one very new face—our new Chief Information Officer, Larry Curran. Larry welcome! Also, I should welcome Dennis Reidenbach to his first NLC meeting as Northeast Regional Director, and Paul Anderson as Acting Southeast Regional Director. As you all know, we rearranged the NLC schedule so that Dan and I can travel to Atlanta and meet with the Southeast regional office employees on Thursday.

I think all of you know Cam Sholly, who is on detail as a Special Assistant and also Melissa Kuckro, who came over from Legislative Affairs to become Associate to the Director. Also welcome to Bert Frost as Acting Associate for Natural Resources, Stewardship & Science and to Mike LeBorgne as Acting Associate for Park Planning, Facilities and Lands. Thank you for filling those roles; we are moving ahead on filling those positions on a permanent basis. The Centennial Coordinator position is also on the street and will close very soon. Sam Whittington has been selected to head the Denver Service Center. We have an outstanding team in place now, and filling those positions will help move us forward for the remainder of the year.

As you recall, we chartered a group to look at our Training and Development in the Service, the first such comprehensive review in, I believe, 25 years. Today, we will hear the recommended actions and next steps with what decisions are needed to put the plan into action. Jerry Simpson, Ernie Quintana and Sandy Walter have led the effort, and with Sandy's retirement, Ernie and Jerry will lead the review.

II. Training and Development Review

The presentation summarized the work done by the steering committee which was charged with doing a comprehensive review of NPS employee training and development by Director Bomar. Ernie Quintana and Jerry Simpson reviewed the reasons for improving NPS training and development and introduced members of the T&D steering committee in attendance (George Price, Superintendent, Cape Cod NS; Mike Doherty, Facility Manager, National Capital Region; Steve Shackelton, Chief Ranger, Yosemite NP; Costa Dillon, Superintendent, Indiana Dunes NS). Jerry noted that the committee feels that perhaps a more accurate name for the discussion is Learning and Development. Jill Hawk gave a powerpoint presentation that covered the steering committee's findings and recommendations.

The committee had 3 meetings in 6 months and created multiple task forces responsible for a portion of the recommendation. The objective was development of a preferred alternative that moves NPS training to the highest level, building on the strengths of NPS's decentralized organization. The preferred alternative calls for:

- The 5-part NPS Fundamentals course (for every employee within his or her first two years),
- 7 Career Field Academies (Natural Resource, Cultural Resource, Protection Ranger, Interpretation and Education, Administration and Business Practices, Facility Management, and Specialty Professions)
- First 80 Hours of Supervision Training
- Emerging Leaders Training
- New Superintendents Training
- Instructor Training and Supervision
- Distance Learning
- Formal Relationships with Academic Institutions.

The preferred alternative includes a plan for implementation and recommends specific roles for the Washington office, the regional offices, and parks and programs. [Handout: binder entitled "Learning & Development Report to the NLC" and associated powerpoint; tab 1].

Cam Sholly discussed what could be done immediately, with 2008-2009 funding:
FY '08 – fully fund Fundamentals and New Superintendents courses
FY '09 – have redesigned entry level training for 700 employees, redesigned training for supervisors and mid-level managers, start the new superintendents academy, and do some executive development and career fields training.

Discussion, which included members of the steering committee as well as NLC members, covered the present and future costs of training, the need for a cultural shift in NPS, the importance of focusing first-line supervisors on training needs and getting their support, and the need to clearly define what "training" is. There was discussion of potential "virtual academies", i.e. using the Cooperative Ecosystem Study Units (CESUs), establishing core curriculum, and allowing employees to receive credit for training received from outside sources. Comments included the following: A comprehensive approach is needed. Some people are not looking to move up, just to gain more skills. Some fields require more training because the jobs have become more difficult, for example maintenance positions. There needs to be more crossover from specialty positions to leadership, and supervisory and leadership training need to be linked starting early in one's career. There needs to be a better understanding of the interaction parks need to do with neighboring communities, and with the parks and learning institutions around the world. We need to understand and better distinguish the different types of training centers we have. We need to think of improving skills as a course of study, not just a training program. Supervisors need to sit down with employees and discuss what they need. Training has been employee-driven, sometimes over resistance of supervisors; the proposal appears to shift responsibilities to first-line supervisors to help individuals get training and give them time to attend. Supervisors need to be mentors and counselors. First-line supervisors have been frustrated because of paucity of slots – they have not known how to navigate the maze. There are employees who want to be supervisors but don't know how to get there. Traditionally in the organization, employees needed to figure out their own path to leadership. Employees need to be exposed to different disciplines, and training is needed at every stage. There are concerns about young people not staying with NPS because they don't see a future – don't see how to get to a senior position. It was mentioned that the Alaska Region has launched an initiative to have every employee have an IDP.

Comments on the steering committee report were due to Jerry Simpson by the end of January; the report was to be final by the end of February.

Action Item:
The NLC members will all sign the final report to demonstrate their support and commitment to Training and Development.

III Future Direction of New Superintendents Course

Sandy Taylor (with Maia Browning, WASO Training and Development Office, and Gayle Hazelwood, Superintendent, National Capital Parks-East) gave a presentation on the efforts to improve the New Superintendents Course. Key points: it is needed as soon as a new superintendent is hired, not a year after being on the job; the focus needs to be on the whole person; we need to look at best practices and build a work force that can work across the system. The goal is to do a pilot class of 24 in March (from the backlog of new superintendents); then, assess needs, work to address capacity. [Handout: "National Park Service: New Superintendent's Academy"; tab 2]

Discussion covered ways to encourage more employees, especially minority employees, to aspire to superintendent positions; whether superintendents should be recruited from outside NPS; whether training should be a regional or national program. The presenters noted that the program is designed so that someone from outside of the NPS can succeed. Electives are used to tailor the program to the needs of the individual.

Comments on the New Superintendents Course were due to Jerry Simpson by the end of January.

IV. Wounded Warrior Veterans Project

Jackie Lowey and John Melia gave a presentation on the Wounded Warrior Project (WWP) and their interest in pursuing a MOU with the National Park Service. [tab 3]. WWP is a non-profit which is helping severely wounded veterans returning from Afghanistan and Iraq in various ways, including sponsoring participation in outdoor activities. 30,000 returning veterans are injured and hundreds of thousands more have post-traumatic stress syndrome. WWP would like to work with NPS to use national parks as settings for retreats for the veterans and their families and caregivers because, as Jackie put it, "What better place to recover than in a National Park?"

Questions and comments from NLC members showed enthusiasm for pursuing this partnership. Kate Stevenson and the Partnership Office are working on a MOU which will be shared with NLC in draft form. The NLC also discussed establishing a pilot program for 2008.

The main need WWP has of NPS is information regarding availability of recreational opportunities and accommodations, rangers to lead hikes and/or give programs, and safety. The NLC recommended that WWP pursue a partnership with hospitality associations, as concessioners run the facilities in many of the parks.

Action item:
Submit ideas/thoughts about the MOU to Kate Stevenson.

V. Children in Nature Initiative: Followup on NLC/NASPD Meeting

Lindi Harvey, Jon Jarvis, and Ernie Quintana gave an update on the joint NPS/National Association of State Park Directors Children in Nature Task Force, an outgrowth of the joint meeting between NPS and NASPD on September 4-6, 2007, where the two organizations adopted a "Children and Nature Plan for Action." [tab 4] Jon is co-chairing the task force with Ruth Coleman, Director of California State Parks. Jon noted that state parks are well positioned to be involved in getting kids outdoors because they are more broadly distributed, more locally accessible, and can be used for some activities that are not suitable in national parks.

The task force is pursuing coordinated events and has identified a list of designated dates (Earth Day-April 22; National Public Lands Day-September 27, etc.) that offer possibilities for joint/coordinated events. A memo will be sent to the field requesting that superintendents contact their state park counterparts (or regional directors contacting state park directors, as appropriate). Contacts are to be made before the next NLC meeting in May.

In addition to pursuing collaboration at the local level, the task force is looking at a national marketing campaign for children in nature initiatives and a way to collect and share information on best practices. Jon noted that Richard Louv's *Last Child in the Woods* will be reissued with "100 things to do with your kids" and could be showcased in park bookstores. The next meeting of the task force, slated for January, will address these subjects.

Lindi briefed the group on other "Kids in Parks" activities:

- Cataloguing of programs and best practices for children, including best practices using technology (there will be a survey sent to the field);
- "First Bloom" events, bringing in kids to plant native flowers (project with First Lady Laura Bush and the National Park Foundation)
- National Park Week (April 19-27), which will include:
    - Spring cleanup,
    - Student Conservation Association *Earth Vision* event
    - Jr. Ranger Day event on the Mall (April 26) which will include targeting underserved youth, several walks, a "Build-a-Bear" workshop.
- Coloring book on stewardship, which will be launched at Macy's, via NPF, which is also doing "shop for a cause" day for NPF.

Also in the works: an essay contest, a kid's parks passport (Eastern National), Boy Scout/Girl Scout merit badges, new and improved NPS "Kids Center" website, high school volunteer opportunities, and a NPS booth at the Superbowl Outdoor Recreation Village.

Action Items

Lindi Harvey will prepare a memo to the field about making contacts with state park counterparts;
Regional directors/superintendents are to make contacts with state counterparts before the May NLC meeting to plan one or more coordinated activities geared toward children.
Lindi will report on the activities associated with the initiative at the May NLC meeting.

VI Centennial

Lindi Harvey and Bruce Sheaffer led the session. All regions had submitted their priorities for projects to be funded with the $24.6 million Congress appropriated for Centennial Challenge projects for FY 2008. Members of the team that compiled the list of 201 eligible projects announced in August, 2007, were returning to narrow the list to projects that are regional priorities and that meet the criteria for funding with FY 2008 appropriations. Included were Mike Reynolds, Superintendent of Fire Island NS, Mike Tollefson, Superintendent of Yosemite NP, and Kate Richardson, Superintendent of San Francisco Maritime NHP.

Molly Ross, Assistant Solicitor, Branch of National Parks, discussed the legal considerations in selecting Centennial projects and programs. [Handout: "Selected Provisions of Law."] After discussion about the distinction between cooperative agreements and procurement contracts and lack of clear guidance from the Department on the use of cooperative agreement authority, it was decided that potential Centennial projects would need to be reviewed further at the regional level to determine, among other things, whether they assumed federal money would be transferred to partners and what authority the agreement would use, and that NPS contracting employees would need to review the projects to ensure that they were appropriate for cooperative agreements rather than procurement contracts. Kate Stevenson was bringing in a team to do that.

Bruce discussed the Centennial commitment features of the FY 2008 appropriations. Due to reductions in the FY 2008 operations account that occurred in the final appropriations bill ($45 million reduction in the final House-Senate agreement and $31 million from the across the board cut), decisions had to be made about allocating the cuts. Negotiations with the Department and OMB resulted in a decision to maintain funding for the 3,000 seasonals, to fund flex park increases from the recreation fee program, and have a smaller increase in cyclic maintenance and targeted park increases than originally proposed. Parks would have to absorb an across-the-board cut of .86% (the total ATB cut was 1.56%; a portion was mitigated). However, in the

proposed FY 2009 budget, the across-the-board cut, most of the cyclic maintenance, and all of the flex park increases would be restored.

Dan Wenk noted that because of the proposed use of fee money for flex park increases, the proposed fee projects would need to be reviewed.

Bruce discussed the Centennial Initiative Business Plan [tab 5 and "Centennial Initiative Business Plan" handout]. The business plan was a response to the Inspector General's Critical Point Evaluation of the initiative, which the Secretary requested. The strongest recommendation from the IG was for third-party review of the projects (either a Development Advisory Board-type group or a committee of the National Park System Advisory Board) to validate selections and ensure transparency. It was suggested that an external board not be used for FY 2008, but that DAB be considered for future years. The Department has concurred with this suggestion. The IG wants a performance track on every project.

Another item discussed was the need to reconcile the irrevocable letter of credit issue with the NPS contracting staff. Of concern is whether or not the FAR requirements will allow us to issue a contract with a letter of credit.

Regional centennial project contacts needed to respond to questions from WASO Centennial office about their submitted projects (including confirmation that funds could be obligated in FY 2008) by January 22.

Action Items
Regional Directors need to let Bruce Sheaffer know if there are any 20% fee projects in their regions that cannot be obligated because they are not ready to go.
Review the business plan and submit comments to Bruce.

Tuesday, January 15, 2008

Agenda

I. Welcome/Call to Order
   Mary Bomar, Director

II. Discussion with Assistant Secretary for Fish and Wildlife and Parks
   Lyle Laverty, Assistant Secretary

III. WASO Day at 2008 Conferences
   Jon Jarvis, Regional Director, Pacific West Region
   Jim Gasser, NPS Meeting Planner

IV. Human Capital Competitive Sourcing
   Jerry Simpson, Assistant Director for Workforce Management
   Kate Stevenson, Acting Assistant Director for Business Practices

V. NPS Safety Leadership Council
   Jon Jarvis, Regional Director, Pacific West Region
   Karen Taylor-Goodrich, Associate Director, Visitor and Resource Protection

VI. Cooperating Associations
   Lindi Harvey, Deputy Director, Support Services
   Diane Chalfant, Assistant Associate Director, Visitor Experience

VII. Best Practices: Diversity Intake Program at Santa Monica Mountains NRA
Jon Jarvis, Regional Director, Pacific West Region
Woody Smeck, Superintendent, Santa Monica Mountains NRA
Fernando Villalba, Biologist, Fire Island National Seashore

VIII. Human Resources Update
Jerry Simpson, Assistant Director for Workforce Management
Nathaniel Deutsch, Chief of Human Resources

IX. DOI Presentation on the Southwest Border
Kim Thorsen, Director of Law Enforcement, DOI Office of Law Enforcement and Security Management

I. Welcome/Call to Order

Director Mary Bomar called the meeting to order and introduced Lyle Laverty, Assistant Secretary for Fish and Wildlife and Parks.

II. Discussion with Assistant Secretary for Fish and Wildlife and Parks

Assistant Secretary Laverty spoke about the limited time available to get things done ("372 days until the lights turn out" for the current appointees) and the themes he would like to pursue in that time: Centennial, engaging kids, developing future leaders, and "setting the table" (cleaning up the junk so that the new folks coming in have a clean table with the good china). Like the characters from the Wizard of Oz, he is seeking the use of brains, heart, and courage in what we do.

He is concerned about losing special places – with 6,000 acres of open space disappearing daily, and about kids being afraid of the outdoors, and challenges partners are facing, such as the threat of closing 48 state parks in California due to budget problems.

Discussion covered big capital projects, expansion of the park system (he believes there should not be blanket opposition, but additions should make good resource sense). On guns in parks, he said we need to give the Secretary some options; with 50 Senators urging change, we can't just say no. On contract approvals, he said he would look at changes to the approval process. There was an exchange of information about where the FY 2008 Centennial projects stood, and discussion about the increase in the number of Departmental officials brought in to work on a problem which creates more work and costs more at the bureau level.

III. WASO Day at 2008 Conferences

The NLC had previously decided to plan three regional conferences in 2008: Pacific West/Alaska; Midwest/Intermountain; and Northeast/Southeast/National Capital. [tab 7] Jon Jarvis, who had agreed to serve as the NLC lead on developing an agenda for the day of national issues at each conference, led the discussion. Director Bomar gave her view on the concept of WASO Day – that it would focus on the theme of Professional Development – and the importance of focusing superintendents' attention on training throughout their ranks. Jon suggested that a team from the Washington office be set up to plan the "WASO Day" for each of the three conferences and that a point of contact be named, which Dan Wenk said he would get back to the group about. Director Bomar said she would help bring in the Washington hierarchy. There was general agreement that WASO Day should not include partners.

Jon suggested that the conferences include an auction to raise funds for Santa Monica Mountains NRA employees who lost their possessions in a fire in park housing.

Dan Wenk offered to designate a Washington-based point of contact and planning team for WASO Day at the conferences.

IV. Human Capital Competitive Sourcing

Jerry Simpson discussed the three components of the Human Resources transformation: competitive sourcing, automation, and reengineering, all being pursued concurrently. The changes will help with staff shortages and free up the HR staff to work at a more strategic level and will increase efficiencies and eliminate redundancies. [tab 8]

On competitive sourcing of HR functions, the timeline calls for announcing the selection of the MEO or an outside bidder by July 18, and transitioning to the new team by October 1, 2008. 122 FTE's will be affected. NPS is trying to avoid a RIF or directed reassignments as these are adverse actions, and is instead looking at nationwide placement programs. On funding needs - even if NPS wins the bid, funding will be required for the transition – to pay employees and the new service provider - $1-2 million the first year, then will ramp up to about $11 million - $530/FTE. A portion of the $530 will be required at the beginning of the FY 09 year. Over time, attrition will reduce the cost. Angela Hargrove, Human Resources, is serving as advisor to the field on this process.

V. NPS Safety Leadership Council

Jon Jarvis and Karen Taylor-Goodrich briefed the group on the NPS Safety Leadership Council (SLC), which met November 13-14, 2007 in Santa Fe. [tab 9]. The SLC's goal is to transform safety within the NPS from a discrete program to a leadership practice that is integrated into all activities and management decisions. Jon stressed that safety should be incorporated into the NPS mission – that the wording of the Organic Act should be understood to mean the NPS mission should be carried out safely; that safety should be an expectation; that no one should make the ultimate sacrifice for the mission. The SLC established 4 task forces: operational leadership, professional excellence, culture change, and NPSafe. Each will convene by teleconference and the SLC will meet again February 27-28. Bert Frost was added to the SLC as an interim representative for the Natural Resources Stewardship and Science AD, and it was noted that a US Park Police representative was needed.

Sue Masica distributed the memo from the Secretary directing Deputy Secretary Lynn Scarlett to chair a Health and Safety Task Force composed of heads of bureaus and offices to respond to recommendations of the IG on health and safety issues.

Action Item
Add US Park Police representative to the Safety Leadership Council.

VI. Cooperating Association Study

Lindi Harvey introduced Diane Chalfant, who is heading the steering committee that is looking at future roles and functions of cooperating associations. The steering committee was established following the September, 2007 NLC meeting where a commitment was made to define the relationship between the NPS and cooperating associations. The steering committee met for the first time January 10-11 and expects to provide a progress report to the NLC in March. [tab 6]

The steering committee has almost completed the scoping phase, identifying what NPS wants from cooperating associations and what they want from NPS. The committee has determined that cooperating associations would not support revenue-sharing outside their own organizations. There is a lot of concern about smaller parks. The committee wants to develop models and give parks the tools to determine which model to use.

Discussion included the issues of competition, revenue generation, relationship to concessions, legal constraints, park expectations, and need for flexibility.

Action Items:
Diane Chalfant will let Eastern National know about dates for workgroup meetings.
Diane will provide a progress report to the NLC in March and an update at the May NLC meeting with alternative models.
Regional Directors should let Diane know if there is a cooperating association in their region that should be heard as part of this process.

VII. Diversity Intake Program at Santa Monica Mountains National Recreation Area

Woody Smeck gave a presentation on the youth training and employment program at Santa Monica Mountains NRA, which has supported 51 diverse students since 2000 and will be expanded this year. [tab 10]. With him was Fernando Villalba, a graduate of the program, and of UC-Davis, now employed as a biologist at Fire Island NS. They believe the program could be replicated at other parks in urban areas.

The program is conducted in partnership with two school districts, which identify promising candidates and provide a portion of the funding needed to support the program. Beginning in their junior year in high school, students have the opportunity to return to a national park each summer through their college years for progressively more complex jobs. Fernando attributed the success of the program to the fact that someone had confidence he could do the job and gave him a lot of responsibility. He now wants to go to graduate school and also be more involved in minority outreach.

VIII. Human Resources Update

Nathaniel Deutsch gave an update on several key vacancies – AD for Natural Resources Stewardship and Science, RD for the Southeast Region, Chief of the Centennial Office, Chief of Policy, Chief of Training and Development, Assistant Director for Business Services, Deputy Regional Director for the Northeast Region, and Chief of Park Facility Management. He noted that the Workforce Management Plan is posted on the website; comments by email are welcome.

Jerry Simpson gave an update on the Human Capital Survey Team's response to the 2006 OPM survey. The team presented its report to the NLC at the May, 2007 meeting. Status of implementation of recommendations [tab 11]: On the recommendation to make the 2008 OPM survey accessible to all employees – that will be done when the survey is conducted in August. On expanding the availability of career counselors - each region needs to report on their career counseling programs. On conducting a semi-annual Tel-Net broadcast to employees – not done yet. On having Regional Directors conduct call-in broadcasts to regional employees – only Alaska has done. All other recommendations are being addressed through the Training and Development review.

The issue of pay for seasonal hires in law enforcement has been resolved, thanks to help from the Alaska Regional Office. The hiring for seasonals is going full speed; regions are getting help with hiring seasonals, and the NPS external website will be revised to make it easier to get information about getting a seasonal position.

The Department will be reviewing for quality 5% of employee performance plans.

Action Items
Regional Directors need to report to Jerry Simpson on their career counseling programs and on their efforts to conduct all-employee communication sessions.
Comments on the Workforce Management Plan (posted on line) should be submitted to Jerry Simpson.

VI. DOI Presentation on the Southwest Border

Kim Thorsen gave a powerpoint presentation on Departmental efforts to address resource protection and security issues on DOI lands along the U.S.-Mexican border that have been heavily impacted by illegal activity. As urban areas along the border have become more secure, activity has shifted to remote lands, many of which are managed by DOI. The Department of Homeland Security (DHS) has the lead in implementing the Secure Border Initiative, and DOI is among the other federal agencies working with DHS in such areas as ensuring the border fence allows for wildlife movement in critical areas, educating border patrol agents on resource protection, and collaborating with DHS on environmental compliance (DHS has the authority to waive compliance on the fence but is working to avoid doing so). Challenges DOI is facing include whether we allow infrastructure in wilderness, how we deal with cultural resource damage, and how to address Customs and Border Protection urging of a fence/access road at Organ Pipe Cactus NM.

Wednesday, January 16, 2008
Agenda

I. Welcome/Call to Order
Mary Bomar, Director

II. Dialogue with Deputy Secretary
Lynn Scarlett, Deputy Secretary

III. DOI Initiatives and Priorities
Mary Bomar, Director
Sue Masica, Chief of Staff

IV. Closing Remarks
Mary Bomar, Director

V. Afternoon Session – Update on Various Topics

I. Welcome and Call to Order

Director Mary Bomar called the meeting to order and welcomed Deputy Secretary Lynn Scarlett.

II. Dialogue with Deputy Secretary

Deputy Secretary Lynn Scarlett discussed some areas she has been involved in during her seven years in Interior: management systems, performance measures, performance goals. She briefly went through Departmental priorities:
--Healthy lands initiative – a way to protect large landscapes ("conservation is not about saving isolated pockets"; "nature knows no boundaries")
--Ocean conservation – how to integrate the 35,000 miles of coastline as we move forward,
--Cooperative conservation – the hallmark of conservation efforts; DOI has sent legislation to Congress
--Enhancing partnering - mentioned the new donations policy and the new cooperative agreement policy. Working on a construction partnership policy.
--Service first – needs to be permanent authority.
--Centennial initiative, which remains the centerpiece of the Secretary's efforts on parks.
--Wild bird initiative – there has been a 70% decline in the 30 most common birds

--Water problems – which are spreading; it's not just in western states. We lack the tools for efficient management of water
--Climate change – there is no longer a question that climate change is occurring and there has been a human hand in causing it. The DOI Climate Task Force is addressing 10 categories of impacts.
--Energy – fossil fuels are necessary for the foreseeable future. How do we access but reduce landscape disturbances?
Homeland security – We have to enhance border security, but we need to do the fence in the least environmentally destructive way.

Most of the discussion with Deputy Secretary focused on the Department's determination of policy on cooperative agreements – and the varying views of the Solicitors Office, OMB, and the Contracting office. Further discussion of policy on cooperative agreements ensued after Deputy Secretary Scarlett left. There is an urgency for guidance on cooperative agreements so that NPS can determine the terms under which cooperative agreements can used for the 2008 Centennial projects. It was restated that with the additional information about the projects due back from the regions on January 22, Kate Stevenson's team of contracting officers would work closely with Molly Ross in reviewing the projects.

III. Discussion of DOI Initiatives and Priorities

Sue Masica presented the matrix that was developed following a Departmental leadership retreat in November, 2007 to show the Department's priorities and intitiatives for 2008 [tab 12]. She noted that bureau directors are trying to come together on a regular basis to discuss the priority issues. She also said that the list does not include all priorities; the potential Pearl Harbor National Monument, for example, was not on the list; nor does it include high-profile events and other activities where there will be an expectation of information or assistance from NPS. Sue asked the NLC to let her know if there was anything on the chart that did not show a NPS role that should.

There was discussion about other matters involving the Department, including the requests for faster responses on correspondence. Karen Taylor-Goodrich mentioned that comments were due to Assistant Secretary Jim Cason on the IG's report on health and safety by February 29.

Action Item
Let Sue Masica know of any issues on the DOI matrix where NPS is not listed as a key DOI player but should be.

VI. Closing Remarks

Director Bomar thanked the NLC and all the presenters and participants before she and Deputy Director Dan Wenk left to fly to Atlanta to meet with the Southeast Regional Office employees.

V. Afternoon Session – Various Topics

Updates were given on several ongoing issues, including:

The land acquisition function – needs, structure, staffing. There may be an initiative in the 2010 budget year. The Pacific West Region business plan will have the realty function defined and may be something that can be used/built on throughout the system. (Jon Jarvis)

NPS Advisory Board – the Board was administratively reconstituted; Congress also legislatively reauthorized the Board. Policy staff are working on a new charter and letters to the Board members. [tab 14; Appendix D] (Sue Masica)

Studies – Patrick Gregerson, Chief of Planning, has prepared a briefing document on current special resource and other authorized studies. Copies will be sent to regions with a request from the Director to verify that regions are on schedule to meet timelines in the document. (Sue Masica)

Ownership of specimen collections – planning is underway for a forum to be held in April to discuss issue of whether NPS should retain ownership of specimens collected in parks (current policy) or be able to convey ownership to museums and universities that do the collecting. The NLC was asked to let Bert Frost know if they would like to participate in the forum. (Bert Frost)

Information Quality Act guidance – NPS will soon be issuing interim guidance on complying with the Information Quality Act while NPS develops more specific guidance based on Departmental guidance. Bert Frost is the lead, and John Dennis is working with regional representatives and USGS. (Bert Frost)

Partnerships/Cooperative agreements – Department is working on a statement of principles for partnerships; legal and procedural requirements for cooperating associations need to be clarified; more guidance is needed on construction projects in parks built using donated funds; Department is working on changes to Departmental Manual on procedures for evaluation donations (changes will necessitate conforming changes to D.O. #21, which are currently in approval process); model partnership agreements are being finalized and the involvement of NPS and DOI personnel will be sought so that there is a unified approach to partnership agreements. NPS is pursuing streamlining of the partnership construction process through revision of the congressional notification process, raising the threshold for Washington review of projects to $5 million, and streamlining the partnership construction process flowchart. John Piltzecker, Program Manager for Partnerships and Philanthropic Stewardship, was included in the discussion [tab 13]. (Chris Jarvi)

Stateside LWCF administration – Funding for 2008 is sufficient to cover 23 FTE, the minimum needed to handle the current workload, but only because of an anomaly which resulted in double funding. If administration funding is reduced to $1.5 million, as was proposed for FY 2008 and will be for FY 2009, NPS won't be able to carry out the program. There was general agreement to work to maintain a minimum of 23 FTE and to make sure that the field understands the importance of this program and the connection to work in national parks. The NLC also engaged in a discussion about succession planning for the LWCF program. Twenty of the twenty-three employees of the program will be eligible to retire between now and 2012. Michael Wilson, Chief of State and Local Assistance Programs, was included in the discussion [tab 14]. (Ernie Quintana)

NPCA Activity – the National Parks Conservation Association is in discussion with NPS about partnering on development of university-based leadership training for NPS. NPCA is also planning to establish a Centennial Commission which would hold public meetings over 12 months, resulting in an agenda to propose to the next Administration. The NLC would like some guidance on how NPS should be involved. (Bruce Sheaffer)

# # #

Appendix A

List of National Leadership Council Members (updated March, 2008)

Voting Members
Mary Bomar, Director
Dan Wenk, Deputy Director, Operations
Lindi Harvey Deputy Director, Support Services
Sue Masica, Chief of Staff
Bruce Sheaffer, Comptroller
Dennis Reidenbach, Northeast Regional Director
Ernest Quintana, Midwest Regional Director
Mike Snyder, Intermountain Regional Director
Marcia Blaszak, Alaska Regional Director
Paul Anderson, Acting Southeast Regional Director
Jon Jarvis, Pacific West Regional Director
Joe Lawler, National Capital Regional Director
Edie Ramey, Acting Associate Director Park Planning, Facilities & Lands
Mary Foley, Acting Associate Director Natural Resources, Stewardship & Science
Jan Matthews, Associate Director Cultural Resources
Karen Taylor-Goodrich, Associate Director Visitor & Resource Protection
Chris Jarvi, Associate Director Partnerships and Visitor Experience

Standing Staff Members
Dave Barna, Chief, Public Affairs
Larry Curran, Chief Information Officer
Tom Wolfe, Assistant Director—Congressional and Legislative Affairs
Kate Stevenson, Acting Assistant Director—Business Services
Jerry Simpson, Assistant Director—Human Capital
Melissa Kuckro, Associate to the Director

NLC Support Staff
Jennifer Lee, Special Assistant to the Director
Jim Gasser, Meeting Planner
Phil Sheridan, Assistant Regional Director, Communications, Northeast Region

Appendix B

NLC Meeting Schedule 2008-2009

January 14-16, 2008	Washington, DC
May 13-15, 2008	Washington, DC
November 18-20, 2008	Dayton, OH

January 13-15, 2009	Washington, DC
May 5-7, 2009	Washington, DC
August TBD, 2009	TBD
November 17-19, 2009	Washington, DC

Appendix C

Reference Section

Links to more detailed information on some of the topics discussed by the NLC:

2006 OPM Human Capital Survey Results – NPS
http://inside.nps.gov/documents/2006%20Hum%20Cap%20Survey.pdf

Cooperating Associations
http://www.nps.gov/interp/coop_assn/

Director's Order 21
http://www.nps.gov/policy/DOrders/DO21-reissue.html

Land and Water Conservation Fund
http://www.nps.gov/ncrc/programs/lwcf/

National Park Centennial Challenge
http://www.nps.gov/2016

National Park Service Partnerships
http://www.nps.gov/partnerships/

National Park Service Training and Employee Development Information
http://www.nps.gov/training/
https://doilearn.doi.gov/
http://inside.nps.gov/waso/waso.cfm?prg=63&lv=2

National Park Service Workforce Management
http://inside.nps.gov/waso/waso.cfm?prg=114&lv=2

National Park Service Workforce Plan
http://inside.nps.gov/waso/custommenu.cfm?lv=1&prg=14&id=6583

Wounded Warrior Project
https://www.woundedwarriorproject.org/

Appendix D

National Park System Advisory Board Members

New Appointments:

David R. Anderson
Natural Resource Results, LLC
Arlington, VA

John Bridgeland
President & CEO, Civic Enterprises, LLC
Washington DC

Gerald T. Halpin
President & CEO, West Group Management, LLC
McLean, VA

William T. Hardman
President & CEO, Southeast Tourism Society
Atlanta, GA

Mary "Cisi" Canales Jary
Restoration Associates, Ltd.
San Antonio, TX

Reappointments:

William F. Baker (Chairman)
President and CEO
Thirteen/WNET
New York, NY

John Francis
VP for Research, Conservation and Exploration
National Geographic Society
Washington DC

Marie Greene
President, NANA Regional Corporation, Inc.
Kotzebue, AK

Jerry N. Hruby
Mayor of Brecksville
Brecksville, OH

Jake Louis "Jay" Parmer II
American Strategies, Inc.
Reno, NV

Larry E. Rivers
President, Fort Valley State University
Fort Valley, GA

George Willeford III, MD
Austin, TX

NLC*Journal*

Report of the May 13-15, 2008 Meeting of the National Leadership Council

The National Leadership Council (NLC) convened on May 13-15, 2008 at the American Geophysical Union building in Washington, DC. It was the fifth meeting under the leadership of Director Mary A. Bomar.

The meeting was facilitated by Linda Wright, NPS Organization Consultant.

Tuesday, May 13, 2008
Agenda

I. Continental Breakfast with 2008 NPS Honor Awardees

II. Welcome and Opening Remarks
Mary Bomar, Director

III. 2008 Superintendents Summit
Joan Anzelmo, Superintendent, Colorado National Monument
and Chair, 2008 Superintendents Summit

IV. Climate Change
Lynn Scarlett, Deputy Secretary

V. DOI Honor Awards Convocation

I. Continental Breakfast with 2008 NPS Honor Awardees

The NLC met and congratulated the recipients of awards to be given later that day at the 65th Department of the Interior Honor Awards Convocation. The awardees included:

Distinguished Service Awards
David Barna, Chief of Public Affairs
Bruce Sheaffer, Comptroller
Dale Engquist, retired Superintendent, Indiana Dunes National Lakeshore
Michael Soukup, retired Associate Director for Natural Resources Stewardship and Science

Valor Awards
Jack J. Hoeflich – nominated by Yosemite NP
Keith L. Lober – nominated by Yosemite NP
Eric J. Gabriel – nominated by Yosemite NP
David A. Horne – nominated by Yosemite NP
John Dill – nominated by Yosemite NP

Daniel Gleason – nominated by Yosemite NP
Gregory P. Lawler – nominated by Yosemite NP
Edward Visnovske - nominated by Yosemite NP
Shawn Walters – nominated by Yosemite NP
David T. Bywater – nominated by Denali NP
Christopher P. Harder – nominated by Denali NP
Reynold G. Jackson – nominated by Denali NP
John F. McConnell – nominated by Denali NP
Steven W. Rickert – nominated by Denali NP
Eduardo L. Cartaya – nominated by Blue Ridge Parkway
David G. Bauer – nominated by Blue Ridge Parkway

Citizen's Award for Bravery
Andrew Perkins – nominated by Denali NP
Neil McNab – nominated by Denali NP
Danny K. Stanley – nominated by Natchez Trace Parkway
H. Phill Michael – nominated by Mount Rainier NP

Most of the awardees named above attended. They departed following breakfast.

II. Welcome and Opening Remarks

Director Bomar gave a powerpoint presentation to show photos from events and activities since the NLC had gathered in January. These included:

- Publication and distribution of *Salute to Service – the Director's Report for 2007*. This first-ever Director's report focuses on programs as well as parks, and has been distributed to members of Congress, state governors, and partners as well as internally. She commended Sue Waldron and David Anderson for producing the report.
- Leading the U.S. delegation in January to the state funeral for Sir Edmund Hillary in New Zealand. The delegation also included Ambassador Bill McCormick and Jim Whittaker, the first American to climb Mt. Everest. She met Prime Minister Helen Clark, also an avid climber.
- Traveling to the Everglades with First Lady Laura Bush to meet with school children removing invasive plants and announce the National Park Foundation's essay contest (February 5).
- Rollout of the FY 09 Budget. Director Bomar testified before both the House Subcommittee on National Parks, Forests, and Public Lands (February 27) and the Appropriations Subcommittee on Interior (March 6) on the NPS budget, and also met with several key members of Congress to discuss the budget.
- Attending the High Flow experiment at Glen Canyon Dam, joining the Secretary and officials for the Bureau of Reclamation and USGS.
- Hosting the National Park Hospitality Association at the Main Interior Building; meeting with them to discuss concessioners' desire to become involved with the Centennial (March 11).
- Appearing as the keynote speaker for the meeting of the Southeastern Tourism Society (STS), on March 31, in Ashville, North Carolina. The STS includes a dozen states that work cooperatively to promote tourism. The CEO, Bill Hardman, is a new member of the National Park System Advisory Board.
- Announcing the start of the 2008 Cherry Blossom Festival, which ran the last week in March and first week of April.
- Visiting the Southwest Border, April 7-10, to see first hand the damage to resources and danger to visitors and employees from illegal smuggling and border crossings. At Organ Pipe Cactus NM and Coronado NM, there are places that only law enforcement can go. She saw the memorial site where Organ Pipe law enforcement ranger Kris Eggle was killed by a smuggler in

2002. She noted that the FY 2009 budget proposes a $5.2 million increase for border parks, and that she saw the cooperation among federal agencies at both parks.

- Also in April, the new museum and visitor center at Gettysburg National Military Park opened. The new facility has the most extensive Civil War collections in the NPS. It was built through the $103 million public-private partnership between the NPS and the Gettysburg Foundation; $3 million came from the Ford Motor Company to the Gettysburg Foundation as part of the National Park Foundation's Proud Partner relationship with Ford.
- National Park Week, April 19-27, was marked with events at over 200 parks across the country, many geared toward children in keeping with this year's "Kids in Parks" theme. Director Bomar highlighted three that occurred in Washington:
    - On April 24, there was an event at the Capitol to roll out the 2008 Centennial projects and programs – those funded with the $24.6 million Congress appropriated to jump-start the Centennial Challenge program. This funding covered 110 projects, involving 114 partners, in 76 parks located in 38 states and the District of Columbia. The event included nine members of Congress, including Majority Leader Steny Hoyer and Appropriations Subcommittee on the Interior Chairman Norman Dicks. House Natural Resources Committee Chairman Nick Rahall announced there would be a markup of the Centennial Fund legislation on May 7. The markup occurred as scheduled, and while there are differences from the version we proposed, the important thing is that the legislation is moving forward. The event also included a group of fourth graders wearing t-shirts identifying them as the Class of 2016. It also featured the famed historic Glacier Red Bus, which had been transported to Washington for the Centennial project rollout and other National Park Week events.
    - On April 25, at the Main Interior Building, NPS hosted the opening ceremony of the Student Conservation Association's Earthvision Summit, a three-day gathering of 500 young conservation leaders held in honor of the SCA's 50th anniversary. Director Bomar gave remarks during the elaborate ceremony, thanking them for the over 1,500 volunteers in 221 park sites, amounting to 570,000 hours of service, that SCA provided in 2007. The ceremony honored Elizabeth Titus Putnam, who founded the SCA after writing a college thesis on the idea in 1957. After the opening ceremony, the students worked at several service projects at parks in the DC area, including one at Theodore Roosevelt Island that Deputy Director Lindi Harvey participated in.
    - On April 26, Junior Ranger Day, Deputy Director Lindi Harvey headed up an event on the Mall for over 200 local children from underserved communities that included ranger-led walks, games, seed-plantings, "Build-a-Bear" Junior Ranger Bears, and the new *Kid Power* coloring book. Secretary Kempthorne was there to swear in the new Junior Rangers.

Director Bomar continued with a reminder of the three goals we agreed to at the joint meeting with the State Park Directors in September, 2007: Identification of joint events that would promote children's use of the outdoors; exploration of linking with a national marketing campaign focused on issues related to Children in Nature; and identification of strategies for sharing information on programs that connect children to the outdoors and best practices in that area. "We need to deliver" on our promise, she said.

The Director credited the National Park Foundation for supporting transporting the Glacier Red Bus to Washington, funding the staging and food for the Centennial rollout at the Capitol, assistance with the Earthvision summit, and the "Shop for a cause" fundraising for the NPF at Macy's department store. She noted that Vin Cipolla, NPF President, would be speaking to the NLC the next day. The Director went to the NPF Board meeting near Mt Rushmore National Monument on May 1, and complimented Dan Wenk for the facilities work he had overseen while serving as superintendent at Mt Rushmore.

On May 7, Director Bomar presented the Harry Yount Award to Ranger Gary Moses, from Glacier National Park, in a ceremony sponsored by Unilever and the NPF. On May 8, she met with the recipients of the George B. Hartzog outstanding volunteer awards. They included

volunteers from Mt Rainier representing the hundreds who worked there after the floods in 2006, volunteers from Flight 93, and an ER doctor who works as a medical advisor for many of the Alaska parks.

Also on May 8, the Director was the speaker for the Trust for the National Mall's inaugural event that raised $500,000, a start to the $500 million the Trust has set as a goal to raise to help restore the Mall.

Director Bomar mentioned some events she would be attending soon: the Designing the Parks Conference in Charlottesville, Virginia (May 20), the Gettysburg Foundation annual dinner (June 5), the International Mountain Bicycling Association (IMBA) World Summit in Utah (June 19), the Diplomatic Corps Visit to California parks (June 26). Two important events coming up in July would be the Superintendents Summit in Utah (July 15-17) and the first meeting of the newly appointed National Park System Advisory Board (July 21-22).

Her vision for the Superintendents Summit is to give superintendents the opportunity to network and exchange ideas about what works in their parks, to benefit from shared experiences, to hear keynote speakers but also to gather in smaller groups to discuss issues around the "trifecta," –re-engaging Americans with their parks, increasing the capacity of the system, and preparing the next generation of park leaders.

Showing a photo of herself with filmmaker Ken Burns at a podium, she continued with these remarks:

"Two weeks ago, as you know, we hosted Ken Burns and Dayton Duncan in the Yates Auditorium in the Main Interior Building for a preview of the upcoming documentary on national parks… and I hope you will see some more of it during our Superintendents' Summit in July… It traces the beginnings of the system; from the early days of preserving the great natural parks to the establishment of parks in Alaska in the early 1980s…You will love this series!"

"Afterwards, I thought about it and wondered, 'When the NEXT Ken Burns documents OUR times, what will he say about the people in this room?' Not perhaps as individuals, but about our actions to ensure preservation and visitor enjoyment in accordance with the Organic Act… did we move the system forward?"

"And that, I think, is the purpose of this meeting…To ensure we have a plan to move the important things forward in the future…To ensure the centennial effort continues, along with all the other efforts in the trifecta…the need to engage Americans with their parks, to increase the capacity of the system and to prepare the next generation of leaders will still be important in the years and decades ahead.. long after we have stepped aside…"

"We are well on our way to success in many areas: the Centennial legislation--the Centennial budget increases, which is the 'gift that keeps on giving' in our operational bottom line…In our disciplined approach to enhanced training opportunities for our people, and a higher standard of safety awareness to keep them alive, well and working to preserve our national treasures…"

"We have great people on board…New regional directors in the Alaska and the Southeast—Sue and David…This is Larry's second meeting as CIO…I am pleased that Steve Whitesell will be joining us in June as Associate Director for Park Planning, Facilities, and Lands."

"Frank Dean has joined us as Centennial Coordinator and we have a new Director of Employee Learning and Development, Kathy Hanson. Also, I have interviewed candidates for the Natural Resources and Science Associate Director, and an announcement is very near…In fact, aside

from Sue's current Chief of Staff position—and a certain retiring regional director named Joe…we have filled our top-level positions."

"But with all this success, we have a long way to go…and now is not the time to rely on luck for future success…Our work to secure funding for the 2016 centennial must continue in the months ahead…not only for passage of the legislation, but to secure budget increases that ensure our operational funding matches inflation or better. We must ensure our training system is in place, and work to develop each one of our employees."

"'Fourscore and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty and dedicated to the proposition that all men are created equal…' The Gettysburg Address by Abraham Lincoln…here we are four score and a dozen years ago from the establishment of the Park Service…92 years this August, with only eight to go before our Centennial."

"I was told by one regional director recently, that in his humble opinion, 'Your legacy is the launch of the Centennial and the beginning of the discussion of how to prepare the agency and the mission for the next century. The Burns film is about the past, you are about the future."

"So it is up to us, today, to make sure that what we have achieved to date remains as a foundation for the future to build upon. To paraphrase Lincoln, 'It is for us today to be dedicated here to the unfinished work thus far so nobly advanced.' And when that future Park Service documentary airs in 2066 or so, I hope it will say simply of the group in this room, 'They built a better future for the parks.' And with that, there is a lot of work for us to do."

III. 2008 Superintendents Summit

Joan Anzelmo gave a presentation on the plans for the Superintendents Summit gathering, scheduled for July 15-17. She went through the proposed agenda and talked about the setting, the green features (e.g. minimal paper, reusable drinking cups), speakers, and attendees.

The NLC agreed that Regional Directors would be able to invite 5 employees each; Associate Directors, 1 employee; and the Director, 20. The NLC agreed that they would use their slots for emerging leaders. Attendance would be required for Regional Directors, Deputy Regional Directors, and Superintendents. Associate Regional Directors who were not invited by their Regional Directors to attend the summit but were coming for the regional breakout meetings on Friday could attend the Thursday night barbeque. Spouses could be invited. Director Bomar would send a letter about the summit to the field after the NLC meeting.

<u>Action Items:</u>
Send an all-employee letter about the summit (Director Bomar)

IV. Climate Change

Deputy Secretary Lynn Scarlett discussed the actions the Department has undertaken to address the issue of climate change. She stressed that land and resource managers need to know the impacts of climate change – eroding coasts, changes in rainfall, fire, location/migration of species, and gave several examples of how change affects specific species of animals.

Deputy Secretary Scarlett stressed that we face tremendous uncertainties as land managers – incredible complexities, high variability, in a very dynamic world. Climate change is happening in conjunction with other environmental stressors, such as land fragmentation and a scarcity of water. She does not believe it is a hopeless situation, but it is one that requires us to adapt. It

is imperative that we create partnerships and recognize the interconnections between lands owned by different entities; protect land corridors; reduce wildfire; and protect coastal areas from storm surge. We need to recognize climate change as a factor in planning; protect ecosystems; make adaptations; think holistically; continue to pursue knowledge.

Asked what we could accomplish quickly, Deputy Secretary Scarlett said that we are already doing sea marsh restoration and addressing invasive species, which exacerbate climate change. We also need to strengthen partnerships as we identify key ecosystems. As we review infrastructure, we need to think about relocating it away from coastlines. In park management plans, we need to think about what the future will bring. She said that there is a temptation to take aggregated knowledge and apply it to a park, but it may not be relevant. We should partner with USGS and others; USGS can help with developing modeling.

Regarding prevention, the Deputy Secretary said that was a larger issue that cannot be solved by NPS alone, or even the US alone – which is why her remarks were focused on adaptation. On using parks for opportunities to educate the public about the issue, she agreed that direct observation was powerful but she worries about simplistic education that does not capture nuanced state of scientific knowledge. On partnering with Canada, where high latitudes cause climate change to be more pronounced, she said we need to be concerned about security, and that we do need to be more aggressive in working with Canada on agreements.

She could not say when the DOI climate change report would be final, but plans to make it widely available once it is done.

Following the discussion with the Deputy Secretary, Director Bomar concluded the meeting for the day. The NLC had lunch and departed for the Honor Awards Convocation and reception at the Main Interior Building.

Wednesday, May 14, 2008
Agenda

I. Welcome/Call to Order
Mary Bomar, Director

II. Cooperating Associations
Chris Jarvi, Associate Director, Partnerships and Visitor Experience
Diane Chalfant, Assistant Associate Director, Visitor Experience

III. Roundtable Discussion

IV. National Park Foundation Update and Dialogue
Vin Cipolla, President & CEO, National Park Foundation

V. Centennial – Focus on marketing and messaging
Lindi Harvey, Deputy Director, Support Services
Frank Dean, Chief, Centennial Program

VI. Closing / National Park Foundation Reception

I. Welcome/Call to Order

Director Bomar called the meeting to order and presented Mike Snyder his 30-year service award.

Linda Wright reviewed the decisions on the Superintendents Summit (see section on Superintendents Summit above).

II. Cooperating Associations

Chris Jarvi introduced Diane Chalfant and asked her to provide a progress report from the steering committee on cooperating associations. He noted that Diane Chalfant had put together an outstanding committee to work on the issue.

Diane Chalfant talked about the principles that formed as a result of the study. She reviewed the representation on the steering committee and the meetings they have held. She said that they had met with a variety of cooperating associations—big and small—to solicit input, and that they had refined the issues. The cooperating associations want genuine partnerships, clarity, consistency, and predictability, and they want more involvement in planning.

The concessions community is also very interested; the subject of cooperating associations expanding their traditional and scope was discussed at the March 11, 2008 National Park Hospitality Association meeting.

Four models for the potential future of cooperating associations were presented to the NLC in January 2008: 1) none; 2) existing situation, with improvements; 3) expand mission, and 4) consolidate non-profit operations. After reviewing the models, the steering committee and the NLC decided no single model of cooperating associations would serve the majority of parks—the needs are too diverse. In a paradigm shift, they determined that we needed to think in terms of function, not organization. Parks need to be able to put together a package of what they need from partner organizations.

Diane talked about the need for a cost valuation to determine tangible and intangible benefits, which should be completed this summer. They want to get a better handle on overhead and NPS costs, so managers can make more informed decisions.

The next step for the steering committee will be to develop a tool kit for park managers. They expect to have a final report prepared for review by the NLC in the fall. Their conclusion: cooperating associations work; they're fundamentally sound; and problems are not pervasive. We need planning, communication/collaboration, and decision-making tools.

Director Bomar complimented Diane's work and presentation and stressed that it was important for us to get our house in order in this area.

Discussion followed on the variety of cooperating associations; the need for shared decision making; whether cooperating associations should compete if they sell non-educational items and where to draw the line; how it works for concession and cooperating associations to work together; what happens in small parks that have only cooperating associations, not concessions; the importance of emphasizing visitor experience, not the financial return a park gets; the need to communicate at all levels about concession/cooperating association decisions before decisions are essentially irreversible; and the need to not make the tool kit too prescriptive.

Diane said she would send the scope of work and tangible and intangible valuations to the NLC. Chris asked the NLC to send Diane any specific changes to or comments on the principles; she would send revised principles to the NLC for endorsement on the next NLC call and would upload her powerpoint on the NLC SharePoint site.

Action Items:
Send scope of work and tangible and intangible valuations to the NLC (Diane Chalfant)
Submit any suggested revisions in Cooperating Association Principles to Diane (NLC members)
Send revised Cooperating Association Principles to NLC for approval in next NLC conference call (Diane Chalfant)
Post powerpoint presentation on NLC sharepoint site (Diane Chalfant)
Final report due to NLC in the fall (Diane Chalfant/Chris Jarvi)

III. Roundtable Discussion.

Firearms policy. Deputy Director Dan Wenk reviewed the status of the regulation proposed on April 30, 2008 which states: "A person may possess, carry, and transport concealed, loaded and operable firearms within a national park area in the same manner, and to the same extent, that a person may lawfully possess, carry, and transport concealed, loaded and operable firearms in any state park, or any similar unit of state land, in the state in which the federal park, or that portion thereof, is located, provided that such possession, carrying and transporting otherwise complies with applicable federal and state law." NPS law enforcement staff are compiling state-by-state information on state firearms laws. It was also noted, that, although the Fish and Wildlife Service is collecting the comments, NPS will be at the table when comments are analyzed. In discussion, much concern was expressed about the danger posed by accessible, loaded guns to visitors and wildlife, and how the proposed regulation could change the perception of parks as safe, peaceful, family-friendly destinations.

In discussing whether NPS employees could comment on the proposed regulation, it was determined that they could, on their own time and their own (not government) equipment.

US Park Police. Dan Wenk gave an update on the NPS response to the Inspector General's report in January on the U.S. Park Police. He described the action plan that had been put into place to respond to the report, which includes an Oversight Management Team comprised of NPS and DOI officials. The action plan calls for specific actions by specific dates. A new Administrative Officer, Ken Brodie, has been hired; the plan calls for adding more officers each year through 2010; more equipment is being purchased; more funding is being looked at; and an employee survey will be conducted in June. NPS will be meeting with other police groups to get advice, and are looking at hiring an outside consulting firm.

There were several positive comments about the US Park Police and much discussion about their role – the scope of duties, the relationship to and coordination with law enforcement rangers and non-NPS law enforcement entities; their role in regional offices; and the chain of command within NPS.

Task Agreements for Student Conservation Association. Chris Jarvi raised the matter of timely approval of SCA task agreements as summer gets underway. NPS had received a memo from SCA asking us to facilitate the process for approval so that SCA interns can begin their work on schedule. As of May 13, about 10% of the task agreements had not been processed. Kate Stevenson noted that NPS needed to figure out how to handle these as we do not have enough contracting officers.

Action Items:
Send memo to field on commenting on regulations (Sue Masica).
Post response to Inspector General on US Park Police on NLC sharepoint site (Dan Wenk).

VI. National Park Foundation Update and Dialogue

Director Bomar introduced Vin Cipolla who gave a presentation on NPF history, activity, and goals. NPF had its beginnings as the National Park Trust Fund in 1935, was rechartered in 1967 as the National Park Foundation, and has evolved since then, from a focus on land acquisition to expansion of grant and educational programs to growing net cash resources from all sources. He talked about changes since 2005, when NPF adopted a new business model following years when the endowment was drawn down to support operating expenses. The Proud Partner program is evolving and no new Proud Partners are being sought. NPF is focused on pursuing cash contributions and minimizing in-kind donations. During 2005-2007, NPF reduced its staff size; created a new database of donors; developed new donor communications; and lowered facility costs. The organization took in $43 million in 2007 and managed $15 million for other entities. NPF is reinvigorating individual giving and has moved from instability to viability.

Vin also talked about a new signature program, *First Bloom*, which has been championed by First Lady Laura Bush. It is a three-year program that was undertaken in partnership with the Lady Bird Johnson Wildflower Center. *First Bloom* introduces school children to nature and native plant gardens. Vin mentioned the NPF Leadership Summit, intended to establish NPF's leadership in park philanthropy, and their support of local park philanthropy – 174 friends groups and 67 non-profit cooperating associations. They are trying to lift their sights to higher levels and build the NPF brand. They are supporting strategic partnerships – the African American Experience Fund, Flight 93, the National Mall, Georgetown Waterfront Park, and Everglades, and see the Centennial effort as a philanthropic opportunity.

Discussion included pointing out NPF's unheralded contributions, such as the $5,000 for expenses related to Ranger Eric York's funeral noted by Director Bomar; the ways NPF is communicating; how they are involved in the Ken Burns' series on the National Parks, the results of the Macy's "shop for a cause" fundraiser; appreciation for the role NPF played in the Centennial projects rollout and the Kid Power coloring book; and the role of the NPF Superintendents Council.

V. Centennial – Focus on Marketing and Messaging

Deputy Director Lindi Harvey opened the session with a review of the April 24 rollout of the Centennial programs and projects, and thanked many people and organizations involved in the event, including Eastern National, which sponsored a reception following the rollout. She introduced Frank Dean, new Chief of the Centennial Office, to talk about long-term communications and outreach, noting that we have 2,000 work days until January 1, 2016.

In his presentation, Frank summarized events since August, 2006, when the Centennial initiative was announced. He said that he would be sending out guidance to the field on tracking the operating increases, particularly with respect to increased numbers of seasonal employees. Frank also discussed the process for obligating the $24.6 million Centennial Challenge funding. He mentioned the Centennial business plan and the different instruments for obligating the Centennial funds (which are on the Inside NPS Centennial website). Kate Stevenson noted that OMB and the IG are watching this process closely.

Discussion followed about the complexities involved in getting the Centennial funds obligated; what projects would be ready if one or more of the approved projects could not be obligated; what funding NPS would get under different scenarios for passage of a continuing resolution funding the government for some period of time; how a call for new Centennial projects might change under the provisions of the Centennial legislation sponsored by Representative Grijalva; the experience other programs and agencies have had with recent centennial commemorations. It was suggested that Regional Directors look at the projects they submitted previously but were not chosen for 2008 to determine if they were still viable.

Continuing with his presentation, Frank talked about the questions facing NPS on how to communicate the Centennial, and how to use communication to engage Americans in the National Parks, not just for the Centennial but in everyday matters. He sees building on the work Harpers Ferry Center has done on the Messaging Project and on past and current work on partnership identity. He noted that appropriated funds may not be used to pay for advertising, but may be used to educate the public about program opportunities and benefits to them. Donated funds may be used for advertising.

The question of whether and how outside groups could use the Centennial logo generated much discussion on whether the logo should be licensed, who should sell it, what the National Park Foundation role should be, how the logo should be used, and when. Sheryl Rakestraw and Molly Ross from the Solicitors Office gave legal perspectives on use of the logo. To address the question of whether the logo should be used by others, Jon Jarvis made a motion, which the NLC agreed to, that the Centennial logo may be conditionally authorized for the use of third parties on products and programs. Some NLC members were not comfortable allowing the logo to be used if it contains the arrowhead, but were able to agree to conditional approval pending logo design and future discussions. Discussion also included the need to wait to determine logo use in the context of a larger marketing strategy.

It was agreed that Lindi would put together a task force to make recommendations to the NLC on an overall strategy and possibilities for either arrowhead or non-arrowhead Centennial logos, and look at possibilities for third-party uses and a role for the National Park Foundation.

Frank continued with a mention of opportunities for communicating about the Centennial, such as the release of the Ken Burns' series on National Parks in 2009 and the Superintendents Summit. He talked about getting partners engaged and developing a communications strategy that would facilitate progress on Centennial legislation and connection with the public.

Action Items:
Review projects submitted in August, 2007 but not selected for 2008 for viability (Regional Directors)
Establish task force on Centennial messaging/logo design and use, including possibility of role for NPF (Lindi Harvey).

VI Closing / National Park Foundation Reception

Director Bomar adjourned the meeting for the day and the NLC departed for a reception saluting the accomplishments of the National Park Service at the Sequoia Restaurant in Georgetown hosted by the National Park Foundation.

Thursday, May 15, 2008

I. Welcome/Call to Order
Mary Bomar, Director

II. Learning and Development
Jerry Simpson, Assistant Director, Workforce Management
Kathy Hanson, Chief of Employee Learning and Development
Cam Sholly, Deputy Associate Director for Visitor and Resource Protection
Bill Wade, Coalition of Retired National Park Employees

III. Safety Leadership Council

Jill Hawk, Regional Chief Ranger, Northeast Region

IV. Wrapup / Closing Remarks
Mary Bomar, Director

V. Rock Creek Park Visit

I. Welcome/Call to Order

Director Bomar called the meeting to order. Linda Wright reviewed the agreements from the previous day (noted in minutes for May 14).

II. Learning and Development

Jerry Simpson introduced Dr. Kathy Hanson, the new Chief of Employee Learning and Development, and asked the NLC members to each sign the final Learning and Development Report. Jerry reported that on the recommendation that NPS Fundamentals be fully funded and required for all new permanent employees. He noted that it is fully funded in the FY 2009 budget request. The number of Fundamentals II classes has been increased to 24 and the number of classes for Fundamentals V will increase to 24 in 2009.

Kathy gave a presentation on the New Superintendents Academy. The 18-month program, which will be required for all first-time superintendents, was created by a curriculum design team and vetted through the deputy regional directors. The first group of 24 will launch in June 2008 and the second group of 28 in August 2008. The superintendents from both courses will be meeting the afternoon before the start of the Superintendents Summit. There was discussion about arranging a breakfast or lunch at the summit for the new superintendents with the Director. In the future, there will be rolling enrollment--63% of current superintendents will be eligible for retirement by 2013--so preparing new superintendents will remain a priority, but there are also plans for developing capacity for both aspiring and experienced superintendents.

Jerry continued with other aspects of the Learning and Development initiative: establishing a Leadership Development Advisory Council to provide guidance on the National Leadership Development Program and developing a certification program for specialty “train-the-trainer” courses. Two programs (NPS Fundamentals and Facility Manager Leaders) are partnering with the Epply Institute to develop a pilot on this. He noted that the Workforce Management Plan connects the Learning and Development Report to an overall set of Workforce Management strategies and goals for the next five years; that report is ready to go to print, so he asked for any further comments as soon as possible. Jerry also talked about a partnership with the National Parks Conservation Association that will focus on making NPS one of the best places to work and leadership development. The partnership will assist NPS in systematically inventorying best practices. He is also making plans for holding a summit on professional excellence.

Director Bomar stressed that we need to move up from the low (bottom one-third) rating for the workplace to become one of the “best places in America to work.”

Cam Sholly gave a presentation on the effort to partner with outside organizations, including institutions of higher learning, on professional development. He said the question before the NLC is “what kind of structure do we want?”

Cam summarized the involvement of other organizations: NPCA, with a foundation grant, has hired 17 consultants, and is working on three tasks: leadership and training, scorecards, and

best place to work. The National Park Foundation has hired a person whose primary purpose is to help with learning and development. The Coalition of National Park Service Retirees wants to establish a collaborative service corps to share knowledge with current NPS employees. UC-Merced, a premier research and education facility and gateway to two major parks, is working toward establishing a national park institute that would conduct training and education. The Epply Institute at Indiana University offers a variety of park-related training and education. George Washington University, with former NPS Director Roger Kennedy's involvement, has been interested in working with NPS on graduate-level training and education, and the Kennedy School at Harvard is also interested. OPM also offers options.

As Jerry noted, NPS is planning to convene a professional excellence summit involving these partners and potential partners to discuss needs and help identify roles and responsibilities.

Discussion included mention of the great roles Cooperative Ecosystem Study Units (CESUs) play and the need to include them in the professional excellence summit; the possibility of payment for employees to get degrees; and Roger Kennedy's scholarship program at GWU.

Bill Wade followed with a presentation on the Coalition of National Park Service Retirees' proposal for a collaborative service corps to use the expertise of retirees to benefit parks. The coalition, principally an advocacy group comprised of 650 retired NPS employees, has been getting more involved in education. Among other things, it has been involved in trying to get the Hartzog Institute off the ground. The collaborative service corps idea came about because retirees were interested in ways to keep contributing to the national parks. About 100 members said they wanted to be involved in this. He sees the coalition serving as a clearinghouse to match NPS needs with retiree expertise. The coalition would not get involved in negotiations between the parks and the retired employees. Kate Stevenson noted that this could be done without a formal agreement; it could be worked out on a park-by-park basis with a personal services contract. Bill thought there were cases of this already.

The NLC determined that a structure needed to be developed for the Coalition offer, and that Jerry should be the lead. A concern was raised about inside information being used for the coalition; Bill said that if confidentiality was needed, the park and the retiree would work that out.

Action Items:
Submit any final comments on the Workforce Management Plan to Jerry Simpson as soon as possible (NLC members).
Submit recommendations of senior managers to serve on Leadership Development Advisory Council to Jerry Simpson (Regional Directors)
Arrange breakfast or lunch for new superintendents with Director at Superintendents Summit (Kathy Hanson).
Convene Professional Excellence Summit (Jerry Simpson)
Develop structure/request form for participation in the Coalition of National Park Service Retirees' collaborative service corps (Jerry Simpson/Cam Sholly).

III. Safety Leadership Council

Jill Hawk presented an update on the work of the NPS Safety Leadership Council (SLC), which was formed by the NLC in 2007 to make safety a leadership practice throughout NPS. The professional excellence task force is focusing on safety leadership training, lessons learned form accidents and near-accidents, and creating incentives for positive safety behavior. The strengthening safety culture task force is focused on the strategic implementation of Operational Leadership, which the SLC considers the key action for changing NPS culture with respect to safety. Operational Leadership is a U.S. Coast Guard program that the Intermountain, Pacific West, and the Northeast Regions have been involved in adapting for NPS use. By June, 120

NPS employees will be trained in this approach to safety. More regions will be brought in as the program is further developed. The Randy Jones Fellowship is being used to fund a 6-month detail for work in this area. The group is also looking to reenergize NPSafe. The SLC will meet again in late July.

In discussion, comments were made about the importance of having buy-in from the field; the need to make sure resource staff were involved; the need to keep safety on the front burner; and how our efforts fit with the DOI Inspector General's recommendations on safety.

Director Bomar said that there will be a more in-depth briefing on the work of the SLC at the November NLC meeting. Mike Snyder suggested that it include a briefing from the Coast Guard on Operational Leadership to demonstrate how it works within an organization.

Action Items:
Schedule full briefing on Safety Leadership Council/Operational Leadership for the November NLC meeting, possibly including a presentation by the Coast Guard.

IV. Wrapup / Closing Remarks

Director Bomar raised the topic of key vacancies in the Southeast Region. She reviewed the trip that she and Dan Wenk had made to Atlanta in January and the transition-map (T-map) process that followed, and talked about the challenges facing the new Regional Director, David Vela. Dan pointed out that there are 3 open assistant regional director positions. He asked that NLC members look within the organization for potential candidates for those positions, short-term and permanent, and provide him with some names.

In her wrapup, Director Bomar talked about the great reception the previous night, thanked Dan Wenk, Lindi Harvey, and Sue Masica, noted that the primary topics of this meeting (cooperating associations, safety, workforce development) showed that the NPS is focused on the future. She urged members to not lose sight of the future, and to think big.

Comments on the meeting included: the agenda was well-paced with the right number of subjects; NLC members liked the fact that there was time to discuss important issues; liked the use of SharePoint for getting materials in advance but wanted them more in advance; liked the food and meeting space; needed more breaks; needed enough copies of handouts; and a recommendation that there always be one evening event.

V. Rock Creek Park / Meridian Hill Park Visit

After the meeting adjourned, the NLC traveled by chartered bus to Rock Creek Park for a site visit arranged by Joe Lawler and Rock Creek Park Superintendent Adrienne Coleman. The NLC had lunch with Rock Creek staff at the picnic grove at Peirce Mill, followed by an interpretive tour of the interior of the historic mill and of the fish ladder at the Peirce Mill dam, a tour by bus of the park, and a visit to Meridian Hill Park.

Appendix A

List of National Leadership Council Members (updated August, 2008)

Voting Members
Mary Bomar, Director
Dan Wenk, Deputy Director, Operations
Lindi Harvey Deputy Director, Support Services
Sue Masica, Chief of Staff
Bruce Sheaffer, Comptroller
Dennis Reidenbach, Northeast Regional Director
Ernest Quintana, Midwest Regional Director
Mike Snyder, Intermountain Regional Director
Victor Knox, Alaska Regional Director (Acting)
David Vela, Southeast Regional Director
Jon Jarvis, Pacific West Regional Director
Lisa Mendelson-Ielmini, National Capital Regional Director (Acting)
Steve Whitesell, Associate Director - Park Planning, Facilities & Lands
Bert Frost, Associate Director - Natural Resources Stewardship & Science
Jan Matthews, Associate Director - Cultural Resources
Karen Taylor-Goodrich, Associate Director - Visitor & Resource Protection
Chris Jarvi, Associate Director - Partnerships and Visitor Experience

Standing Staff Members
Dave Barna, Chief, Public Affairs
Larry Curran, Chief Information Officer
Tom Wolfe, Assistant Director - Congressional and Legislative Affairs
Kate Stevenson, Assistant Director - Business Services
Jerry Simpson, Assistant Director - Human Capital

NLC Support Staff
Jennifer Lee, Special Assistant to the Director
Jim Gasser, Meeting Planner
Phil Sheridan, Assistant Regional Director, Communications, Northeast Region

Appendix B

NLC Meeting Schedule 2008-2009

January 14-16, 2008	Washington, DC
May 13-15, 2008	Washington, DC
November 18-20, 2008	Dayton, OH

January 13-15, 2009	Washington, DC
May 5-7, 2009	Washington, DC
August TBD, 2009	TBD
November 17-19, 2009	Washington, DC

Appendix C

Reference Section

Links to more detailed information on some of the topics discussed by the NLC:

2008 Superintendents Summit
http://www.wwsc.us/events/nps/

Cooperating Associations
http://www.nps.gov/interp/coop_assn/

National Park Centennial Challenge
http://www.nps.gov/2016

National Park Foundation
http://www.nationalparks.org/

National Park Service Training and Employee Development Information
http://www.nps.gov/training/
https://doilearn.doi.gov/
http://inside.nps.gov/waso/waso.cfm?prg=63&lv=2

Proposed Firearms Regulation
http://www.regulations.gov/fdmspublic/component/main?main=DocumentDetail&o=0900006480692c59

Advisory Committees

Guidance on the standard procedures for establishing and renewing advisory and operating committees, including the preparation and processing of charters and appointment documents, is provided by the Office of Policy. The Chief, Office of Policy, oversees the management of the National Park System Advisory Board.

NPS Guide to FACA
NPS Advisory Committees
Operating Committees
National Park System Advisory Board

National Park Service Guide
to the
Federal Advisory Committee Act

Issued by NPS Office of Policy
November 30, 2010

The purpose of this Guide is to acquaint National Park Service managers and other employees with the Federal Advisory Committee Act (FACA), how FACA applies to NPS management activities, and standard procedures for establishing and renewing advisory committees. This guide does not address the day-to-day administration of committees after they have been established.

CONTENTS

A. What is FACA's purpose?
B. Are any committees not subject to FACA?
C. Does FACA apply to ad hoc committees or committees that will exist for only a brief period of time?
D. Are there alternatives to establishing a FACA committee?
E. What is the General Services Administration's role?
F. How do we establish advisory committees?
G. What procedures do we follow for legislative committees?
H. What procedures do we follow for administrative committees?
I. What is a Negotiated Rulemaking Committee?
J. How much time does it take to establish a committee?
K. What is a Group Federal Official?
L. What is a Designated Federal Officer?
M. Why is a committee charter necessary?
N. How are committee members appointed?
O. Is there opportunity for an NPS manager to influence or change the composition of the committee membership?
P. May committee members be paid?
Q. May subcommittees be created?
R. How do we deal with conflicts of interest?
S. May a committee member "lobby" members of Congress or encourage the public to take a position on pending legislation regarding matters under the committee's purview?
T. Must a committee's affairs be open to the public?
U. What restrictions apply to travel and related expenses incurred by committee members?
V. What committee records must be kept?
W. Must a verbatim transcript of advisory committee proceedings be maintained?

Appendix A -- Charter Requirements

A. WHAT IS FACA'S PURPOSE?

Congress passed FACA in 1972 to create an orderly procedure by which Federal agencies may seek advice and assistance from citizens. Congress was concerned that there were too many advisory committees, and some of

those advisory committees were either not contributing anything of substantive value or were duplicating another committee's efforts. Now, any time a Federal agency intends to establish or utilize an advisory group having at least one member who is not a Federal employee, the agency must comply with FACA and administrative guidelines developed by the General Services Administration (GSA).

B. ARE ANY COMMITTEES NOT SUBJECT TO FACA?

In general, any panel, conference, or similar group established or utilized by a federal agency for the purpose of obtaining consensus advice or recommendations on issues or policies will likely fall within the purview of FACA. Remember that management decisions can be challenged and possibly negated as a result of FACA procedural violations.

For this reason, you should be cautious when assembling a group for discussion or consultation. But also be aware that (a) many of the meetings the federal government typically holds are with groups that are not "established or utilized" within FACA's meaning and that (b) there are ways to avoid implicating FACA.

GSA regulations [41 CFR Part 102-3] recognize some kinds of advisory meetings are not covered by FACA. These include meetings with:

1. One individual.
2. Any group where advice is sought from the attendees on an individual basis and not from the group as a whole (this includes public meetings). In meetings of this sort, remind the group that you are seeking individual views and are not looking for the group to agree on a particular course of action.
3. Any group that meets with federal officials for the purpose of exchanging facts or information.
4. Any committee or group created by non-federal entities (such as a contractor or private organization), provided that these committees or groups are not actually managed or controlled by the executive branch.
5. Any local civic group whose primary function is that of rendering a public service with respect to a federal program.
6. Any committee composed wholly of full-time or permanent part-time officers or employees of the federal government.
7. Any committee composed wholly of full-time or permanent part-time officers or employees of the federal government and elected officers of State, local and tribal governments (or designated employees with authority to act on their behalf), acting in their official capacities. The purpose of the committee must be solely to exchange views, information, or advice relating to the management or implementation of federal programs established pursuant to statute that explicitly or inherently share intergovernmental responsibilities or administration.
8. Any State or local committee, council, board, commission, or similar group established to advise or make recommendations to State or local officials or agencies.

If you occasionally meet with individuals or groups under conditions akin to one or more of these exemptions, you should be mindful not to change the character of the meeting such that it would become subject to FACA.

If you are careful, there are two additional ways (beyond those specifically recognized by GSA) to obtain public participation in review of agency matters without establishing a FACA committee.

First, a policy discussion group or "roundtable" can be formed to solicit individual (as opposed to group) opinions on draft proposals, option papers, or specific issues.

Second, focus groups may be used to solicit individual (as opposed to group) opinions when there is a need for quick, anecdotal information about how different approaches to solving a problem would work in practice.

Neither of these non-FACA options is appropriate, however, if the goal is to obtain consensus advice. Indeed, when meeting with a number of individuals under these circumstances, you should emphasize that you are seeking only the attendees' individual views, and the attendees should be discouraged from attempting to reach a consensus, or otherwise making recommendations as a group.

C. DOES FACA APPLY TO AD HOC COMMITTEES OR COMMITTEES THAT WILL EXIST FOR ONLY A BRIEF PERIOD OF TIME?

It depends on how the committee was formed and its relationship with the NPS. FACA applies to any committee that an agency forms for the purpose of providing consensus advice, regardless of its duration. However, if (for example) an ad hoc group of citizens initiates a meeting with a park superintendent to present its consensus views on park issues, that meeting would not be subject to FACA. But such meetings could become subject to FACA if the superintendent funded the meeting, controlled the agenda of the meeting, or used the group recurrently as a preferred source of advice or recommendations.

D. ARE THERE ALTERNATIVES TO ESTABLISHING A FACA COMMITTEE?

In structuring interactions with groups so as to avoid the need to charter a committee under FACA, you should consider all the factors a court would consider in determining whether the agency has "established" or "utilized" an advisory committee. These factors include:

1. The purpose of the meeting(s) (i.e., as noted above, the meeting should not suggest a purpose of seeking consensus on a given federal program or policy).

2. The frequency of meetings (i.e., too many successive meetings-particularly, with the same participants or an ever-narrowing pool of them-could suggest the non-public, behind-the-scenes policy- or decision-making that FACA was designed to avoid).

3. Who attends (e.g., certain kinds of participants-listed above-strongly indicate that a meeting was FACA-exempt).

4. Whether the participants change or remain constant over the course of multiple meetings (i.e., a constant or standing group would be more likely to implicate FACA than a changing group).

5. Whether group input from participants, as opposed to expression of individual views, is an objective or result even if "consensus" is not obtained (i.e., the more it appears that there is group input as opposed to individual input, the greater the risk the meeting could be perceived as one set up to achieve-or actually achieving-consensus of the kind that FACA addresses).

GSA regulations governing FACA activities suggest using these additional factors to determine whether or not a group is "utilized" within the meaning of FACA:

1. Does the federal agency manage or control the group's membership or otherwise determine its composition? (I.e., the fewer the indicators of federal control over the group, the less likely that FACA could be seen to apply)

2. Does the federal agency manage or control the group’s agenda? (same)

3. Does the federal agency fund the group's activities?

Answering "yes" to any or all of these three questions does not automatically mean the group is "utilized" within

the meaning of FACA. But if the relationship between the federal agency and the group essentially is indistinguishable from an advisory committee established in other instances by the BLM and/or FS, then it may well be subject to FACA.

E. WHAT IS THE GENERAL SERVICES ADMINISTRATION'S ROLE?

The GSA is responsible for monitoring all FACA committees. As part of this responsibility, GSA:

1. Conducts annual reviews of FACA committee accomplishments;

2. Responds to inquires from agencies on establishing new FACA committees or renewing existing groups; and

3. Prepares an annual report summarizing committee activities.

The NPS and other Federal agencies that administer FACA committees must provide timely information to GSA so that GSA can perform these functions efficiently. When the NPS is unresponsive to GSA's request for information concerning an advisory committee, it may create the impression that the committee either is not complying with FACA or not fulfilling a vital role and, perhaps, is unnecessary.

GSA maintains an Internet World Wide Web site which contains helpful information about FACA. The site's address is: http://www.gsa.gov/portal/category/21243.

F. HOW DO WE ESTABLISH ADVISORY COMMITTEES?

The NPS administers more than 30 advisory committees subject to FACA. Many of these FACA committees are specific to individual park units, but there are others that have been established to advise on Service-wide programs or projects. NPS FACA committees are generally established in one of two ways:

1. Legislatively, when Congress specifically establishes the committee or directs the Secretary of the Interior to establish it for some purpose related to the NPS.

2. Administratively, when the NPS determines an advisory committee is essential to the performance of a duty or responsibility imposed upon NPS by law. The NPS has been given general authority under section 3(c) of Public Law 91-383 to administratively establish advisory committees. The NPS also has authority under the Negotiated Rulemaking Act, as amended, to establish negotiated rulemaking advisory committees.

(NOTE: The Committee for the Preservation of the White House was established by Presidential order.)

G. WHAT PROCEDURES DO WE FOLLOW FOR LEGISLATIVE COMMITTEES?

Most of our advisory committees are established legislatively. In recent years, Congress has created advisory committees for many of our new park and program initiatives. When we become aware that a member of Congress is preparing such legislation, the Office of Legislative and Congressional Affairs or the affected NPS park or program area should work with the NPS Office of Policy to try to ensure the legislation does not create unintended administrative difficulties. The NPS's position on such legislation must always be consistent with the Administration's official position, which is determined by the Office of Management and Budget.

When legislation establishing an advisory committee is enacted, the responsible field or program area staff should contact the Washington Office of Policy because the next steps to be taken may vary slightly, depending on the wording of the law. For example, the law may give the Secretary of the Interior wide discretion in making appointments to the committee, or the law may explicitly prescribe the sources from which the Secretary is to make appointments. Generally, the following documents must be prepared and submitted to the WASO Office of Policy:

1. A proposed charter, which will include the information listed in Appendix A.

2 (a). A list of prospective committee members, together with biographical information about the persons recommended for appointment

or

2 (b). A list of government and private organizations from which nominations should be solicited, together with a proposed letter to those organizations, asking them to send in nominations.

3. A proposed letter of appointment. (Examples are available from the Office of Policy.)

H. WHAT PROCEDURES DO WE FOLLOW FOR ADMINISTRATIVE COMMITTEES?

You should be aware that Congress, the President, and the Office of Management and Budget (OMB) have indicated they want to avoid the unnecessary proliferation of advisory committees. Toward that end, a "cap" has been placed on the number of discretionary advisory committees each agency may establish. While it is very important that we encourage public involvement in our activities, alternatives--such as scoping sessions and public meetings--should be explored before establishing a FACA committee. (See Director's Order #75A: Civic Engagement and Public Involvement for more details.) In those instances where the NPS can accomplish its objectives only by utilizing a group of individuals to obtain consensus advice, the NPS must follow administrative procedures that emanate from FACA and are spelled out in detail in GSA regulations.

Anyone who believes there is a compelling need for an advisory committee should discuss the matter with committee management staff at the regional or Washington level, and then seek concurrence from the appropriate regional director or the associate director having programmatic responsibility. When agreement is reached at that level, conceptual approval should be sought from the Director, through the WASO Office of Policy. The Office of Policy will then confer with the Department's Committee Management Officer (CMO).

Once a committee is approved conceptually by the Director and the Department's CMO, the following documents must be prepared and submitted to the Office of Policy.

1. A proposed charter, which will include the information listed in Appendix A.

2. A Statement of Justification for establishing the committee.

3 (a). A list of prospective committee members, with biographical information about the persons recommended for appointment.

or

3 (b). A list of government and private organizations from which nominations should be solicited, together with a proposed letter to those organizations asking them to send in nominations.

4. A proposed letter of appointment

5. A Notice of Establishment for the Federal Register.

I. WHAT IS A NEGOTIATED RULEMAKING ADVISORY COMMITTEE?

Negotiated rulemaking (or "reg neg"-- short for regulatory negotiation) committees are the one form of administratively established committee that both the President and Congress actually encourage. The idea behind reg neg committees is that the traditional government agency process for developing agency regulations is too adversarial, and may lead to expensive and time-consuming litigation. In the reg neg process, those parties who will be significantly affected by a regulation are invited by the agency to participate in a committee to develop the

regulation. For example, Cape Cod National Seashore used this process in 1995 to develop off-road vehicle regulations. Although a reg neg committee is established administratively, there are special procedures that apply under 5 U.S.C. 561-570. Those who consider establishing a reg neg committee should first contact the Office of Policy or their servicing Solicitor's office.

J. HOW MUCH TIME DOES IT TAKE TO ESTABLISH A COMMITTEE?

Most of the time-consuming aspects of advisory committee management are prescribed by law, regulation, or Departmental policy, and are beyond the NPS's control. The NPS Office of Policy must ensure that the documents needed to set up a committee--whether legislatively or administratively established--are circulated for signature at the appropriate levels within the NPS and the Department. Since most of the documents must go through several offices at the Assistant Secretarial and Secretarial level, the process normally takes several months. If letters are sent to nominating sources, it normally takes an additional two months before responses are received and the NPS is ready to send appointment letters to the Secretary for signature. The last administrative step is to file the charter with GSA, the Library of Congress, and the NPS's authorizing committees in the Senate and the House of Representatives. A committee is officially in business the date the charter is filed.

K. WHAT IS A GROUP FEDERAL OFFICIAL?

FACA requires the sponsoring agency to appoint a Group Federal Official to oversee the administration of FACA's requirements. The Group Federal Official for the NPS is located in the Washington Office of Policy.

L. WHAT IS A DESIGNATED FEDERAL OFFICER?

A Designated Federal Officer must be assigned to each advisory committee to:

1. Approve or call meetings;
2. Approve agendas;
3. Attend meetings;
4. Chair meetings (when requested by the Director);
5. Adjourn meetings when such adjournment is in the public interest;
6. Maintain required records on costs and membership;
7. Ensure efficient operations;
8. Maintain records for availability to the public; and
9. Provide copies of committee reports to the Group Federal Official.

M. WHY IS A COMMITTEE CHARTER NECESSARY?

No advisory committee may meet or take any action until a charter has been filed with GSA, the NPS's House and Senate authorizing committees, and the Library of Congress. Also, FACA section 14(b) requires that each advisory committee file a new charter every two years following the date of establishment. (Public Law 102-523 exempts from this re-chartering requirement NPS advisory committees that are established legislatively and serve NPS park units.) A committee may not meet or take any action if its charter has expired. If a committee's charter has expired, the committee must be reestablished (as opposed to simply renewing a current charter) in order to continue operating. The NPS Office of Policy coordinates closely with the originating NPS office in developing a charter that contains the elements listed in Appendix A and other necessary information derived from specific authorizing legislation.

N. HOW ARE COMMITTEE MEMBERS APPOINTED?

FACA requires that membership "...be fairly balanced in terms of points of view represented and the functions to be performed by the advisory committee." We are expected to assure that major--and sometimes strongly opposing--viewpoints are represented to provide a foundation for developing advice and recommendations that are fair and comprehensive. However, this does not mean we must appoint committee members who oppose the basic program or activity for which the advice is sought.

Generally, candidates for appointments to NPS advisory committees may be nominated by agency officials, Members of Congress, other elected officials, the general public, professional societies, or current and former committee members. However, if the committee's authorizing legislation specifies who is to make nominations, then we will write to those nominating sources to obtain nominations. (You should confer with the Office of Policy regarding who should sign the letters.) The authorizing legislation will often stipulate the qualities or characteristics that candidates should possess. NPS park or program area representatives will be asked to make recommendations from among the nominees, but final selections will be made by the Secretary of the Interior following a screening process conducted by the DOI's White House Liaison. (See appointments flow chart at www.nps.gov/policy/advisory/Apptsflow.pdf.)

Most often, a committee's enabling legislation specifies the length of time that members will serve on advisory committees. If the legislation does not set time limits, the NPS will set limits (3 or 4 years is usually appropriate). Unless the legislation specifies otherwise, members can usually be re-appointed for consecutive terms. However, while continuity in service may be desirable in some respects, so is a fresh perspective and a diversity of viewpoints.

Prior to accepting an appointment, the prospective member should be informed of his or her duties and obligations, allowable expenses, and compensation limitations. Poor attendance or lack of participation is grounds for removal. Actual criteria for removal should be spelled out in the charter.

O. HOW MUCH OPPORTUNITY DOES AN NPS MANAGER HAVE TO INFLUENCE OR CHANGE THE COMPOSITION OF THE COMMITTEE MEMBERSHIP?

In the case of a committee established administratively, the manager can work with the Committee Management Officer to craft a membership plan that will reflect a balanced cross-section of those directly affected, interested, and qualified. The manager will also be asked to make specific recommendations for appointments to the committee. In the case of a committee established legislatively, the authorizing legislation usually prescribes the number of members and the sources from which nominations will be sought. In such cases there is much less opportunity to influence the composition of the committee. But managers will still have the opportunity to make recommendations from among those who have been nominated.

P. MAY COMMITTEE MEMBERS BE PAID?

FACA authorizes--but does not require--agencies to pay a member of an advisory committee at a rate not to exceed the amount specified for GS-18. As a practical matter, members of NPS advisory committees do not receive compensation (other than travel expenses). NPS managers may not pay committee members without the Director's prior approval.

Q. MAY SUBCOMMITTEES BE CREATED?

Committees may form themselves into subcommittees and ad hoc committees, drawn in whole or in part from the full committee. However, the role of such committees must be limited solely to gathering information or conducting research for the full committee, to analyzing relevant issues and facts, or to drafting proposed position

papers for deliberation by the full committee. Advice given formally to a federal agency or federal official must come from the full committee following an open public meeting, rather than from a subcommittee, which may perform its deliberations in private. Membership on the subcommittees should be approved by the Designated Federal Officer.

R. HOW DO WE DEAL WITH CONFLICTS OF INTEREST?

Responsible park or program staff must provide prospective advisory committee members with information regarding any applicable standards of conduct, including those that may be imposed by Federal conflict of interest statutes. Often, committee members are appointed to represent interests other than the Federal Government's, not solely for their individual qualifications or for their independent service. As such, they are not "Special Government Employees" (SGEs) and they are not bound by ethical standards applicable to SGEs. Committee membership is often intentionally comprised of people who have a vested interest in a particular park or program area. In other words, bias and conflict of interest may be inherent to the makeup of a committee. Therefore, it is unreasonable to expect total objectivity in the way a committee member responds to an issue.

However, because committee members do serve in a position of public trust, they should abide by at least the basic principles of ethical conduct. For example, a committee member who has a financial interest in a matter before the committee should either disqualify himself from voting on the matter or make a public disclosure of his financial interest prior to voting. No single across-the-board standard for committee member conduct has been issued to date; individual committees should discuss the issue among themselves and incorporate appropriate language in their committee by-laws. The by-laws should address, in particular, the conditions under which individual members-although not SGEs-may and should recuse themselves from voting on certain matters that may come before the committee.

In those cases where committee members are classified as SGEs, there are ethical standards of conduct that apply. To avoid potential conflicts, each member should be given adequate information about SGE status and should complete any required appointment papers and disclosure forms prior to service on a committee.

Background materials may be obtained through the Washington Employee Relations office, the Committee Management Officer, Departmental ethics staff, or from the Office of Government Ethics, which has government-wide jurisdiction on Federal ethics issues. GSA and the Office of Government Ethics have developed a videotape to orient advisory committee SGEs about their responsibilities. A copy is available from the WASO Office of Policy.

S. MAY A COMMITTEE MEMBER "LOBBY" MEMBERS OF CONGRESS OR ENCOURAGE THE PUBLIC TO TAKE A POSITION ON PENDING LEGISLATION REGARDING MATTERS UNDER THE COMMITTEE'S PURVIEW?

Appropriated funds may not be used for lobbying activities. Individual members are free to lobby on their own time, using their own funds. But lobbying activities may not be a part of a committee's activities, nor may NPS employees who work with the committee encourage the committee to engage in lobbying activities.

T. MUST A COMMITTEE'S AFFAIRS BE OPEN TO THE PUBLIC?

With few exceptions, advisory committee meetings must be open to the public. The Designated Federal Officer for each advisory committee must:

1. Arrange meetings for reasonably accessible and convenient locations and times;
2. Publish adequate advance notice of meetings in the Federal Register;
3. Open advisory committee meetings to the public (see rare exceptions below);
4. Make sure the meeting room size is sufficient to accommodate interested members

of the public;

5. Allow any member of the public to file a written statement with the committee;

6. Make certain the committee has established procedures to address whether, and how, a member of the public may speak at a meeting;

7. Make available for public inspection all papers and records, including detailed minutes of each meeting; and

8. Maintain records of expenditures, with limited exceptions, for public inspection.

The following are examples of meetings that may be closed or partially closed under provisions of the "Government in the Sunshine Act," Public Law 94-409, September 13, 1976 (these rarely occur in the NPS):

1. Those that include discussions of classified information;

2. Review of proprietary data submitted in support of grant applications; and

3. Deliberations involving consideration of personnel information protected by the Privacy Act, Public Law 93-579, December 31, 1974.

Meetings of subgroups of advisory committees, including meetings of two or more members solely to gather information, conduct research, analyze relevant issues and facts, or draft proposed position papers for deliberation by the entire committee or a subcommittee, are not considered meetings of the advisory committee that must be open to the public. Though such meetings need not be publicized, all such meetings should nevertheless be open to observation by interested persons.

U. WHAT RESTRICTIONS APPLY TO TRAVEL AND RELATED EXPENSES INCURRED BY COMMITTEE MEMBERS?

FACA (and most statutes authorizing individual advisory committees) allow--but do not require--agencies to pay travel expenses, including per diem in lieu of subsistence, for committee members while engaged in the performance of their duties away from their homes or regular places of business. Any travel expenses for which a committee member expects to be reimbursed must receive prior approval under a properly executed Travel Authorization. Advisory committee members may need to be reminded that they have no authority to obligate or expend Government funds without prior approval by a duly authorized NPS official.

V. WHAT COMMITTEE RECORDS MUST BE KEPT?

To comply with the Federal Records Act and FACA, committees must maintain detailed minutes of each meeting, including a record of the persons present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued, or approved by the committee.

Committees must also maintain permanent records that document the essential purpose and work of the committee and provide an enduring record of its accomplishments. All documents that explain the basis for a committee's recommendations and conclusions should be carefully maintained. Permanent records must be preserved and transferred to the National Archives. It is especially important to separate administrative files, such as those relating to personnel, payroll, and fiscal matters, from program files that document the substantive work of the committee. The ultimate disposition of these two categories of files will differ.

The National Archives and Records Administration has additional information available at http://www.archives.gov/records-mgmt/grs/grs26.html, and the GSA has a videotape on record-keeping. You may obtain a copy from the Office of Policy.

W. MUST A VERBATIM TRANSCRIPT OF ADVISORY COMMITTEE MEETINGS BY MAINTAINED?

FACA and GSA regulations require that detailed minutes be kept for each advisory meeting. GSA's regulations are explicit as to what must be included in the minutes (see 41 CFR 101-6.1025). Although FACA contains references to transcripts as well as minutes, GSA has concluded that the detailed minutes are sufficient for compliance purposes. While managers may opt not to maintain verbatim transcripts, it is good practice to tape record committee proceedings for future reference.

APPENDIX A
CHARTER REQUIREMENTS

Each charter must contain the following information:

1. The committee's official designation.
2. The committee's objectives and the scope of its activity.
3. The period of time necessary for the committee to carry out its purpose.4. The agency or official to whom the committee reports.
5. The agency responsible for providing the necessary support for the committee.
6. A description of the duties for which the committee is responsible and, if such duties are not solely advisory, a specification of the authority for such functions.
7. The committee's estimated annual operating costs in dollars and work-years.
8. The estimated number and frequency of committee meetings.
9. The charter's termination date, if less than two years from the date of the committee's establishment.
10. A description of the committee's membership and other membership provisions.
11. The name of the designated federal officer (DFO), or the DFO's designee, to chair or attend each meeting of the advisory committee.
12. If the committee is to be composed of formal subcommittees or subgroups, they should be identified and described as to their composition and specific functions.
13. The specific statutory authority for the committee.
14. The date the charter is filed. (The filing date is inserted by WASO.)

National Park Service

ADVISORY COMMITTEES

Congress passed the Federal Advisory Committee Act (FACA) in 1972 to create an orderly procedure by which Federal agencies may seek advice and assistance from citizens. In general, any council, panel, conference, task force, or similar group utilized by NPS officials for the purpose of obtaining consensus advice or recommendations on issues or policies will likely fall within the purview of FACA.

The Office of Policy works closely with the park or region to process nominations for appointment of members by the Secretary and to prepare a charter under which each committee will function. The National Park Service Guide to the Federal Advisory Committee Act will acquaint you with the standard procedures for establishing and renewing advisory committees and how FACA applies to NPS management activities. Listed below are the current NPS advisory committees. The charter for each committee can be viewed from the committee title.

The Administrator of the General Services Administration (GSA) has oversight responsibility within the Executive Branch for FACA implementation. These oversight responsibilities are carried out through the operations of the Committee Management Secretariat located within the GSA. Further helpful information regarding FACA, including relevant laws, regulations, and statistical data, is available on the GSA Committee Management Secretariat web site. FACA Annual Reports (fiscal year) for all Federal agency advisory committees also may be viewed at this web site. Within each fiscal year for which data is provided, the reports for NPS committees are accessed alphabetically from the comprehensive committee list for the ***Department of the Interior****.*

Alaska Region

Denali National Park and Preserve Aircraft Overflights Advisory Council

Established by authority of the Secretary of the Interior under Section 3 of Public Law 91-383, the purpose of the Council is to advise the Secretary of the Interior, through the Director of the National Park Service, on matters relating to mitigation of impacts from aircraft overflights at Denali National Park and Preserve. The Council will develop voluntary measures for assuring the safety of passengers, pilots, and mountaineers and for achieving desired future resource conditions at Denali National Park and Preserve.

NATIONAL PARK SERVICE SUBSISTENCE RESOURCE COMMISSIONS. Public Law 96-487, December 2, 1980, established National Park Service Subsistence Resource Commissions to devise and recommend to the Secretary

of the Interior and the Governor of Alaska a program for subsistence hunting in seven national park units within the State of Alaska. The programs are to be prepared using technical information and other pertinent data assembled or produced by necessary field studies or investigations conducted jointly or separately by the technical and administrative personnel of the State of Alaska and the U.S. Department of the Interior; information submitted by, and after consultation with the appropriate local advisory committees and federal regional advisory councils and any testimony received in a public hearing or hearings held by the Commission prior to preparation of the plan at a convenient location or locations in the vicinity of the national monument. Each year thereafter, each Commission, after consultation with the appropriate local committees and federal regional advisory councils, considering all relevant data and holding one or more additional hearings in the vicinity of the monument, is to make recommendations to the Secretary and the Governor for any changes in the program or its implementation which the Commission deems necessary. In view of the objectives scope and purposes of the Commissions they are expected to continue beyond the foreseeable future.

National Park Service Subsistence Resource Commission¾Aniakchak National Monument Devises and recommends to the Secretary of the Interior and the Governor of Alaska a program for subsistence hunting within Aniakchak National Monument.

National Park Service Subsistence Resource Commission¾Cape Krusenstern National Monument Devises and recommends to the Secretary of the Interior and the Governor of Alaska a program for subsistence hunting within Cape Krusenstern National Monument.

National Park Service Subsistence Resource Commission¾Denali National Park
Devises and recommends to the Secretary of the Interior and the Governor of Alaska a program for subsistence hunting within Denali National.

National Park Service Subsistence Resource Commission¾Gates of the Arctic National Park
Devises and recommends to the Secretary of the Interior and the Governor of Alaska a program for subsistence hunting within Gates of the Arctic National Park.

National Park Service Subsistence Resource Commission¾Kobuk Valley National Park
Devises and recommends to the Secretary of the Interior and the Governor of Alaska a program for subsistence hunting within Kobuk Valley National Park.

National Park Service Subsistence Resource Commission¾Lake Clark National Park
Devises and recommends to the Secretary of the Interior and the Governor of Alaska a program for subsistence hunting within Lake Clark National Park

National Park Service Subsistence Resource Commission¾Wrangell-St. Elias National Park

Devises and recommends to the Secretary of the Interior and the Governor of Alaska a program for subsistence hunting within Wrangell-St. Elias National Park.

Intermountain Region

Arizona, Colorado, Montana, New Mexico, Oklahoma, Wyoming, Utah

Route 66 Corridor Preservation Program Advisory Council

Established by authority of the Secretary of the Interior under Section 3 of Public Law 91-383, the Council is to advise the Secretary on matters relating to the Route 66 Corridor Preservation Program including recommendations for ways to best preserve important properties along Route 66, recommendations for grant and cost-share awards to eligible applicants owning or administering historic properties along the Route 66 Corridor and recommendations for technical assistance provided by the National Park Service to partners along the route. The Council will terminate upon August 10, 2009.

Midwest Region

Arkansas, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin

Tallgrass Prairie National Preserve Advisory Committee

Established by Public Law 104-333, the Committee advises the Secretary of the Interior and the Director of the National Park Service concerning the development, management, and interpretation of the Preserve, including timely advice during the preparation of the general management plan for the Preserve. The Committee's work will be ongoing for at least 5 years. There is no statutory termination date for the Committee.

National Capital Region

District of Columbia (National Capital Region also administers several National Park System units in Delaware, Maryland, Virginia and West Virginia)

Captain John Smith Chesapeake National Historic Trail Advisory Council

Authorized by the National Trails System Act, as amended, and Title 1, Section 133 of Public Law 109-418, December 21, 2006, the purpose of the Council is to consult with the Secretary of the Interior from time to time with respect to matters relating to the trail, including but not limited to, the development of a comprehensive plan, the selection of rights-of-way, standards for the erection and maintenance of markers along the trail, and the administration of the trial.

Chesapeake and Ohio Canal National Historical Park Commission

Established by Public Law 91-664, January 8, 1971, as amended by Public law 101-320, July 3, 1990, the Commission meets and consults with the Secretary or the Secretary's designee, on general policies and specific matters related to the administration and development of the Chesapeake and Ohio Canal National Historical Park. The statutory term of the Commission expired January 8, 2011.

Committee for the Preservation of the White House

Established by Executive Order 11145 (March 7, 1964), as amended, the Committee reports to the President of the United States and advises the Director of the National Park Service regarding the maintenance of the White House as a public monument. The Committee makes recommendations concerning articles of furniture, fixtures, and decorative objects for the public rooms best suited to enhance the historic and artistic values of the White House. The Committee is expected to continue for the foreseeable future.

Mary McLeod Bethune Council House National Historic Site

Established by Public Law 102-211, December 11, 1991, the Commission is to fully participate in an advisory capacity with the Secretary of the Interior in the development of a General Management Plan for the historic site. The Commission will also, as often as necessary, but at least semiannually, meet and consult with the Secretary on matters relating to the management and development of the historic site. The Commission is expected to exist into the foreseeable future.

Star Spangled Banner National Historic Trail Advisory Council

Authorized by the National Trails System Act, as amended, as amended through Public Law 111-11, March 30, 2009 (16 U.S.C §§ 1241 to 1251, as amended), the purpose of the Council is to consult with the Secretary of the Interior on matters relating to the trail, including but not limited to, the development of a comprehensive plan, the selection of rights-of-way, standards for the erection and maintenance of markers along the trail, and the administration of the trial.

Northeast Region

Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont

Acadia National Park Advisory Commission

The Commission was established by Section 103 of Public Law 99-420, September 25, 1986, as amended by Public Law 110-229, Consolidated Natural Resources Act of 2008, May 8, 2008. The purpose of the Commission is to consult with Secretary of the Interior on matters relating to the management and development of Acadia National

Park including but limited to the acquisition of lands and interests in lands (including conservation easements on islands), and termination of rights of use and occupancy. The Commission will terminate September 25, 2026.

Boston Harbor Islands National Recreation Area Advisory Council

Established pursuant to Public Law 104-333, November 12, 1996, the Council represents various groups with interests in the Boston Harbor Islands National Recreation Area and makes recommendations to the Boston Harbor Islands Partnership on issues related to the development and implementation of the integrated resources management plan for the Boston Harbor Islands National Recreation Area. In addition, two members of the Council are appointed by the Secretary of the Interior to the Partnership as voting members and two are appointed as voting alternates. The Council is expected to remain in existence for as long as the Partnership remains in existence, or until terminated by act of Congress.

Cape Cod National Seashore Advisory Commission

Established by Public Law 87-126 (August 7, 1961), as amended by Public Law 105-280, the Commission consults with the Secretary of the Interior, or the Secretary's designee, with respect to matters relating to the development of the Cape Cod National Seashore, and with respect to carrying out the provisions of Section 4 and 5 of the Act establishing the Cape Cod National Seashore. Additionally, the advice of the Commission is sought before the issuance of permits for industrial or commercial use of property within the Seashore, and before the establishment of any public use area for recreational activity within the Seashore, and any proposed action which would create a substantive change in natural conditions or in existing structures within the Seashore. The Commission will terminate September 26, 2008.

Cedar Creek and Belle Grove National Historical Park Advisory Commission

Established by Public Law 107-373, December 19, 2002, the Commission advises the Secretary of the Interior on the preparation and implementation of a general management plan and advises the Secretary with respect to the identification of sites of significance outside the Park boundary deemed necessary to fulfill the purposes of the Act. There is no statutory termination date for the Commission. The Commission is expected to continue beyond the foreseeable future.

Delaware Water Gap National Recreation Citizen Advisory Commission

Established by Public Law 100-573 (October 31, 1998), as amended, the Commission advises the Secretary of the Interior on matters pertaining to the management and operation of the Delaware Water Gap National Recreation Area, as well as on matters affecting the recreation area and its surrounding communities. The Commission terminated October 31, 2008.

Flight 93 Advisory Commission
Established by the "Flight 93 National Memorial Act," Public Law 107-226 to assist with consideration and formulation of plans for a permanent memorial to the passengers and crew of Flight 93, including its nature, design, and construction. The preponderance of its duties are advisory in nature.

Gateway National Recreation Area Fort Hancock 21st Century Advisory Commission
Established by authority of the Secretary of the Interior under Section 3 of Public Law 91-383 (16 U.S.C. 1a-2(c)), the purpose of the Committee is to advise the Secretary of the Interior, through the Director of the National Park Service, on the development of a reuse plan and matters relating to future uses of the Fort Hancock Historic District of Gateway National Recreation area.

Gettysburg National Park Advisory Commission
Established by Section 5 of Public Law 101-377, August 17, 1990, the Commission advises the Secretary of the Interior on the coordination of the management of the Gettysburg National Park and Gettysburg Battlefield Historic District with local governmental jurisdictions. The Commission is expected to exist into the foreseeable future.

Paterson Great Falls National Historical Park Advisory Commission
This Commission was established by Title VII, Subtitle A, Section 7001(b) of the Public Law 111-11, Omnibus Public Land Management Act of 2009, March 30, 2009. The purpose of the Commission is to advise the Secretary of the Interior in the development and implementation of the management plan.

Pacific West Region

American Samoa, California, Guam, Hawaii, Idaho, Nevada, Oregon, Washington

Kalaupapa National Historical Park Advisory Commission
Established by Public Law 96-565, December 22, 1980, the Secretary of the Interior consults with and seeks the advice of the Commission with respect to the development and operation of the park including training programs. The Commission advises the Secretary concerning public visitation to the park; and such advice with respect to numbers of visitors shall be binding upon the Secretary if the commission certifies to the Secretary that such advice is based on a referendum, held under the auspices of the Commission, of all patients on the official Kalaupapa Registry. The Commission will terminate December 22, 2025.

Na Hoa Pili O Kaloko-Honokohau "The Friends of Kaloko-Honokohau" National Historical Park Advisory Commission
Established by Public Law 104-333, November 12, 1996, the Commission advises the Director, National Park Service, with respect to the historical, archeological, cultural, and interpretive programs of the park. The

Commission is to afford particular emphasis to the quality of traditional native Hawaiian culture demonstrated in the park. The Commission will terminate December 31, 2018.

National Park of American Samoa Advisory Board
The Board is to advise the Secretary of the Interior regarding the management of the National Park of American Samoa. It is anticipated that the Board will continue beyond the foreseeable future. The Commission is expected to exist into the foreseeable future.

Southeast Region

Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, U.S. Virgin Islands

Big Cypress National Preserve Off Road Vehicle Advisory Committee
Established by authority of the Secretary of the Interior under Section 3 of Public Law 91-383, the purpose of the Committee is to examine issues and make recommendations regarding the management of Off-Road Vehicles in Big Cypress National Preserve.

Jimmy Carter National Historic Site Advisory Commission
Established by Public Law 100-206, the Commission provides advice to the Secretary of the Interior on achieving balanced and accurate interpretation of the Jimmy Carter National Historic Site. The Commission is expected to exist into the foreseeable future.

Selma to Montgomery National Historical Trail Advisory Council
Established by Public Law 90-543, October 2, 1968, as amended; and Public Law 104-333, November 12, 1996, the Council consults with the Secretary of the Interior on the development of a comprehensive plan and other matters relating to the Selma to Montgomery National Historic Trail, including standards for erection of markers, interpretation and administration of the trail. The Council terminated December 14, 2008.

Wekiva River System Advisory Management Committee
Established by the authority of the Secretary of the Interior under Section 5 of Public Law 106-299, October 13, 2000, the Committee is to assist in the development of the comprehensive management plan for the Wekiva River System and provide advice to the Secretary in carrying out the management responsibilities of the Secretary under the Wild and Scenic Rivers Act. The Committee will continue concurrent with designation of the Wekiva River as a National Wild and Scenic River.

Washington DC Office (WASO)

Cold War Advisory Committee
This Committee was established by Title VII, Subtitle C, Section 7201 of the Public Law 111-11, Omnibus Public Land Management Act of 2009, March 30, 2009. The

purpose of the Committee is to assist the Secretary of the Interior in the preparation of a national historic landmark theme study to identify sites and resources significant to the Cold War.

National Park Service Concessions Management Advisory Board

Established by Public Law 105-391, November 13, 1998, the Board advises the Secretary of the Interior and the National Park Service on matters relating to management of concessions in the National Park System. The Board will terminate on December 31, 2008.

National Park System Advisory Board

Established by Section 3 of the Act of August 21, 1935 (49 Stat. 667; 16 U.S.C. 463), as amended by Public Law 104-333, November 12, 1996, the Board advises the Director of the National Park Service and the Secretary of the Interior on matters relating to the National Park Service, the National Park System, and programs administered by the National Park Service, including the administration of the Historic Sites, Buildings, and Antiquities Act; the designation of national historic landmarks and national natural landmarks; and the national historic significance of proposed national historic trails. The statutory authority for the Board expired January 1, 2007, thus terminating the Board. Legislative or administrative action will be necessary to re-establish the Board.

NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION REVIEW COMMITTEE

ESTABLISHED BY PUBLIC LAW 101-601, AUGUST 2, 1991, THE COMMITTEE MONITORS AND REVIEWS THE IMPLEMENTATION OF THE INVENTORY AND IDENTIFICATION PROCESSES AND REPATRIATION ACTIVITIES REQUIRED UNDER SECTIONS 5, 6, AND 7 OF THE LAW. THE COMMITTEE IS EXPECTED TO CONTINUE INTO THE FORESEEABLE FUTURE. THE COMMITTEE WILL TERMINATE AT THE END OF THE 120-DAY PERIOD BEGINNING ON THE DAY THE SECRETARY CERTIFIES, IN A REPORT SUBMITTED TO CONGRESS, THAT THE WORK OF THE COMMITTEE HAS BEEN COMPLETED.

PRESERVATION TECHNOLOGY AND TRAINING BOARD

ESTABLISHED BY PUBLIC LAW 102-575, THE BOARD ADVISES THE SECRETARY OF THE INTERIOR REGARDING THE OPERATIONS OF THE NATIONAL CENTER FOR PRESERVATION TECHNOLOGY AND TRAINING, LOCATED AT NORTHWESTERN STATE UNIVERSITY IN NATCHITOCHES, LOUISIANA. THE BOARD (1) PROVIDES LEADERSHIP, POLICY ADVICE, AND PROFESSIONAL OVERSIGHT TO THE CENTER; (2) ADVISES THE SECRETARY ON PRIORITIES AND THE ALLOCATION OF GRANTS AMONG THE ACTIVITIES OF THE CENTER; AND (3) SUBMITS AN ANNUAL REPORT TO THE PRESIDENT AND THE CONGRESS. THE BOARD IS EXPECTED TO REMAIN

IN EXISTENCE FOR AS LONG AS THE CENTER REMAINS IN EXISTENCE, OR UNTIL TERMINATED BY ACT OF CONGRESS.

OPERATING COMMITTEES

for which the NPS has coordinating responsibility

An operating committee is any committee established to perform primarily "operational" as opposed to "advisory" functions. Operational functions are those specifically authorized by statute or Presidential directive, such as making or implementing Government decisions or policy. A committee is designated operational so long as the operational functions it performs constitute the primary mission of the committee. It may perform advisory functions as long as they are subordinate to the operational functions. Operating committees are not, themselves, subject to the provisions of the Federal Advisory Committee Act; however, any advisory committees created by an operating committee would be subject to the Act.

The Secretary of the Interior has assigned to the National Park Service coordinating responsibilities for operating committees that have some connection to the NPS mission. Coordination is often carried out by NPS staff at the park or regional office level. The Office of Policy works closely with the park or region to process nominations for appointment by the Secretary and to prepare a charter under which the committee will function. Some of the operating committees that the NPS is responsible for take the form of commissions that have some degree of planning and management responsibilities for designated National Heritage Areas. Through its National Heritage Areas Program, the National Park Service provides technical assistance as well as financial assistance to National Heritage Areas for a limited number of years following designation. More information about National Heritage Areas can be found at http://www.nps.gov/history/heritageareas/.

The following is a list of current operating committees for which the NPS has coordinating responsibility.

ALASKA REGION

None

INTERMOUNTAIN REGION

Arizona, Colorado, Montana, New Mexico, Oklahoma, Wyoming, Utah, Texas

None

MIDWEST REGION

Arkansas, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin

KEWEENAW NATIONAL HISTORICAL PARK COMMISSION

The Keweenaw National Historical Park Advisory Commission provides leadership, education and financial support for the protection, preservation and interpretation of resources related to the story of copper mining on Michigan's Keweenaw Peninsula. The seven-member Commission was established in 1992 by Section 9 of Public Law 102-543, and as amended in 1999 by Public Law 106-134. There is no statutory termination date for the Commission. **Charter**

NATIONAL CAPITAL REGION

District of Columbia (National Capital Region also administers several National Park System units in Maryland, Virginia and West Virginia)

None

NORTHEAST REGION

Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia

BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR COMMISSION

In 1986, the 19-member Blackstone River Valley National Heritage Corridor Commission was established by Section 3 of Public Law 99-647 to assist Federal, State and local authorities in the development and implementation of an integrated resource management plan for lands and waters in the Blackstone River Corridor in Rhode Island and Massachusetts. In 1999, the heritage area was redesignated as the John H. Chafee Blackstone River Valley National Heritage Corridor. In 2006, Congress enacted Public Law 109-338, to reauthorize the John H. Chafee Blackstone River Valley National Heritage Corridor Commission for an additional five years. It also directed the National Park Service to conduct a special resource study of the region to evaluate the possibility of designating one or more resources within the Corridor as a National Park Service unit. After receiving a one-year extension, the Commission is now set to sunset on October 12, 2012 unless reauthorized. There is also interest in having a non-profit organization manage the heritage area.

BOSTON HARBOR ISLANDS PARTNERSHIP

The 13-member Boston Harbor Islands Partnership was established by subsection 1029(e) of Public Law 104-333, to coordinate the activities of Federal, State, and local authorities and the private sector in the development and implementation of an integrated resource management plan for the recreation area. The Secretary and the Partnership assist the owners and managers of lands and waters within the recreation area to ensure that existing programs, services, and activities that promote the National Recreation Area are supported. There is no statutory termination date for the Partnership. **Charter**

ERIE CANALWAY NATIONAL HERITAGE CORRIDOR COMMISSION

The Erie Canalway National Heritage Corridor Commission and staff, in partnership with the National Park Service, collaborate with communities and organizations to preserve and interpret our heritage, invite visitors to explore what makes it unique, and ensure a vibrant future for the 2.7 million New Yorkers who call the Erie Canalway home. The 27-member Commission was established in 2000 by Public Law 106-554 to work with Federal, State and local authorities to develop and implement a comprehensive preservation and management Canalway Plan. The Commission has been extended until 2015. The Commission has also created

a non-profit arm, the Erie Canalway Heritage Fund, to assist the Commission in fundraising and strategic planning. **Charter**

NIAGARA FALLS NATIONAL HERITAGE AREA COMMISSION

Designated by Congress in 2008, the Niagara Falls National Heritage Area stretches from the western boundary of Wheatfield, New York to the mouth of the Niagara River on Lake Ontario, including the communities of Niagara Falls, Youngstown, and Lewiston. The region is home to natural wonders, rich cultural traditions, and nationally significant historical sites. The 17-member Commission was created in May 2008 by Section 427, Title IV, Subtitle B of Public Law 110-229, the Consolidated Natural Resources Act of 2008. The purpose of the Commission was to assist in the preparation and development of a management plan for the heritage area; the plan was approved on August 23, 2012. The Commission will sunset on May 8, 2013. Discussions on a successor management entity are ongoing. **Charter**

PACIFIC WEST REGION

America Samoa, California, Guam, Hawaii, Idaho, Nevada, Oregon, Washington

None

SOUTHEAST REGION

Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, U.S. Virgin Islands

GULLAH/GEECHEE CULTURAL HERITAGE CORRIDOR COMMISSION

Established in 2006, the Gullah/Geechee Cultural Heritage Corridor preserves and interprets the culture and history of Africans and African-Americans who settled in areas of coastal Florida, Georgia, South Carolina, and North Carolina. The Corridor provides an opportunity to understand and celebrate the unique language, religious beliefs, folklore, rituals, and foods of the Gullah/Geechee people. The 15-member Commission was established by Public Law 109-338, to assist Federal, State, and local authorities in the development and implementation of a management plan providing guidance for conserving the significant cultural, historical, and natural resources of the Heritage Corridor; and to provide educational and interpretive opportunities consistent with the purposes of the Heritage Corridor. The Commission will terminate on October 12, 2016**.** **Charter**

NEW ORLEANS JAZZ COMMISSION

New Orleans Jazz tells the story of the people and places that helped shape the birth and development of jazz music and jazz culture in New Orleans. The 17-member Commission was established in 1994 by Sec. 1207, Title XII of Public Law 103-433, to assist the National Park Service in furthering the purposes of the New Orleans Jazz National Historical Park, and to implement the document entitled, “New Orleans Jazz Special Resource Study.” Since that time, the New Orleans Jazz Commission did have a limited role in implementing the general management plan and parts of the resource study. The Commission is no longer a functioning entity. The park is reviewing options to reinstitute the Commission, and to fulfill the charter. As of August 2012, no determination has been made. There is no statutory termination date for the Commission. **Charter**

WASHINGTON OFFICE (WASO)

None

Updated: September 26, 2012

National Park System Advisory Board



The National Park System Advisory Board was first authorized in 1935 under the Historic Sites, Buildings, and Antiquities Act. The Board advises the Director of the National Park Service and the Secretary of the Interior on matters relating to the National Park Service, the National Park System, and programs administered by the National Park Service, including the administration of the Historic Sites, Buildings, and Antiquities Act; the designation of national historic landmarks and national natural landmarks; and the national historic significance of proposed national historic trails. The Board may advise on matters submitted to the Board by the Director, as well as any other issues identified by the Board.

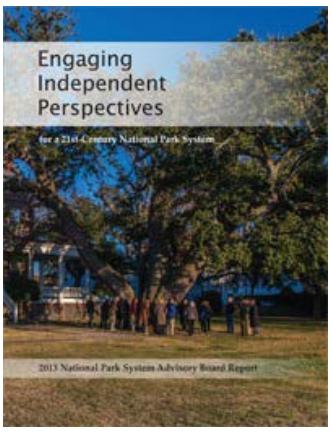
The Board's membership consists of no more than 12 individuals selected from among citizens of the United States having a demonstrated commitment to the mission of the National Park Service, and representing various geographic regions, including each of the administrative regions of the National Park Service.

Learn more about individual board members >>

View meeting minutes and other meeting-related info >>

View a copy of the National Park System Advisory Board charter >>

Engaging Independent Perspectives for a 21st-Century National Park System



2013 National Park System Advisory Board Report

In 2010 the National Park System Advisory Board accepted a charge from the NPS Director to develop ways to strengthen National Park Service work as it prepares for a second century of service. Since that time, much has been accomplished. Review the Board's progress summarized in its report.

Read more about the report >>

Management Policies 2006



Management of National Park Service Programs

This volume of *Management Policies* focuses exclusively on management of the national park system. Beyond managing the national park system, the National Park Service administers a broad range of programs that serve the conservation and recreation needs of the nation and the world. Examples include the following:

- National Register of Historic Places
- National Historic Landmarks Program
- National Natural Landmarks Program
- Land and Water Conservation Fund Grants Program
- Historic American Buildings Survey
- Historic American Engineering Record
- Historic American Landscapes Survey
- American Battlefield Protection Program
- National Maritime Heritage Grants Program
- Rivers, Trails and Conservation Assistance Program
- Tribal Heritage Preservation Grants Program
- Preserve America Grants Program
- National Heritage Areas Program

Although these programs operate mainly outside the national parks, they form a vital part of the National Park Service mission. Information about the policies and procedures that govern these programs may be obtained from the appropriate NPS program managers (who are generally located in Washington, D.C.), or by visiting the NPS web site at ***www.nps.gov***.

U.S. Department of the Interior

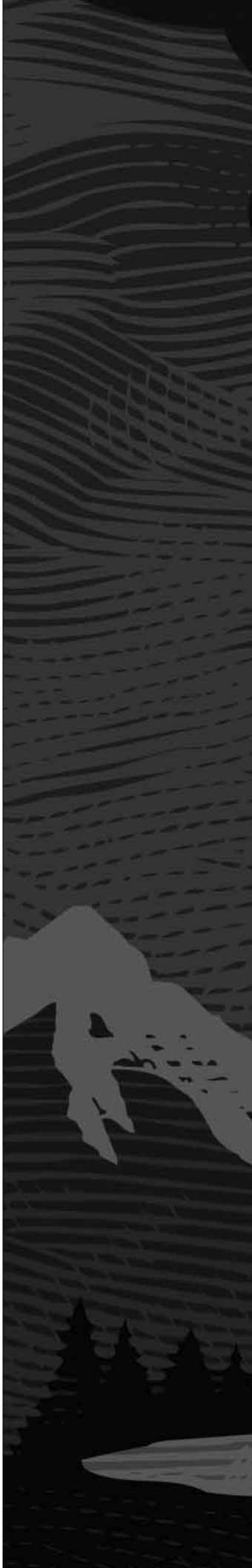
The Department of the Interior protects and manages the nation's natural resources and cultural heritage; provides scientific and other information about those resources; and honors its special responsibilities to American Indians, Alaska Natives, and affiliated Island Communities.

National Park Service

The National Park Service preserves unimpaired the natural and cultural resources and values of the national park system for the enjoyment, education, and inspiration of this and future generations. The National Park Service cooperates with partners to extend the benefits of natural and cultural resource conservation and outdoor recreation throughout this country and the world.

Management Policies 2006





U.S. Department of the Interior | National Park Service

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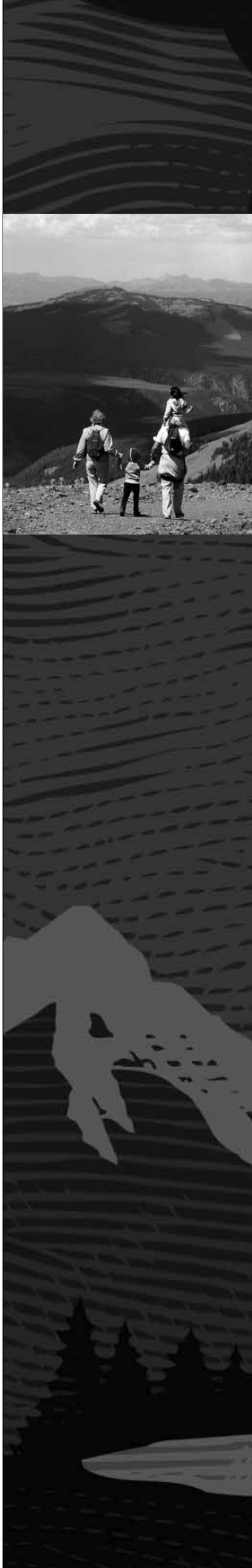
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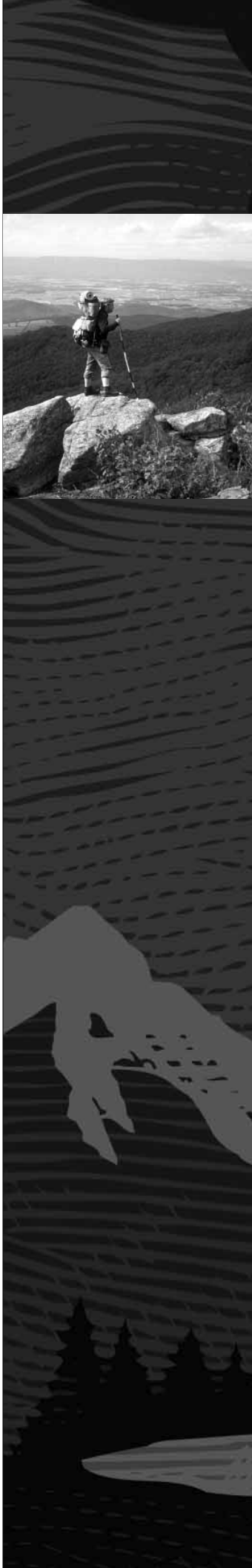
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Management Policies

The Guide to Managing the National Park System

The national park system was created to conserve unimpaired many of the world's most magnificent landscapes, places that enshrine our nation's enduring principles, and places that remind us of the tremendous sacrifices Americans have made on behalf of those principles. They are the most remarkable collection of places in America for recreation and learning. Visitors can immerse themselves in places where events actually happened and enjoy some of the most significant natural and historic places in America. These are places that offer renewal for the body, the spirit and the mind. As required by the 1916 Organic Act, these special places must be managed in a special way—a way that allows them to be enjoyed not just by those who are here today, but also by generations that follow. Enjoyment by present and future generations can be assured only if these special places are passed on to them in an unimpaired condition. And that is the challenge that faces all the employees of the National Park Service. It is a challenge eagerly embraced, but employees must have the tools required to perform the job successfully. The policies contained in these pages represent one of the most important tools available. Through their judicious and consistent application, these policies will set a firm foundation for stewardship that will continue to earn the trust and confidence of the American people.





Underlying Principles

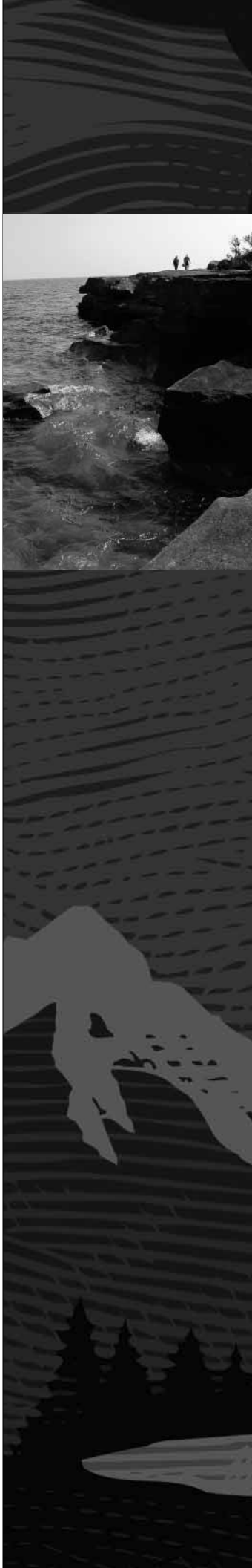
The National Park Service adhered to a number of principles in preparing this 2006 edition of *Management Policies*. The key principles were that the policies must:

- comply with current laws, regulations and executive orders;
- prevent impairment of park resources and values;
- ensure that conservation will be predominant when there is a conflict between the protection of resources and their use;
- maintain NPS responsibility for making decisions and for exercising key authorities;
- emphasize consultation and cooperation with local/state/tribal/federal entities;
- support pursuit of the best contemporary business practices and sustainability;
- encourage consistency across the system —"one national park system";
- reflect NPS goals and a commitment to cooperative conservation and civic engagement;
- employ a tone that leaves no room for misunderstanding the National Park Service's commitment to the public's appropriate use and enjoyment, including education and interpretation, of park resources, while preventing unacceptable impacts;
- pass on to future generations natural, cultural, and physical resources that meet desired conditions better than they do today, along with improved opportunities for enjoyment.

Introduction

Law, Policy, and Other Guidance

This volume is the basic Service-wide policy document of the National Park Service. Adherence to policy is mandatory unless specifically waived or modified by the Secretary, the Assistant Secretary, or the Director.



In carrying out their responsibilities under the 1916 National Park Service[1] Organic Act and other pertinent statutes, all NPS officials and employees must be knowledgeable about the laws, regulations, and policies that pertain to their work. The property clause of the U.S. Constitution, which is the supreme law of the United States, gives Congress the authority to develop laws governing the management of the national park system. The property clause specifically directs that "The Congress will have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States" (article IV, section 3). Once laws are enacted, authority for interpreting and implementing them is delegated to appropriate levels of government. In carrying out this function, the National Park Service, like other federal agencies, develops policy to interpret the ambiguities of the law and to fill in the details left unaddressed by Congress in the statutes.

Hierarchy of Authorities

The management of the national park system and NPS programs is guided by the Constitution, public laws, treaties, proclamations, executive orders, regulations, and directives of the Secretary of the Interior and the Assistant Secretary for Fish and Wildlife and Parks. NPS policy must be consistent with these higher authorities and with appropriate delegations of authority. Many of the public laws and other guidance affecting the various facets of NPS administration and management are cited for reference purposes throughout these *Management Policies*. Other laws, regulations, and policies related to the administration of federal programs, although not cited, may also apply. For example, many, but not all, of the legislative requirements of the Alaska National Interest Lands Conservation Act (ANILCA) are cited at different places throughout these *Management Policies*. The additional legislative requirements of ANILCA, although not cited, must also be considered in the interpretation and application of these policies, as must all other applicable legislative requirements. It is especially important that superintendents and other park staff review their park's enabling legislation to determine whether it contains explicit guidance that would prevail over Service-wide policy.

Policy Development

Policy sets the framework and provides direction for all management decisions. This direction may be general or specific; it may prescribe the process through which decisions are made, how an action is to be accomplished, or the results to be achieved. Policy initiatives may originate as a sudden, urgent response to an unanticipated problem or issue, or through a slow, evolutionary process as the Park Service gains increased experience or insight regarding a problem or issue. Sometimes the initiative does not originate within the Park Service, but rather with persons or organizations outside the Park Service who have a strong interest in how the Service manages the parks. However, NPS policy is usually developed through a concerted workgroup and consensus-building team effort involving extensive field review, consultation with NPS senior managers, and review and comment by affected parties and the general public.

All policy must be articulated in writing and must be approved by an NPS official who has been delegated authority to issue the policy. Policy must be published or otherwise made available to the public—particularly those whom it affects—and those who must implement it in the Washington office, regional offices, and parks. Unwritten or informal "policy," and various understandings of NPS traditional practices, will not be recognized as official policy.

Compliance, Accountability, and Enforceability

Service-wide policy is articulated by the Director of the National Park Service. NPS employees must follow these policies unless specifically waived or modified in writing by the Secretary, the Assistant Secretary, or the Director. Waivers and modifications will be considered on a case-by-case basis, and previous waivers or modifications will not necessarily be regarded as precedents for future waivers or modifications. A request for a waiver or modification of policy must include a written justification and be submitted to the Director through the Office of Policy, which will coordinate with appropriate program offices.

The policies contained within this document are intended only to improve the internal management of the National Park Service; they are not intended to, and do not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person. Park superintendents will be held accountable for their and their staff's, adherence to Service-wide policy.

The Directives System

This volume of NPS *Management Policies* is the basic Service-wide policy document of the National Park Service, superseding the 2001 edition. It is the highest of three levels of guidance documents in the NPS Directives System. The Directives System is designed to provide NPS management and staff with clear and continuously updated information on NPS policy and required and/or recommended actions, as well as any other information that will help them manage parks and programs effectively.

The *Management Policies* will be revised at appropriate intervals to consolidate Service-wide policy decisions, or to respond to new laws and technologies, new understandings of park resources and the factors that affect them, or changes in American society. Interim updates or amendments may be accomplished through director's orders (the second level of the Directives System), which also serve as a vehicle to clarify or supplement the

[1] The terms "National Park Service," "Park Service," "Service," and "NPS" are used interchangeably in this document.

Management Policies to meet the needs of NPS managers. Any previously dated statement of policy not consistent with these *Management Policies*, or with a director's order that updates, amends, or clarifies policy, is to be disregarded.

Under the Directives System, the most detailed and comprehensive guidance on implementing Service-wide policy is found in "level 3" documents, which are usually in the form of handbooks or reference manuals issued by associate directors. These documents provide NPS field employees with compilations of legal references, operating policies, standards, procedures, general information, recommendations, and examples to assist them in carrying out *Management Policies* and director's orders. Level 3 documents may not impose any new Service-wide requirements unless the Director has specifically authorized them to do so, but they may reiterate or compile requirements (for example, laws, regulations, and policies) that have been imposed by higher authorities.

This document is intended to be read in its entirety. While certain chapters or sections provide important guidance by themselves, that guidance must be supplemented by the overriding principles listed below, which provide insight into the reading of this document. In addition there is an interrelationship among the chapters that provides for clarity and continuity for the management of the national park system. Also, the glossary contains important terms that apply throughout the document and should be incorporated into the reading of the document.

Whenever *Management Policies* are revised in the future they should

- comply with current laws, regulations, and executive orders;
- prevent impairment of park resources and values;
- ensure that conservation will be predominant when there is a conflict between the protection of resources and their use;
- maintain NPS responsibility for making decisions and for exercising key authorities;
- emphasize consultation and cooperation with local/state/tribal/federal entities;
- support pursuit of the best contemporary business practices and sustainability;
- encourage consistency across the system — "one national park system";
- reflect NPS goals and a commitment to cooperative conservation and civic engagement;
- employ a tone that leaves no room for misunderstanding the Park Service's commitment to the public's appropriate use and enjoyment, including education and interpretation, of park resources, while preventing unacceptable impacts;
- pass on to future generations natural, cultural and physical resources that meet desired conditions better than they do today, along with improved opportunities for enjoyment.

Other Sources of Guidance

Instructions, guidance, and directives of regional or otherwise-limited application supplementary to and in conformance with Service-wide policies may be issued by regional directors or associate directors within formal delegations of authority. Superintendents may issue, within formal delegations of authority, park-specific instructions, procedures, directives, and other supplementary guidance (such as hours of operation or dates for seasonal openings), provided that the guidance does not conflict with Service-wide policy.

NPS Program Policies

This volume addresses only those policies applicable to management of the national park system. It does not address policies applicable to NPS-administered programs that serve the conservation and recreation needs of the nation, but are not directly related to the national park system. Examples include the National Register of Historic Places; the National Historic Landmarks Program; the National Natural Landmarks Program; the Land and Water Conservation Fund Grants Program; the Historic American Buildings Survey; the Historic American Engineering Record; the Historic American Landscapes Survey; the American Battlefield Protection Program; the National Maritime Heritage Grants Program; the Rivers, Trails and Conservation Assistance Program; the Tribal Heritage Preservation Grants Program; the Preserve America Grants Program; and the National Heritage Areas Program.

1

The Foundation



The idea of a national park was an American invention of historic consequences, marking the beginning of a worldwide movement that has subsequently spread to more than one hundred countries.

Beginning with Yellowstone, the idea of a national park was an American invention of historic consequences. The areas that now make up the national park system, and those that will be added in years to come, are cumulative expressions of a single national heritage. The National Park Service must manage park resources and values in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

1.1 The National Park Idea

The world's first national park—Yellowstone—was created in 1872, at which time Congress set aside more than one million acres as "a public park or pleasuring ground for the benefit and enjoyment of the people." The legislation assigned control of the new park to the Secretary of the Interior, who would be responsible for issuing regulations to provide for the "preservation, from injury or spoliation, of all timber, mineral deposits, natural curiosities, or wonders, within the park, and their retention in their natural condition." Other park management functions were to include the development of visitor accommodations, the construction of roads and bridle trails, the removal of trespassers, and protection "against the wanton destruction of the fish and game found within the park" (16 United States Code 21-22).

This idea of a national park was an American invention of historic consequences, marking the beginning of a worldwide movement that has subsequently spread to more than 100 countries. However, when Yellowstone National Park was created, no concept or plan existed upon which to build a system of such parks. The concept now described as the national park system, which embraces, nationwide, a wide variety of natural and cultural resources, evolved slowly over the years—often through the consolidation of federal land management responsibilities.

As interest grew in preserving the great scenic wonders of the West, efforts were also underway to protect the sites and structures associated with early Native American culture, particularly in the Southwest. The Antiquities Act of 1906 authorized the President "to declare by public proclamation [as national monuments] historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled" by the U.S. government (16 USC 431).

In 1916 Congress created the National Park Service in the Department of the Interior to promote and regulate the use of the federal areas known as national parks, monuments, and reservations (16 USC 1). (As noted in the Introduction, the terms "National Park Service," "Park Service," "Service," and "NPS" are used interchangeably in this document.)

1.2 The National Park System

The number and diversity of parks within the national park system grew as a result of a government reorganization in 1933, another following World War II, and yet another during the 1960s. Today there are nearly 400 units in the national park system. These units are variously designated as national parks, monuments, preserves, lakeshores, seashores, wild and scenic rivers, trails, historic sites, military parks, battlefields, historical parks, recreation areas, memorials, and parkways. Regardless of the many names and official designations of the park units that make up the national park system, all represent some nationally significant aspect of our natural or cultural heritage. They are the physical remnants of our past—great scenic and natural places that continue to evolve, repositories of outstanding recreational opportunities, classrooms of our heritage, and the legacy we leave to future generations—and they warrant the highest standard of protection.

It should be noted that, in accordance with provisions of the Wild and Scenic Rivers Act, any component of the National Wild and Scenic Rivers System that is administered by the Park Service is automatically a part of the national park system. Although there is no analogous provision in the National Trails System Act, several national trails managed by the Service have been included in the national park system. These national rivers and trails that are part of the national park system are subject to the policies contained herein, as well as to any other requirements specified in the Wild and Scenic Rivers Act or the National Trails System Act.

1.3 Criteria for Inclusion

Congress declared in the National Park System General Authorities Act of 1970 that areas comprising the national park system are cumulative expressions of a single national heritage. Potential additions to the national park system should therefore contribute in their own special way to a system that fully represents the broad spectrum of natural and cultural resources that characterize our nation. The National Park Service is responsible for conducting professional studies of potential additions to the national park system when specifically authorized by an act of Congress, and for making recommendations to the Secretary of the Interior, the President, and Congress. Several laws outline criteria for units of the national park system and for additions to the National Wild and Scenic Rivers System and the National Trails System.

To receive a favorable recommendation from the Service, a proposed addition to the national park system must (1) possess nationally significant natural or cultural resources, (2) be a suitable addition to the system, (3) be a feasible addition to the system, and (4) require direct NPS management instead of protection by other public agencies or the private sector. These criteria are designed to ensure that the national park system includes only the most outstanding examples of the nation's natural and cultural resources. These criteria also recognize that there are other management alternatives for preserving the nation's outstanding resources.

1.3.1 National Significance

NPS professionals, in consultation with subject-matter experts, scholars, and scientists, will determine whether a resource is nationally significant. An area will be considered nationally significant if it meets all of the following criteria:

- It is an outstanding example of a particular type of resource.
- It possesses exceptional value or quality in illustrating or interpreting the natural or cultural themes of our nation's heritage.

- It offers superlative opportunities for public enjoyment or for scientific study.
- It retains a high degree of integrity as a true, accurate, and relatively unspoiled example of a resource.

National significance for cultural resources will be evaluated by applying the National Historic Landmarks criteria contained in 36 CFR Part 65 (*Code of Federal Regulations*).

1.3.2 Suitability

An area is considered suitable for addition to the national park system if it represents a natural or cultural resource type that is not already adequately represented in the national park system, or is not comparably represented and protected for public enjoyment by other federal agencies; tribal, state, or local governments; or the private sector.

Adequacy of representation is determined on a case-by-case basis by comparing the potential addition to other comparably managed areas representing the same resource type, while considering differences or similarities in the character, quality, quantity, or combination of resource values. The comparative analysis also addresses rarity of the resources, interpretive and educational potential, and similar resources already protected in the national park system or in other public or private ownership. The comparison results in a determination of whether the proposed new area would expand, enhance, or duplicate resource protection or visitor use opportunities found in other comparably managed areas.

1.3.3 Feasibility

To be feasible as a new unit of the national park system, an area must be (1) of sufficient size and appropriate configuration to ensure sustainable resource protection and visitor enjoyment (taking into account current and potential impacts from sources beyond proposed park boundaries), and (2) capable of efficient administration by the Service at a reasonable cost.

In evaluating feasibility, the Service considers a variety of factors for a study area, such as the following:

- size
- boundary configurations
- current and potential uses of the study area and surrounding lands
- landownership patterns
- public enjoyment potential
- costs associated with acquisition, development, restoration, and operation
- access
- current and potential threats to the resources
- existing degradation of resources
- staffing requirements
- local planning and zoning
- the level of local and general public support (including landowners)
- the economic/socioeconomic impacts of designation as a unit of the national park system

The feasibility evaluation also considers the ability of the National Park Service to undertake new management responsibilities in light of current and projected availability of funding and personnel.

An overall evaluation of feasibility will be made after taking into account all of the above factors. However, evaluations may sometimes identify concerns or conditions, rather than simply reach a yes or no conclusion. For example, some new areas may be feasible additions to the national park system only if landowners are willing to sell, or the boundary encompasses specific areas necessary for visitor access, or state or local governments will provide appropriate assurances that adjacent land uses will remain compatible with the study area's resources and values.

1.3.4 Direct NPS Management

There are many excellent examples of the successful management of important natural and cultural resources by other public agencies, private conservation organizations, and individuals. The National Park Service applauds these accomplishments and actively encourages the expansion of conservation activities by state, local, and private entities and by other federal agencies. Unless direct NPS management of a studied area is identified as the clearly superior alternative, the Service will recommend that one or more of these other entities assume a lead management role, and that the area not receive national park system status.

Studies will evaluate an appropriate range of management alternatives and will identify which alternative or combination of alternatives would, in the professional judgment of the Director, be most effective and efficient in protecting significant resources and providing opportunities for appropriate public enjoyment. Alternatives for NPS management will not be developed for study areas that fail to meet any one of the four criteria for inclusion listed in section 1.3.

In cases where a study area's resources meet criteria for national significance but do not meet other criteria for inclusion in the national park system, the Service may instead recommend an alternative status, such as "affiliated area." To be eligible for affiliated area status, the area's resources must (1) meet the same standards for significance and suitability that apply to units of the national park system; (2) require some special recognition or technical assistance beyond what is available through existing NPS programs; (3) be managed in accordance with the policies and standards that apply to units of the national park system; and (4) be assured of sustained resource protection, as documented in a formal agreement between the Service and the nonfederal management entity. Designation as a "heritage area" is another option that may be recommended. Heritage areas have a nationally important, distinctive assemblage of resources that is best managed for

conservation, recreation, education, and continued use through partnerships among public and private entities at the local or regional level. Either of these two alternatives (and others as well) would recognize an area's importance to the nation without requiring or implying management by the National Park Service.

(See National Significance 1.3.1; Suitability 1.3.2)

1.4 Park Management

1.4.1 The Laws Generally Governing Park Management

The most important statutory directive for the National Park Service is provided by interrelated provisions of the NPS Organic Act of 1916 and the NPS General Authorities Act of 1970, including amendments to the latter law enacted in 1978.

The key management-related provision of the Organic Act is as follows:

> [The National Park Service] shall promote and regulate the use of the Federal areas known as national parks, monuments, and reservations hereinafter specified… by such means and measures as conform to the fundamental purpose of the said parks, monuments, and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wild life 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 of future generations. (16 USC 1)

Congress supplemented and clarified these provisions through enactment of the General Authorities Act in 1970, and again through enactment of a 1978 amendment to that act (the "Redwood amendment," contained in a bill expanding Redwood National Park), which added the last two sentences in the following provision. The key part of that act, as amended, is as follows:

> Congress declares that the national park system, which began with establishment of Yellowstone National Park in 1872, has since grown to include superlative natural, historic, and recreation areas in every major region of the United States, its territories and island possessions; that these areas, though distinct in character, are united through their inter-related purposes and resources into one national park system as cumulative expressions of a single national heritage; that, individually and collectively, these areas derive increased national dignity and recognition of their superlative environmental quality through their inclusion jointly with each other in one national park system preserved and managed for the benefit and inspiration of all the people of the United States; and that it is the purpose of this Act to include all such areas in the System and to clarify the authorities applicable to the system. Congress further reaffirms, declares, and directs that the promotion and regulation of the various areas of the National Park System, as defined in section 1c of this title, shall be consistent with and founded in the purpose established by section 1 of this title [the Organic Act provision quoted above], to the common benefit of all the people of the United States. The authorization of activities shall be construed and the protection, management, and administration of these areas shall be conducted in light of the high public value and integrity of the National Park System and shall not be exercised in derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress. (16 USC 1a-1)

This section 1.4 of *Management Policies* represents the agency's interpretation of these key statutory provisions.

1.4.2 "Impairment" and "Derogation": One Standard

Congress intended the language of the Redwood amendment to the General Authorities Act to reiterate the provisions of the Organic Act, not create a substantively different management standard. The House committee report described the Redwood amendment as a "declaration by Congress" that the promotion and regulation of the national park system is to be consistent with the Organic Act. The Senate committee report stated that under the Redwood amendment, "The Secretary has an absolute duty, which is not to be compromised, to fulfill the mandate of the 1916 Act to take whatever actions and seek whatever relief as will safeguard the units of the national park system." So, although the Organic Act and the General Authorities Act, as amended by the Redwood amendment, use different wording ("unimpaired" and "derogation") to describe what the National Park Service must avoid, they define a single standard for the management of the national park system—not two different standards. For simplicity, *Management Policies* uses "impairment" (or a variation thereof), not both statutory phrases, to refer to that single standard.

1.4.3 The NPS Obligation to Conserve and Provide for Enjoyment of Park Resources and Values

The fundamental purpose of the national park system, established by the Organic Act and reaffirmed by the General Authorities Act, as amended, begins with a mandate to conserve park resources and values. This mandate is independent of the separate prohibition on impairment and applies all the time with respect to all park resources and values, even when there is no risk that any park resources or values may be impaired. NPS managers must always seek ways to avoid, or to minimize to the greatest extent practicable, adverse impacts on park resources and values. However, the laws do give the Service the management discretion to allow impacts to park resources and values when necessary and appropriate to fulfill the purposes of a park, so long as the impact does not constitute impairment of the affected resources and values.

The fundamental purpose of all parks also includes providing for the enjoyment of park resources and values by the people of the United States. The enjoyment that is contemplated by the statute is broad; it is the enjoyment of all the people of the United States and includes enjoyment both by people who visit parks and by those who appreciate

them from afar. It also includes deriving benefit (including scientific knowledge) and inspiration from parks, as well as other forms of enjoyment and inspiration. Congress, recognizing that the enjoyment by future generations of the national parks can be ensured only if the superb quality of park resources and values is left unimpaired, has provided that when there is a conflict between conserving resources and values and providing for enjoyment of them, conservation is to be predominant. This is how courts have consistently interpreted the Organic Act.

1.4.3.1 Park Purposes and Legislatively Authorized Uses

Park purposes are found in the general laws pertaining to the national park system, as well as the enabling legislation or proclamation establishing each unit. In addition to park purposes, in many cases the enabling legislation or proclamation for a park unit may also identify uses that are either mandated or authorized. In the administration of mandated uses, park managers must allow the use; however, they do have the authority to and must manage and regulate the use to ensure, to the extent possible, that impacts on park resources from that use are acceptable. In the administration of authorized uses, park managers have the discretionary authority to allow and manage the use, provided that the use will not cause impairment or unacceptable impacts. In determining whether or how to allow the use, park managers must consider the congressional or presidential interest, as expressed in the enabling legislation or proclamation, that the use or uses continue. Where there is strong public interest in a particular use, opportunities for civic engagement and cooperative conservation should be factored into the decision-making process.

(See Unacceptable Impacts 1.4.7.1; Civic Engagement 1.7; Major Elements of NPS Park Planning and Decision-making 2.2; General 8.1)

1.4.4 The Prohibition on Impairment of Park Resources and Values

While Congress has given the Service the management discretion to allow impacts within parks, that discretion is limited by the statutory requirement (generally enforceable by the federal courts) that the Park Service must leave park resources and values unimpaired unless a particular law directly and specifically provides otherwise. This, the cornerstone of the Organic Act, establishes the primary responsibility of the National Park Service. It ensures that park resources and values will continue to exist in a condition that will allow the American people to have present and future opportunities for enjoyment of them.

The impairment of park resources and values may not be allowed by the Service unless directly and specifically provided for by legislation or by the proclamation establishing the park. The relevant legislation or proclamation must provide explicitly (not by implication or inference) for the activity, in terms that keep the Service from having the authority to manage the activity so as to avoid the impairment.

1.4.5 What Constitutes Impairment of Park Resources and Values

The impairment that is prohibited by the Organic Act and the General Authorities Act is an impact that, in the professional judgment of the responsible NPS manager, would harm the integrity of park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources or values. Whether an impact meets this definition depends on the particular resources and values that would be affected; the severity, duration, and timing of the impact; the direct and indirect effects of the impact; and the cumulative effects of the impact in question and other impacts.

An impact to any park resource or value may, but does not necessarily, constitute an impairment. An impact would be more likely to constitute impairment to the extent that it affects a resource or value whose conservation is

- necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park, or
- key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park, or
- identified in the park's general management plan or other relevant NPS planning documents as being of significance.

An impact would be less likely to constitute an impairment if it is an unavoidable result of an action necessary to preserve or restore the integrity of park resources or values and it cannot be further mitigated.

An impact that may, but would not necessarily, lead to impairment may result from visitor activities; NPS administrative activities; or activities undertaken by concessioners, contractors, and others operating in the park. Impairment may also result from sources or activities outside the park. This will be addressed consistent with sections 1.6 and 1.7 on Cooperative Conservation and Civic Engagement.

(See Unacceptable Impacts 1.4.7.1)

1.4.6 What Constitutes Park Resources and Values

The "park resources and values" that are subject to the no-impairment standard include

- the park's scenery, natural and historic objects, and wildlife, and the processes and conditions that sustain them, including, to the extent present in the park: the ecological, biological, and physical processes that created the park and continue to act upon it; scenic features; natural visibility, both in daytime and at night; natural landscapes; natural soundscapes and smells; water and air resources; soils; geological resources; paleontological resources; archeological resources; cultural landscapes; ethnographic resources; historic and prehistoric sites, structures, and objects; museum collections; and native plants and animals;
- appropriate opportunities to experience enjoyment of the above resources, to the extent that can be done without impairing them;

- the park's role in contributing to the national dignity, the high public value and integrity, and the superlative environmental quality of the national park system, and the benefit and inspiration provided to the American people by the national park system; and
- any additional attributes encompassed by the specific values and purposes for which the park was established.

(See introduction to chapter 4)

1.4.7 Decision-making Requirements to Identify and Avoid Impairments

Before approving a proposed action that could lead to an impairment of park resources and values, an NPS decision-maker must consider the impacts of the proposed action and determine, in writing, that the activity will not lead to an impairment of park resources and values. If there would be an impairment, the action must not be approved.

In making a determination of whether there would be an impairment, an NPS decision-maker must use his or her professional judgment. This means that the decision-maker must consider any environmental assessments or environmental impact statements required by the National Environmental Policy Act of 1969 (NEPA); consultations required under section 106 of the National Historic Preservation Act (NHPA), relevant scientific and scholarly studies; advice or insights offered by subject matter experts and others who have relevant knowledge or experience; and the results of civic engagement and public involvement activities relating to the decision. The same application of professional judgment applies when reaching conclusions about "unacceptable impacts."

When an NPS decision-maker becomes aware that an ongoing activity might have led or might be leading to an impairment of park resources or values, he or she must investigate and determine if there is or will be an impairment. This investigation and determination may be made independent of, or as part of, a park planning process undertaken for other purposes. If it is determined that there is, or will be, an impairment, the decision-maker must take appropriate action, to the extent possible within the Service's authorities and available resources, to eliminate the impairment. The action must eliminate the impairment as soon as reasonably possible, taking into consideration the nature, duration, magnitude, and other characteristics of the impacts on park resources and values, as well as the requirements of the National Environmental Policy Act, National Historic Preservation Act, the Administrative Procedure Act, and other applicable laws.

(See Levels of Park Planning 2.3; Evaluating Impacts on Natural Resources 4.1.3; Planning 5.2; General 8.1; Visitor Use 8.2; General 9.1; Glossary definition of Professional Judgment. Also see Director's Order #12: Conservation Planning, Environmental Impact Analysis, and Decision-making)

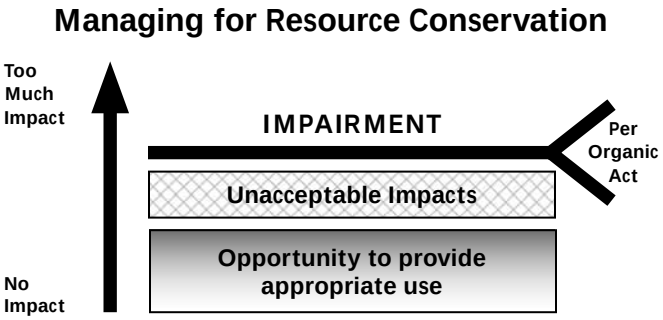
1.4.7.1 Unacceptable Impacts

The impact threshold at which impairment occurs is not always readily apparent. Therefore, the Service will apply a standard that offers greater assurance that impairment will not occur. The Service will do this by avoiding impacts that it determines to be unacceptable. These are impacts that fall short of impairment, but are still not acceptable within a particular park's environment. Park managers must not allow uses that would cause unacceptable impacts; they must evaluate existing or proposed uses and determine whether the associated impacts on park resources and values are acceptable.

Virtually every form of human activity that takes place within a park has some degree of effect on park resources or values, but that does not mean the impact is unacceptable or that a particular use must be disallowed. Therefore, for the purposes of these policies, unacceptable impacts are impacts that, individually or cumulatively, would

- be inconsistent with a park's purposes or values, or
- impede the attainment of a park's desired future conditions for natural and cultural resources as identified through the park's planning process, or
- create an unsafe or unhealthful environment for visitors or employees, or
- diminish opportunities for current or future generations to enjoy, learn about, or be inspired by park resources or values, or
- unreasonably interfere with
  - park programs or activities, or
  - an appropriate use, or
  - the atmosphere of peace and tranquility, or the natural soundscape maintained in wilderness and natural, historic, or commemorative locations within the park.
  - NPS concessioner or contractor operations or services.

The following graphic illustrates the relationship between appropriate use, unacceptable impacts and impairment.



(See Appropriate Use of the Parks 1.5; General 8.1)

1.4.7.2 Improving Resource Conditions within the Parks

The Service will also strive to ensure that park resources and values are passed on to future generations in a condition that is as good as, or better than, the conditions that exist today. In particular, the Service will strive to restore the integrity of park resources that have been damaged or

compromised in the past. Restoration activities will be guided by the natural and cultural resource-specific policies identified in chapters 4 and 5 of these *Management Policies*.

(See Planning for Natural Resource Management 4.1.1; Restoration of Natural Systems 4.1.5; Compensation for Injuries to Natural Resources 4.1.6; Restoration of Native Plant and Animal Species 4.4.2.2; Restoration (of Cultural Landscapes) 5.3.5.2.3; Restoration (of Historic and Prehistoric Structures) 5.3.5.4.3; Restoration (of Museum Collections) 5.3.5.5.2. Also see Director's Order #12 and Handbook.)

1.5 Appropriate Use of the Parks

The National Park Service embraces appropriate use of the parks because these uses are key to the enjoyment of the parks and the appreciation and inspiration derived from the resources. Park resources have profound effects on those who experience them through appropriate park uses. An "appropriate use" is a use that is suitable, proper, or fitting for a particular park, or to a particular location within a park. Not all uses are appropriate or allowable in units of the national park system, and what is appropriate may vary from one park to another and from one location to another within a park.

In its role as steward of park resources, the National Park Service must ensure that park uses that are allowed would not cause impairment of, or unacceptable impacts on, park resources and values. When proposed park uses and the protection of park resources and values come into conflict, the protection of resources and values must be predominant. A new form of park use may be allowed within a park only after a determination has been made in the professional judgment of the superintendent that it will not result in unacceptable impacts. The National Park Service will always consider allowing activities that are appropriate to the parks, although conditions may preclude certain activities or require that limitations be placed on them. Park superintendents must continually monitor all park uses to prevent unanticipated and unacceptable impacts. If unanticipated and unacceptable impacts emerge, the superintendent must engage in a thoughtful, deliberate process to further manage or constrain the use, or discontinue it.

Appropriate visitor enjoyment is often associated with the inspirational qualities of the parks. As a general matter, preferred forms of enjoyment are those that are uniquely suited to the superlative natural and cultural resources found in the parks and that (1) foster an understanding of and appreciation for park resources and values, or (2) promote enjoyment through a direct association with, interaction with, or relation to park resources.

These preferred forms of use contribute to the personal growth and well-being of visitors by taking advantage of the inherent educational value of parks. Equally important, many appropriate uses also contribute to the health and personal fitness of park visitors. These are the types of uses that the Service will actively promote, in accordance with the Organic Act. Other forms of park uses may be allowed within a park in accordance with the policies found in chapter 8.

(See Park Purposes and Legislatively Authorized Uses 1.4.3.1; Chapter 2, Park System Planning; Process for Determining New Appropriate Uses 8.1.2. Also see Director's Order #17: National Park Service Tourism; 36 CFR 1.5)

1.6 Cooperative Conservation Beyond Park Boundaries

Cooperative conservation beyond park boundaries is necessary as the National Park Service strives to fulfill its mandate to preserve the natural and cultural resources of parks unimpaired for future generations. Ecological processes cross park boundaries, and park boundaries may not incorporate all of the natural resources, cultural sites, and scenic vistas that relate to park resources or the quality of the visitor experience. Therefore, activities proposed for adjacent lands may significantly affect park programs, resources, and values. Conversely, NPS activities may have impacts outside park boundaries. Recognizing that parks are integral parts of larger regional environments, and to support its primary concern of protecting park resources and values, the Service will work cooperatively with others to

- anticipate, avoid, and resolve potential conflicts;
- protect park resources and values;
- provide for visitor enjoyment; and
- address mutual interests in the quality of life of community residents, including matters such as compatible economic development and resource and environmental protection.

Such local and regional cooperation may involve other federal agencies; tribal, state, and local governments; neighboring landowners; nongovernmental and private sector organizations; and all other concerned parties. The Service will do these things because cooperative conservation activities are a vital element in establishing relationships that will benefit the parks and in fostering decisions that are sustainable.

The Service will use all available tools to protect park resources and values from unacceptable impacts. The Service will also seek to advance opportunities for conservation partnerships. Superintendents will monitor land use proposals, changes to adjacent lands, and external activities for their potential impacts on park resources and values. It is appropriate for superintendents to engage constructively with the broader community in the same way that any good neighbor would. Superintendents will encourage compatible adjacent land uses and seek to avoid and mitigate potential adverse impacts on park resources and values by actively participating in the planning and regulatory processes of other federal agencies and tribal, state, and local governments having jurisdiction over property affecting, or affected by, the park. If a decision is

made or is imminent that will result in unacceptable impacts on park resources, superintendents must take appropriate action, to the extent possible within the Service's authorities and available resources, to manage or constrain the use to minimize impacts. When engaged in these activities, superintendents should fully apply the principles of civic engagement to promote better understanding and communication by (1) documenting the park's concerns and sharing them with all who are interested, and (2) listening to the concerns of those who are affected by the park's actions.

The Service will also cooperate with federal, state, local, and tribal governments, as well as individuals and organizations, to advance the goal of creating seamless networks of parks. These partnership activities are intended to establish corridors that link together, both physically and with a common sense of purpose, open spaces such as those found in parks, other protected areas, and compatibly managed private lands. The Service's goals in participating in a park network will be to increase protection and enhancement of biodiversity and to create a greater array of educational and appropriate recreational opportunities. When participating in a park network, the Service will not relinquish any of its authority to manage areas under its jurisdiction, nor will it expect other partners to relinquish theirs.

(See Civic Engagement 1.7; Cooperative Planning 2.3.1.8; Cooperative Conservation 3.4; Chapter 4, Natural Resource Management. Also see Director's Order #17: National Park Service Tourism; Director's Order #75A: Civic Engagement and Public Involvement)

1.7 Civic Engagement

The Service will embrace civic engagement as a fundamental discipline and practice. The Service's commitment to civic engagement is founded on the central principle that preservation of the nation's heritage resources relies on continued collaborative relationships between the Service and American society. Civic engagement will be viewed as a commitment to building and sustaining relationships with neighbors and other communities of interest—both near and far. This will require that the Service communicate by both talking and listening. Through its practice of civic engagement, the Service will actively encourage a two-way, continuous, and dynamic conversation with the public.

Civic engagement will take place on many levels to strengthen understanding of the full meaning and contemporary relevance of park resources and values. The goal of civic engagement will be to reinforce the Service's and the public's commitment to the preservation and stewardship of cultural and natural heritage resources.

The Service will welcome people to enjoy their parks in appropriate, sustainable ways. This practice will promote civic responsibility by building long-term, collaborative relationships with a broad range of communities, which in turn will foster a widespread investment in stewardship of the nation's resources. Park and program managers will seek opportunities to work in partnership with all interested parties to jointly sponsor, develop, and promote public involvement activities and thereby improve mutual understanding, decisions, and work products. Through these efforts the Service will also learn from the communities it serves, including gateway communities.

A better understanding of the changing demographics of our nation is critical to the future of the National Park Service. The Park Service must actively seek to understand the values and connections our changing population has or does not have for natural and cultural heritage if it is to remain responsive and relevant to public needs and desires. This includes understanding why people do or do not visit—or care—about national parks. It is vital that the Service help those who do not visit to understand and support their national park system.

(See Relationship with American Indian Tribes 1.11. Also see Director's Order #75A: Civic Engagement and Public Involvement)

1.8 Environmental Leadership

Given the scope of its responsibility for the resources and values entrusted to its care, the Service has an obligation to demonstrate and work with others to promote leadership in environmental stewardship. The Park Service must set an example not only for visitors, other governmental agencies, the private sector, and the public at large, but also for a worldwide audience. Touching so many lives, the Service's management of the parks presents a unique opportunity to awaken the potential of each individual to play a proactive role in protecting the environment.

Environmental leadership will be demonstrated in all aspects of NPS activities, including policy development; park planning; all aspects of park operations; land protection; natural and cultural resource management; wilderness management; interpretation and education; facilities design, construction, and management; and commercial visitor services. In demonstrating environmental leadership, the Service will (1) fully comply with the letter and the spirit of the National Environmental Policy Act and the National Historic Preservation Act, and (2) continually assess the impact its operations have on natural and cultural resources so that it may identify areas for improvement. The Service will institute a Service-wide environmental auditing program that will evaluate a broad array of NPS activities to ensure that they meet the highest standards for environmental protection and compliance. The program will also screen for opportunities to implement sustainable practices and tangibly demonstrate the highest levels of environmental ethic.

(See Facility Planning and Design 9.1.1)

1.9 Management Excellence

Successful and sustained accomplishment of the Service's mission requires sound professional judgment and attentive employment of the most effective and efficient business

principles and practices. Opportunities to protect resources and provide opportunities for public enjoyment will be severely limited unless park managers can demonstrate their responsibility to and accountability for concepts ranging from competent management of information technology and finances to the successful management and development of human resources.

(See Introduction—Compliance, Accountability and Enforceability)

1.9.1 Human Resources

The Service will pursue a human resources program that is comprehensive, that is based on competency, and that encompasses the entire workforce, including employees, volunteers, contractors, concession employees, interns, and partners.

1.9.1.1 Career Development, Training, and Management

Employee development helps organizations achieve greater success. The goals of the Park Service's employee development activities are to help employees strengthen their skills, knowledge, and experiences, as well as to promote broader employee engagement in the NPS mission. Employee development planning and strategies will be directly linked to core competencies and ensure the highest return on investment for the organization. Employees will also have opportunities to broaden their experiences and to progress in their careers through continuing education, undergraduate and graduate level courses, seminars, training, teaching, attendance at professional workshops and conferences, and other programs sponsored by scholarly institutions. In accordance with section 102 of the National Parks Omnibus Management Act of 1998 (16 USC 5912), the Park Service will implement a comprehensive training program for employees in all professional careers and a goal of ensuring that the workforce has the best, up-to-date knowledge, skills, and abilities with which to manage, interpret, and protect the resources of the national park system.

1.9.1.2 Succession Planning

The Service will develop the capacity to supply future leadership through a strategic and conscious effort to develop a diverse workforce with the potential to take on leadership positions. This process will include a collaborative effort among all possible interests (including pre-employment/educational institutions) to prepare employees to meet the needs for leadership talent over time. The Service will cultivate talent for the short term and the long term to ensure the availability of a sufficient number of people who reflect the diversity of America.

In accordance with section 103 of the National Parks Omnibus Management Act of 1998 (16 USC 5913), the Service will implement a management training and development plan whereby career, professional NPS employees from any appropriate academic field may obtain sufficient training, experience, and advancement opportunity to enable those qualified to move into park management positions, including the position of park superintendent. Similar efforts will be made for central office positions.

1.9.1.3 Workforce Planning

The Service will implement a process to

- evaluate the workforce;
- identify the competencies needed by the workforce in each of the career fields;
- evaluate present and future trends;
- develop strategies to address competency gaps;
- benchmark best practices; and
- develop a plan that will allow the Service to meet mission and strategic goals.

In concert with employee development and succession planning, workforce planning will ensure that all elements of the workforce are provided the orientation and training necessary to support the NPS mission.

1.9.1.4 Employee Safety and Health

The safety and health of employees, contractors, volunteers, and the public are core Service values. In making decisions on matters concerning employee safety and health, NPS managers must exercise good judgment and discretion and, above all, keep in mind that the safeguarding of human life must not be compromised. The Service must ensure that all employees are trained and informed on how to do their jobs safely, and that they have the necessary clothing, materials, and equipment to perform their duties with minimal personal risk.

(See Visitor Safety and Emergency Response 8.2.5)

1.9.1.5 Workforce Diversity

The Park Service will continue to seek ways to achieve its workforce diversity goals and to recognize workforce diversity as a sound business practice. Success in achieving workforce diversity will also enhance the Service's ability to more successfully connect with park visitors who represent America's diverse population. Continuing efforts will be made to increase public awareness of employment opportunities and to develop partnerships with diverse populations and organizations for the purpose of improving workforce diversity.

1.9.1.6 Volunteers in the Parks

Increasingly, American citizens who are not employed by the Service make important contributions by supplementing the efforts of the NPS workforce. The Service welcomes their efforts and will continue to use its authority under the Volunteers in the Parks Act of 1969 to

- protect park resources and values;
- improve its service to the public;
- foster stronger ties with the pubic; and
- provide opportunities for the public to learn about and experience the parks.

Pursuant to this statute, volunteers may be recruited without regard to civil service regulations; are covered for tort liability and work-injury compensation; and may be reimbursed for out-of-pocket expenses while participating in the program. However, volunteers cannot be used for law enforcement work or in policymaking processes, or to displace NPS employees. Volunteers may perform hazardous duties only if they possess the necessary skills to perform the duties assigned to them. Volunteers will be accepted without regard to race, creed, religion, age, sex, color, national origin, disability, or sexual orientation. NPS housing may be used for volunteers.

(See Volunteers in Parks 7.6.1. Also see Director's Order #7: Volunteers in Parks, and associated Reference Manual 7)

1.9.2 Managing Information

The future of individual parks and of the Service as an accountable organization depends heavily on (1) the availability, management, and dissemination of comprehensive information, and (2) the Service's success in the long-term preservation of, management of, and access to that information. NPS information resources exist in a variety of different media, including paper records, electronic documents, maps, databases, photographs, videos, and audio recordings. The Service will implement professional quality programs to preserve, manage, and integrate these resources and make them accessible. The Service will also use tools and technologies that will enhance

- information capture in permanent and durable forms;
- information management that is required by NPS policy and by legal and professional standards, including information security;
- management of electronic, textual, and audiovisual information resources, including still images, for continuous accessibility by NPS staff and the public;
- Internet and World Wide Web capabilities, while maintaining information security;
- geographic information systems (GIS);
- the understanding and management of the nation's natural and cultural resources; and
- the accessibility and availability of information to persons with disabilities.

1.9.2.1 Information Sharing

The Service is committed to the widest possible availability and sharing of knowledge and to fostering discussion about the national park system, America's natural and cultural heritage that is found in national parks, and the national experiences and values they represent. Most information shared with the public is presumed to be in the public domain, and therefore available to anyone who is interested. The only exceptions to information sharing are where disclosure could jeopardize specific park resources or donor agreements or violate legal or confidentiality requirements.

1.9.2.2 Proprietary Information

When producing or acquiring new works (such as images, graphic designs, logos, writing, Web sites, or other proprietary information) through acquisition by donation, contracting, partnerships, or other means, the Service will acquire the appropriate copyrights and any necessary releases whenever there is a current or anticipated need for unrestricted access to those works. The Service will respect the rights of owners of copyrights to control how their works are used and comply with fair use standards when information or works are not licensed for dissemination.

(Also see Director's Order #67: Copyright and Trademarks)

1.9.2.3 Information Confidentiality

Although it is the general NPS policy to share information widely, the Service also realizes that providing information about the location of park resources may sometimes place those resources at risk of harm, theft, or destruction. This can occur, for example, with regard to caves, archeological sites, tribal information, and rare plant and animal species. Some types of personnel, financial, and law enforcement matters are other examples of information that may be inappropriate for release to the public. Therefore, information will be withheld when the Service foresees that disclosure would be harmful to an interest protected by an exemption under the Freedom of Information Act (FOIA).

Information will also be withheld when the Park Service has entered into a written agreement (e.g., deed of gift, interview release, or similar written contract) to withhold data for a fixed period of time at the time of acquisition of the information. Such information will not be provided unless required by the Freedom of Information Act or other applicable law, a subpoena, a court order, or a federal audit.

NPS managers will use these exemptions sparingly, and only to the extent allowed by law. In general, if information is withheld from one requesting party, it must be withheld from anyone else who requests it, and if information is provided to one requesting party, it must be provided to anyone else who requests it. Procedures contained in Director's Order #66: FOIA and Protected Resource Information will be followed to document any decisions to release information or to withhold information from the public. Director's Order #66 also provides more detailed information regarding the four specific statutes and an executive order that exempt park resource information from FOIA disclosure.

(See Natural Resource Information 4.1.2; Studies and Collections 4.2; Caves 4.8.2.2; Research 5.1; Confidentiality 5.2.3; Access to Interpretive and Educational Opportunities 7.5.2. Also see Director's Orders #5: Paper and Electronic Communications; #19: Records Management; #84: Library Management; and #11C: Web Publishing. Also see Reference Manual 53, chapter 5)

1.9.3 Accessibility for Persons with Disabilities

All practicable efforts will be made to make NPS facilities, programs, services, employment, and meaningful work opportunities accessible and usable by all people, including those with disabilities. This policy reflects the commitment to provide access to the widest cross section of the public and ensure compliance with the Architectural Barriers Act of 1968, the Rehabilitation Act of 1973, the Equal Employment Opportunity Act of 1972, and the Americans with Disabilities Act of 1990. Specific guidance for implementing these laws is found in the Secretary of the Interior's regulations regarding enforcement of nondiscrimination on the basis of disability in Department of the Interior programs (43 CFR Part 17, Subpart E), and the General Services Administration's regulations adopting accessibility standards for the Architectural Barriers Act (41 CFR Part 102-76, Subpart C).

A primary principle of accessibility is that, to the highest degree practicable, people with disabilities should be able to participate in the same programs, activities, and employment opportunities available to everyone else. In choosing among methods of providing accessibility, higher priority will be given to methods that offer programs and activities in the most integrated setting appropriate. Special, separate, or alternative facilities, programs, or services will be provided only when existing ones cannot reasonably be made accessible. The determination of what is practicable will be made only after careful consultation with persons with disabilities or their representatives. Any decision that would result in less than equal opportunity is subject to the filing of an official disability rights complaint under the departmental regulations cited above.

(See Physical Access for Persons with Disabilities 5.3.2; Accessibility for Persons with Disabilities 8.2.4; Accessibility of Commercial Services 10.2.6.2. Also see Americans with Disabilities Act and Architectural Barriers Act Accessibility Standards)

1.9.4 Public Information and Media Relations

The Park Service will provide timely and accurate information to the public and news media in accordance with applicable laws, departmental policy, and director's orders. Park managers should identify appropriate opportunities to inform and educate the public about park resources and values and ways to enjoy them. Every effort should be made to provide early notification of changes in park management practices and conduct active civic engagement pursuant to Directors Order #75A. Park managers should keep the public informed of ongoing events in parks, especially as they may affect visitors and gateway communities. In some instances, certain information about individuals or events may need to be withheld for privacy, security, or other reasons, consistent with the Freedom of Information Act and the Privacy Act of 1974.

(Also see Director's Order #66: FOIA and Protected Resource Information)

1.9.5 Management Accountability

Managers are responsible for the quality and timeliness of program performance, increasing productivity, controlling costs, mitigating the adverse aspects of agency operations, and ensuring that programs are managed with integrity and in compliance with applicable law. Management accountability systems will be designed and implemented to add value and contribute to the efficiency and effectiveness of NPS programs.

The National Park Service will comply with OMB (Office of Management and Budget) Circular A-123, the Federal Managers' Financial Integrity Act of 1982 (31 USC 3512), and the Government Performance and Results Act of 1993 (31 USC 1115), which require that all federal agencies and individual managers take systematic and proactive measures to (1) develop and implement appropriate, cost-effective management controls for results-oriented management, (2) assess the adequacy of management controls in federal programs and operations, (3) identify needed improvements, (4) take corresponding corrective action, and (5) report annually on management controls.

The concept of management accountability will be applied to all strategies, plans, guidance, and procedures that govern programs and operations throughout the Park Service, including those at the park level, the program center level, and the Service-wide level. The Service will, through its organization, policies, and procedures, implement systems of controls to reasonably ensure that

- programs achieve their intended results;
- resources are used consistently with the NPS mission;
- programs and resources are managed to prevent waste, fraud, abuse, and mismanagement;
- laws and regulations are followed; and
- reliable and timely information is obtained, maintained, reported, and used for decision making.

(See Strategic Planning 2.3.3, and Director's Order #54: Management Accountability)

1.9.5.1 Financial Sustainability

The Park Service will strive to be an effective and efficient steward of appropriated and nonappropriated funds and services. These include revenues from recreation, concessions, and other fees, as well as financial and in-kind support from cooperating associations, friends' groups, other partnership entities, and volunteers. The Park Service will attempt to meet management goals consistently through strategic planning that anticipates budget requirements, changing conditions, and reasonably foreseeable trends and events.

The Service will continually implement best management practices to achieve financial sustainability, including

- analyzing and revising work processes to achieve greater efficiency;

- making full use of information technology;
- anticipating and addressing funding availability through accepted business practices;
- ensuring that the out-year budget implications of decision-making are carefully considered in planning and other processes;
- ensuring that both short- and long-term costs of facility development and operation are factored into the project formulation and selection process;
- using value-based decision-making processes such as value analysis, capital asset planning, benefit-cost analysis, life-cycle cost estimating, risk analysis, and total cost of ownership analysis;
- linking performance management elements to achieving and maintaining financial sustainability;
- embracing preventative maintenance and management that prevents the degradation of park resources and facilities, thereby avoiding costly restoration or rehabilitation efforts; and
- using best financial management practices to ensure transparent information and public accountability consistent with proven financial accounting standards.

The Service will continually seek improvement and innovation in the areas covered by the following subsections.

1.9.5.2 Facilities

The National Park Service will provide visitor and administrative facilities that are necessary, appropriate, and consistent with the conservation of park resources and values. Facilities will be harmonious with park resources, compatible with natural processes, esthetically pleasing, functional, energy- and water-efficient, cost-effective, universally designed, and as welcoming as possible to all segments of the population. Park facilities and operations of all sizes will demonstrate environmental leadership by incorporating sustainable practices to the maximum extent practicable in planning, design, siting, construction, and maintenance.

1.9.5.3 Budget Performance and Accountability Programs

The Park Service will also continue to improve the budget formulation and accounting and financial reporting processes, particularly related to park specifics and assets, including heritage assets, by making them more transparent. The goal of these efforts will be to ensure that

- funds are spent in support of a park's purpose or NPS mission;
- funds are spent in an efficient, transparent, and effective manner;
- a park's request for funding is credible; and
- there are adequate funds and staff to conserve and protect the resources for which parks are responsible and provide for the enjoyment of the same.

1.10 Partnerships

The Service recognizes the benefits of cooperative conservation (in accordance with Executive Order 13352, Facilitation of Cooperative Conservation), as well as the significant role partners play in achieving conservation goals and funding conservation initiatives on behalf of the national park system. The Service has had many successful partnerships with individuals; organizations; tribal, state, and local governments; and other federal agencies that have helped fulfill the NPS mission. Through these partnerships, the Service has received valuable assistance in the form of educational programs, visitor services, living history demonstrations, search-and-rescue operations, fund-raising campaigns, habitat restoration, scientific and scholarly research, ecosystem management, and a host of other activities. These partnerships, both formal and informal, have produced countless benefits for the Service and for the national park system.

Benefits often extend into the future, because many people who participate as partners connect more strongly with the parks and commit themselves to long-term stewardship. The Service will continue to welcome and actively seek partnership activities with individuals, organizations, and others who share the Service's commitment to protecting park resources and values and providing for their enjoyment. The Service will embrace partnership opportunities that will help accomplish the NPS mission provided that personnel and funding requirements do not make it impractical for the Service to participate and that the partnership activity would not (1) violate legal or ethical standards, (2) otherwise reflect adversely on the NPS mission and image, or (3) imply or indicate an unwillingness by the Service to perform an inherently governmental function.

In the spirit of partnership, the Service will also seek opportunities for cooperative management agreements with state or local agencies that will allow for more effective and efficient management of the parks, as authorized by section 802(a) of the National Parks Omnibus Management Act of 1998 (16 USC 1a-2(l)).

Whenever groups are created, controlled, or managed for the purpose of providing advice or recommendations to the Service, the Service will first consult with the Office of the Solicitor to determine whether the Federal Advisory Committee Act requires the chartering of an advisory committee. Consultation with the Office of the Solicitor will not be necessary when the Service meets with individuals, groups, or organizations simply to exchange views and information or to solicit individual advice on proposed actions. This act does not apply to intergovernmental meetings held exclusively between federal officials and elected officers of state, local and tribal governments (or their designated employees with authority to act on their behalf) acting in their official capacities, when (1) the meetings relate to intergovernmental responsibilities or administration, and (2) the purpose of the committee is

solely to exchange views, information, or advice relating to the management or implementation of federal programs established pursuant to statute that explicitly or inherently share intergovernmental responsibilities or administration.

(See Public Involvement 2.3.1.5; Partnerships 4.1.4; Studies and Collections 4.2; Independent Research 5.1.2; Agreements 5.2.2; Interpretive and Educational Partnerships 7.6; Volunteers in Parks 7.6.1; Cooperating Associations 7.6.2; Enforcement Authority 8.3.4; Commercial Visitor Services Chapter 10. Also see Director's Orders #7: Volunteers in Parks;#17: National Park Service Tourism; #20: Agreements, #21: Donations and Fundraising; #27: Challenge Cost-share Program; #32: Cooperating Associations; #75A: Civic Engagement and Public Involvement; NPS Guide to the Federal Advisory Committee Act; Executive Order 13352 (Facilitation of Cooperative Conservation)

1.11 Relationship with American Indian Tribes

The National Park Service has a unique relationship with American Indian tribes, which is founded in law and strengthened by a shared commitment to stewardship of the land and resources. The Service will honor its legal responsibilities to American Indian tribes as required by the Constitution of the United States, treaties, statutes, and court decisions. For the purposes of these policies, "American Indian tribe" means any band, nation, or other organized group or community of Indians, including any Alaska Native Village, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

The formal legal rationale for the relationship between the National Park Service and tribes is augmented by the historical, cultural, and spiritual relationships that American Indian tribes have with park lands and resources. As the ancestral homelands of many American Indian tribes, parks protect resources, sites, and vistas that are highly significant for the tribes. Therefore, the Service will pursue an open, collaborative relationship with American Indian tribes to help tribes maintain their cultural and spiritual practices and enhance the Park Service's understanding of the history and significance of sites and resources in the parks. Within the constraints of legal authority and its duty to protect park resources, the Service will work with tribal governments to provide access to park resources and places that are essential for the continuation of traditional American Indian cultural or religious practices.

1.11.1 Government-to-Government Relationship

In accordance with the Presidential Memorandum of April 29, 1994, and Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments), the Service will maintain a government-to-government relationship with federally recognized tribal governments. This means that NPS officials will work directly with appropriate tribal government officials whenever plans or activities may directly or indirectly affect tribal interests, practices, and/or traditional use areas such as sacred sites.

1.11.2 Consultation

Consultations, whether initiated by a tribe or the Park Service, will be respectful of tribal sovereignty. The Federal Advisory Committee Act does not apply to consultation meetings held exclusively between federal officials and elected officers of tribal governments or their designees.

Tribal needs for privacy and confidentiality of certain kinds of information will be respected. Such information will be deemed confidential when authorized by law, regulation, or policy. Before beginning government-to-government consultations, park managers will consider what information is necessary to record. Culturally sensitive information will be collected and recorded only to the extent necessary to support sound management decisions and only in consultation with tribal representatives.

Mutually acceptable consultation protocols to guide government-to-government relationships will be developed at the park and program levels with assistance from regional and support offices as needed. The protocols will be developed with an understanding of special circumstances present at individual parks. These protocols and the actual consultation itself will be informed by national, regional, and park-based subject matter experts.

NPS managers will be open and candid with tribal governments during consultations so that the affected tribes may fully evaluate the potential impact of the proposal and the Service may fully consider tribal views in its decision-making processes. This means that government-to-government consultation should begin at the earliest possible stages of planning.

(See Consultation 5.2.1; Ethnographic Resources 5.3.5.3. Also see Director's Order #66: FOIA and Protected Resource Information)

1.11.3 Trust Resources

Activities carried out on park lands may sometimes affect tribal trust resources. Trust resources are those natural resources reserved by or for Indian tribes through treaties, statutes, judicial decisions, and executive orders, which are protected by a fiduciary obligation on the part of the United States. In accordance with the government-to-government relationship and mutually established protocols, the Service will interact directly with tribal governments regarding the potential impacts of proposed NPS activities on Indian tribes and trust resources.

In considering a proposed program, project, or action, the Service will ensure that effects on trust resources are explicitly identified and evaluated in consultation with potentially concerned tribes and that they are addressed in planning, decision, and operational documents. With regard to activities that may impact Indian trust resources or tribal health and safety, the Service will consult with the Bureau of Indian Affairs, the Office of the Solicitor, and other offices and agencies, as appropriate.

(Also see Secretarial Order 3206, June 5, 1997)

1.12 Native Hawaiians, Pacific Islanders, and Caribbean Islanders

The National Park Service administers parks in Hawaii, Guam, the Commonwealth of the Northern Mariana Islands, American Samoa, Puerto Rico, and the Virgin Islands. The Service will maintain open, collaborative relationships with native peoples for whom these islands are their ancestral homes. The Service will also meet any responsibilities that may have been defined in the enabling legislation of these island parks and to Native Hawaiians in the administration of the Native American Graves Protection and Repatriation Act and the National Historic Preservation Act.

1.13 An Enduring Message

The need for *Management Policies* in the National Park Service was first articulated by Secretary of the Interior Franklin K. Lane in a letter to the first Director of the National Park Service, Stephen T. Mather, on May 13, 1918.

Secretary Lane stated that administrative policy should adhere to three broad principles based on the 1916 Organic Act:

> First, that the national parks must be maintained in absolutely unimpaired form for the use of future generations as well as those of our own time; second, that they are set apart for the use, observation, health, and pleasure of the people; and third, that the national interest must dictate all decisions affecting public or private enterprise in the parks.

Today's national parks have become important to our nation in more ways than Secretary Lane could possibly have imagined. Parks are a true reflection of our nation's collective history, heritage, and ideals. They can be models of healthy, natural, sustainable ecosystems. To remain relevant now and into the future, parks must be welcoming in order that visitors may understand and appreciate these special places that have been set aside for their enjoyment. As America's story continues to evolve, new park units will be added in the future, and they will carry equally compelling reasons for their inclusion in the national park system.

Secretary Lane's guiding principles remain fundamentally valid, and they serve as a useful reminder of the need for a sustained commitment to park resource protection so that they are left unimpaired for the enjoyment of future generations. The Service's commitment to protecting the national parks and ensuring public enjoyment for present and future generations is embodied in this 2006 edition of *Management Policies*.

2

Park System Planning



Public participation in planning and decision-making will ensure that the Park Service fully understands and considers the public's interests in the parks.

Park planning helps define the set of resource conditions, visitor experiences, and management actions that, taken as a whole, will best achieve the mandate to preserve resources unimpaired for the enjoyment of present and future generations. NPS planning processes will flow from broad-scale general management planning through progressively more specific strategic planning, implementation planning, and annual performance planning and reporting, all of which will be grounded in foundation statements.

2.1.1 Decision-making

The National Park Service will use planning to bring logic, analysis, public involvement, and accountability into the decision-making process. Park planning and decision-making will be conducted as a continuous, dynamic cycle, from broad visions shared with the public to individual, annual work assignments and evaluations. Each park will be able to demonstrate to decision-makers, staff, and the public how decisions relate to one another in terms of a comprehensive, logical, and trackable rationale.

2.1.2 Scientific, Technical, and Scholarly Analysis

Decision-makers and planners will use the best available scientific and technical information and scholarly analysis to identify appropriate management actions for protection and use of park resources. Analysis will be interdisciplinary and tiered. Tiering is a staged approach to environmental analysis that addresses broad programs and issues in initial or systems-level analyses. Site-specific proposals and impacts are analyzed in subsequent studies. The tiered process supports decision-making on issues that are ripe for decision and provides a means to sustain those decisions. The focus of analysis starts with the park as a whole (including its global, national, and regional contexts) and then moves to site-specific details. At key points of planning and decision-making, the Park Service will identify reasonable alternatives and analyze and compare their differences with respect to

- consistency with the park's purpose,
- the quality of visitor experiences,
- the impacts on park resources,
- short- and long-term costs, and
- environmental consequences that may extend beyond park boundaries.

2.1.3 Public Participation

Public participation in planning and decision-making will ensure that the Service fully understands and considers the public's interests in the parks, which are part of the public's national heritage, cultural traditions, and community surroundings. The Service will actively seek out and consult with existing and potential visitors, neighbors, American Indians, other people with traditional cultural ties to park lands, scientists and scholars, concessioners, cooperating associations, gateway communities, other partners, and government agencies. The Service will work cooperatively with others to improve the condition of parks; to enhance public service; and to integrate parks into sustainable ecological, cultural, and socioeconomic systems.

(See Cooperative Conservation Beyond Park Boundaries 1.6; Civic Engagement 1.7; Public Involvement 2.3.1.5; Consultation 5.2.1. Also see Director's Order #75A: Civic Engagement and Public Involvement)

2.1.4 Goal Orientation

Managers will be held accountable for identifying and accomplishing measurable long-term goals and annual goals that are incremental steps to carrying out the park mission. Such planning is a critical and essential part of the NPS performance management system that is designed to improve the Park Service's performance and results. Park staff will monitor resource conditions and visitor experiences and plan, track, and report performance. If goals are not being met, managers will seek to understand why and take appropriate action. The goals will be periodically reassessed, taking into account new knowledge or previously unforeseen circumstances, and then the planning cycle will be reinitiated at the appropriate point.

(See Park Management 1.4)

2.2 Major Elements of Park Planning and Decision-making

A documented, comprehensive, logical, trackable rationale for decisions will be created through several levels of planning that are complementary and become increasingly detailed. The process begins with determining why the park was established and what resource conditions and visitor experiences should exist there; the process will become increasingly focused on how resource conditions and visitor experiences should be achieved.

The following planning elements are part of an interrelated framework that will inform NPS decision-making:

- **Foundation Statement** — The planning process begins with the development of a foundation statement that is based on the park's enabling legislation or presidential proclamation and that documents the park purpose, significance, fundamental resources and values and primary interpretive themes. It also includes any relevant laws and executive orders that apply to the national park system or to the individual park unit. The foundation statement is generally developed (or reviewed and expanded or revised, if appropriate) early as part of the public and agency scoping and data collection for the general management plan (GMP). Once a park has developed a complete foundation statement, it should remain relatively stable from one GMP cycle to the next, although new scientific and scholarly information may require expansion and revision to reflect the most current knowledge about what is most important about the park. General management planning is the most appropriate context for developing or reviewing a foundation statement because of the comprehensive public involvement and NEPA analysis that occurs during general management planning. The foundation statement may be vetted within the agency and with the public, then formally adopted as part of the final general management plan, or may be produced as a stand-alone foundation document for the park unit.
- **General Management Plan** — This is a broad umbrella document that sets the long-term goals for the park based on the foundation statement. The general management plan (1) clearly defines the desired natural

and cultural resource conditions to be achieved and maintained over time; (2) clearly defines the necessary conditions for visitors to understand, enjoy, and appreciate the park's significant resources, and (3) identifies the kinds and levels of management activities, visitor use, and development that are appropriate for maintaining the desired conditions; and (4) identifies indicators and standards for maintaining the desired conditions. For wild and scenic rivers and national trails, the analogous documents are a comprehensive river management plan and comprehensive management plan, respectively. Each of these plans has requirements very similar to a general management plan, so units usually refer to these plans as GMPs. Additional requirements for river and trail studies are covered in the Wild and Scenic Rivers Act and the National Trails System Act.

- **Program Management Plans** — These more detailed documents follow the general management plan and provide program-specific information on strategies to achieve and maintain the desired resource conditions and visitor experiences, including identification of appropriate visitor use where applicable (for example, resource stewardship strategy and comprehensive interpretation plan).
- **Strategic Plans** — These plans provide 1- to 5-year direction and objective, measurable, long-term goals. The long-term goals will define the resource conditions and visitor experiences to be achieved in the near future, for which the superintendent will be held accountable. Results on progress towards these goals will be reported annually. These goals are based on the park's foundation statement; an assessment of the park's natural and cultural resources; park visitors' experiences; and the park's performance capability given available personnel, funding, and external factors.
- **Implementation Plans** — These plans provide project-specific details needed to implement an action in an area of a park and explain how the action(s) helps achieve long-term goals.
- **Annual Performance Plans** —Annual goals and an annual work plan that will guide park efforts for a fiscal year are in annual performance plans.
- **Annual Performance Reports** — These reports contain an accounting of annual results in relation to annual goals.

Park managers and regional directors are responsible for ensuring that planning is properly conducted within this planning framework and making management decisions that are supported by public involvement, the best available information, and analysis. However, many parks may initially lack one or more of these planning elements. In the interim, management will be guided by the park's foundation statement, strategic plan, and other current approved plans. No major new development or other major commitment of park land or natural or cultural resources will be authorized without an approved general management plan.

(See Visitor Use 8.2)

The order of plan development will generally flow from broad general management plans to progressively more specific implementation plans.

When determining a plan's scope, it will be important to distinguish which issues can most appropriately be addressed by general management planning, and which can be most appropriately addressed by more detailed strategic or implementation planning. Each level of planning has a distinct function, and all levels are designed to interrelate with a minimum of duplication and confusion. At each level, plans will be written to make the links and relationships among the planning levels apparent to readers.

Environmental analysis of alternatives and public involvement required under section 102(2)(C) of the National Environmental Policy Act (NEPA) (42 USC 4332(2)(C)) will be conducted at any level of planning in which the decisions to be made constitute a major federal action significantly affecting the quality of the human environment. Normally, NEPA analysis and public participation will be done at the general management planning level, when the overall direction for the park's future is decided, and again at the implementation planning level before funding and resources are committed to carry out specific actions (see 2.3.1 and 2.3.4, below). In keeping with the Council on Environmental Quality guidelines for NEPA compliance, environmental analysis for more specific programs or actions will follow, or flow from, earlier NEPA documents for the broader general management plan.

(See Civic Engagement 1.7. Also see Director's Orders #2: Park Planning, and #12: Conservation Planning, Environmental Impact Analysis, and Decision-making)

2.3.1 General Management Planning

The Park Service will maintain a general management plan for each unit of the national park system. The purpose of each general management plan, which will begin with the development of a foundation statement for the park unit, will be to ensure that the park has a clearly defined direction for resource preservation and visitor use. This basic foundation for decision-making will be developed by an interdisciplinary team, in consultation with relevant NPS offices, other federal and state agencies, local and tribal governments, other interested parties, and the general public. The management plans will be based on full and proper use of scientific and scholarly information related to existing and potential resource conditions, visitor experiences, environmental impacts, and relative costs of alternative courses of action.

The approved plan will create a realistic vision for the future, setting a direction for the park that takes into consideration the environmental and financial impact of proposed facilities and programs and ensures that the final plan is achievable and sustainable. The plan will take the long view, which may project many years into the future, when dealing with the time frames of natural and cultural

processes. The first phase of general management planning will be the development of the foundation statement. The plan will consider the park in its full ecological, scenic, and cultural contexts as a unit of the national park system and as part of a surrounding region. The general management plan will also establish a common management direction for all park divisions and districts. This integration will help avoid inadvertently creating new problems in one area while attempting to solve problems in another.

(See Decision-making Requirements to Identify and Avoid Impairments 1.4.7; Visitor Use 8.2)

2.3.1.1 Statutory Requirements

General management plans will meet all statutory requirements contained in 16 USC 1a-7(b) and will include

- the types of management actions required for the preservation of park resources;
- the types and general intensities of development (including visitor circulation and transportation patterns, systems, and modes) associated with public enjoyment and use of the area, including general locations, timing of implementation, and anticipated costs;
- visitor carrying capacities and implementation commitments for all areas of the park; and
- potential modifications to the external boundaries of the park—if any—and the reasons for the proposed changes.

For NPS-administered components of the National Wild and Scenic Rivers System and the National Trails System, comprehensive management plans will meet all the statutory requirements of 16 USC 1271-1287 or 16 USC 1244.

(See Visitor Carrying Capacity 8.2.1)

2.3.1.2 Management Zoning

Each park's approved general management plan will include a map that delineates management zones or districts that correspond to a description of the desired resource and visitor experience conditions for each area of the park. Management zoning will outline the criteria for (or describe the kind of) appropriate uses and facilities necessary to support these desired conditions. For example, highly sensitive natural areas might tolerate little, if any, visitor use, while other areas might accommodate much higher levels of use. Even in historic structures, one floor might be most appropriate for exhibits, while another could accommodate offices or administrative uses. Some desired conditions may apply parkwide, but the delineation of management zones will illustrate where there are differences in intended resource conditions, visitor experiences, and management activities.

2.3.1.3 Planning Team

Interdisciplinary teams, including park managers and technical experts, will prepare general management plans. Planning teams will work with the park superintendent and regional directors and consult with other park staff, NPS leadership, other agencies with jurisdiction by virtue of law or expertise, other knowledgeable persons, and the public concerning future management of park resources. The superintendent will be involved with all phases of the plan's development. The superintendent and regional director have ultimate responsibility for the contents of the plan, ensuring that there is consistency in direction and decisions between parks with similar resources and values. The regional director is the official responsible for approving general management plans.

2.3.1.4 Science and Scholarship

Decisions documented in general management plans and other planning products, including environmental analyses and documentation, will be based on current scientific and scholarly understanding of park ecosystems and cultural contexts and the socioeconomic environment both internal and external to the park. The collection and analysis of information about park resources will be a continuous process that will help ensure that decisions are consistent with park purposes.

(See Decision-making Requirements to Avoid Impairments 1.4.7; Planning for Natural Resource Management 4.1.1; Planning 5.2)

2.3.1.5 Public Involvement

Members of the public—including existing and potential visitors, park neighbors, American Indians, other people with traditional cultural ties to lands within the park, concessioners, cooperating associations, other partners, scientists and scholars, and other government agencies—will be encouraged to participate during the preparation of a general management plan and the associated environmental analysis. Public involvement strategies, practices, and activities will be developed and conducted within the framework of civic engagement. (Whereas civic engagement is the philosophy of welcoming people into the parks and building relationships around a shared stewardship mission, public involvement—also called public participation—is the specific, active involvement of the public in NPS planning and other decision-making processes.) Public involvement will meet NEPA and other federal requirements for

- identifying the scope of issues,
- developing the range of alternatives considered in planning,
- reviewing the analysis of potential impacts, and
- disclosing the rationale for decisions about the park's future.

The Park Service will use the public involvement process to

- share information about legal and policy mandates, the planning process, issues, and proposed management directions,
- learn about the values placed by other people and groups on the same resources and visitor experiences, and

- build support for implementing the plan among local interests, visitors, Congress, and others at the regional and national levels.

Whenever groups are created, controlled, or managed for the purpose of providing advice or recommendations to the Service, the Service will first consult with the Office of the Solicitor to determine whether the Federal Advisory Committee Act requires the chartering of an advisory committee. Consultation with the Office of the Solicitor will not be necessary when the Service meets with individuals, groups, or organizations simply to exchange views and information, or to solicit individual advice on proposed actions. This act does not apply to intergovernmental meetings held exclusively between federal officials and elected officers of state, local and tribal governments (or their designated employees with authority to act on their behalf) acting in their official capacities, when the meetings relate to intergovernmental responsibilities or administration.

(See Civic Engagement 1.7; Consultation 5.2.1. Also see NPS Guide to the Federal Advisory Committee Act. Also see Director's Order #75A: Civic Engagement and Public Involvement)

2.3.1.6 Alternative Futures

Alternative futures for the park will be explored and assessed during general management planning and environmental analysis. Within the broad parameters of the park mission and mission goals, various approaches to park resource preservation, use, and development may be possible, some of which may represent competing demands for the same resource base. The general management plan will be the principal tool for resolving such issues. The range of alternatives will examine different combinations of management zoning, within the limits of laws, regulations, and policies governing national parks.

2.3.1.7 Environmental Analysis

The analysis of alternatives will meet the program standards for NPS implementation of the National Environmental Policy Act and related legislation, including the National Historic Preservation Act. In most cases, an environmental impact statement (EIS) will be prepared for general management plans. In a few cases, the regional director, in consultation with the NPS Environmental Quality Division, through the Associate Director for Natural Resource Stewardship and Science, may approve an exception to this general rule if

- completion of scoping demonstrates that there is no public controversy concerning potential environmental effects, and
- the initial analysis of alternatives clearly indicates there is no potential for significant impact by any alternative.

Where the National Environmental Policy Act and sections 106 and 110 of the National Historic Preservation Act (16 USC 470f and 470h-2, respectively) both apply, NEPA procedures will be used to inform the public about undertakings having the potential to affect properties listed on, or eligible for listing on, the National Register of Historic Places, consistent with the Advisory Council on Historic Preservation's regulatory provisions governing coordination with the National Environmental Policy Act and the NPS nationwide programmatic agreement on section 106 compliance (36 CFR Part 800). The tiered approach to environmental analysis will be used as often as possible, in accordance with 40 CFR 1502.20.

(See Evaluating Environmental Impacts 4.1.3; Planning 5.2. Also see Director's Order #12: Conservation Planning, Environmental Impact Analysis, and Decision-making)

2.3.1.8 Cooperative Planning

General management planning will be conducted as part of cooperative regional planning and ecosystem planning whenever possible. NPS participation in cooperative regional planning will be undertaken with the hope of better coordinating and focusing the independent efforts of multiple parties. NPS participation in such planning efforts will acknowledge the rights and interests of other landowners. While being consistent with NPS *Management Policies* and park goals, plans will identify and consider potential effects outside and inside park boundaries, and plans will identify ways to enhance beneficial effects and mitigate adverse effects.

2.3.1.9 Wild and Scenic Rivers

Potential national wild and scenic rivers will be considered in planning for the use and development of a park's water and related land resources. The Park Service will compile a complete listing of all rivers and river segments in the national park system that it considers eligible for the National Wild and Scenic Rivers System. General management plans and other plans potentially affecting river resources will propose no actions that could adversely affect the values that qualify a river for the National Wild and Scenic Rivers System. After a determination of eligibility is made, a decision concerning whether or not to seek legislation to designate a river or river segment may be made only through a general management plan, an amendment to a general management plan, or the legislative review process.

2.3.1.10 Wilderness

The Wilderness Act directs agencies responsible for managing wilderness to study wilderness resources and values. The Park Service will develop wilderness studies and plans as part of the comprehensive planning framework for each park. Managers are encouraged to incorporate these studies and plans within general management plans when possible. To preserve Congress's prerogative to designate wilderness, general management plans and other plans potentially affecting eligible wilderness resources will propose no actions that could adversely affect the wilderness characteristics and values that make them eligible for consideration for inclusion in the National Wilderness Preservation System.

Lands and waters found to possess the characteristics and values of wilderness, as defined in the Wilderness Act, can be studied to develop a recommendation to Congress for wilderness designation in a general management plan/wilderness study. Where designated wilderness exists, park mangers have a responsibility to develop and maintain a wilderness management plan or equivalent planning document to guide the preservation, management, and use of these resources. A comprehensive management plan for wilderness is appropriately done in tandem with a general management plan, and wilderness should be taken into consideration in subsequent program management and implementation plans.

When wilderness eligibility and suitability are evaluated as a part of the GMP process, a determination of eligibility or suitability will not necessarily mean that the Service will seek designation. After the determination is made, a decision concerning whether to seek legislation to designate wilderness may be made only through a general management plan, an amendment to a general management plan, or the legislative review process.

(See Wilderness Review Process 6.2)

2.3.1.11 Alaska Park Units

General management plans for park system units in Alaska that were established or expanded by the Alaska National Interest Lands Conservation Act will address the provisions for conservation and management planning specified in section 1301 of that act (16 USC 3191).

2.3.1.12 Periodic Review of General Management Plans

As necessary, general management plans will be reviewed and amended or revised, or a new plan will be prepared, to keep them current. GMP reviews may be needed every 10 to 15 years, but may be needed sooner if conditions change significantly. If conditions remain substantially unchanged, a longer period between reviews would be acceptable. Even in parks with strong traditions and established patterns of use and development, managers will be responsible for assessing whether resources are threatened with impairment, the visitor experience has been degraded, or the park's built environment is difficult to sustain. Periodically reassessing the general management plan will give everyone with a major stake in the park an opportunity to revalidate the park's role in the nation and in the region and reevaluate whether the kinds of resource conditions and visitor experiences being pursued are the best possible mix for the future. An approved management plan may be amended or revised, rather than a new plan prepared, if conditions and management prescriptions governing most of the area covered by the plan remain essentially unchanged from those present when the plan was originally approved. Amendments or revisions to a general management plan will be accompanied by a supplemental environmental impact statement or other suitable NEPA analysis and public involvement.

(See Chapter 1: The Foundation; Chapter 3: Land Protection; Chapter 4: Natural Resource Management; Chapter 5: Cultural Resource Management; Chapter 6: Wilderness Preservation and Management; Chapter 8: Use of the Parks; Chapter 9: Park Facilities; Chapter 10: Commercial Visitor Services. Also see Director's Orders #2: Park Planning; and #12: Conservation Planning, Environmental Impact Analysis, and Decision-making)

2.3.2 Program Management Planning

Program management planning for a park provides a bridge between the broad direction provided in the general management plan and specific actions taken to achieve goals. These plans provide a comprehensive approach for a single park program area across most or all of the park. Program management planning may include special emphasis plans, such as a park resource stewardship strategy, a comprehensive interpretive plan, a land protection plan, a visitor use plan, a fire management plan, an asset management plan, or a management stewardship plan. Integrated, interdisciplinary approaches to program planning are encouraged. Program management plans will provide comprehensive recommendations about specific actions needed to achieve and maintain the desired resource conditions and visitor experiences.

2.3.3 Strategic Planning

The Service is committed to performance management and accountability. Managers are responsible for the quality and timeliness of program performance, increasing productivity, controlling costs, mitigating the adverse aspects of agency operations, and ensuring that programs are managed with integrity and in compliance with applicable laws. Strategic planning will be conducted for the National Park Service as a whole, and every park, program, and central office will be covered by a strategic plan. Strategic plans will address both Service-wide and local outcomes. Park-related strategic plans will be recommended by the superintendent, approved by the regional director, and consistent with the department's overall strategic plan. Strategic plans will contain

- mission statement and purpose from the foundation document
- long-term performance goals (with performance targets)
- a short description of the strategies chosen to accomplish the goals
- a description of how the annual goals will relate to the long-term goals
- a description of the analysis used to establish or revise goals
- a section that identifies the civic engagement strategy used to involve stakeholders and communities in the development of the strategic plan
- an identification of the key external factors that could significantly affect achievement of the goals
- a list of those who developed the plan

Information in park strategic plans is used to compile Service-wide achievements; therefore, these plans must contain similar information.

(See Management Accountability 1.9.5)

2.3.3.1 Relationship between the Strategic Plan and the General Management Plan

The park's strategic plan will be consistent with the Department of the Interior's strategic plan and the park's general management plan, and it will build from the foundation statement. Parks that lack a current general management plan will work from their existing plans or an updated foundation document. A strategic plan will focus on a shorter time frame than a general management plan, target measurable results; and not require the comprehensive resource analysis, consultation, and compliance required for a general management plan.

Should a park decide, through its strategic planning process, that a major shift in direction or emphasis is needed, the strategic plan will identify the need for a new general management plan or a GMP amendment. Strategic plans may also identify the need for more detailed program management or implementation plans.

2.3.4 Implementation Planning

Implementation planning will focus on how to implement activities and projects needed to achieve the desired conditions identified in the general management plan, strategic plan, and program management planning documents. Implementation plans may deal with complex, technical, and sometimes controversial issues that often require a level of detail and thorough analysis beyond that appropriate for other planning documents.

Implementation plans may concentrate on individual projects or components of the general management plan, and they may specify the techniques, disciplines, equipment, infrastructure, schedule, and funding necessary to accomplish outcomes.

Implementation plan details may vary widely and may direct a finite project (such as reintroducing an extirpated species or developing a trail) or a continuous activity (such as maintaining a historic structure). Examples of implementation plan details include management plans for specific species and habitats, site designs, off-road-vehicle management plans, and interpretive media plans. Details will generally be deferred until the activity or project under consideration has attained sufficient priority to indicate that action will be taken within the next two to five years and will be included in an annual work plan. This will help ensure that decisions about how to best achieve a certain goal are relevant, timely, and based on current data. As a means for providing flexibility in the face of changing natural conditions, park managers are encouraged to use an adaptive management approach when appropriate (see glossary for definition of adaptive management).

Technical specialty teams under the direction of the program leader in the park (usually a division chief) or in the regional office will develop implementation plans, and the plans will be approved by the superintendent (or at a higher level when appropriate).

Development of an implementation plan may overlap other planning efforts if this is appropriate for the purposes of planning efficiency or public involvement. However, the decisions made for the general management plan will precede—and direct—more detailed decisions regarding projects and activities. Major new development or rehabilitation and major actions or commitments aimed at changing resource conditions or visitor use in a park must be consistent with an approved general management plan.

2.3.4.1 Environmental Analysis

Many actions taken by the National Park Service, unless categorically excluded from further NEPA analysis, require public involvement and analysis of alternatives. They also require compliance with the National Historic Preservation Act and related legislation. Although general management planning addresses key environmental quality and cultural resource issues at the programmatic level over the long term, resolution of resource issues must continue during implementation planning. This will generally be accomplished through the appropriate NEPA and NHPA section 106 compliance processes and the application of the tiered approach to environmental analysis.

(See Park Management 1.4; Chapter 3: Land Protection; Chapter 4: Natural Resource Management; Chapter 5: Cultural Resource Management; Chapter 6: Wilderness Preservation and Management; Chapter 8: Use of the Parks; Chapter 9: Park Facilities; Chapter 10: Commercial Visitor Services. Also see Director's Orders #2: Park Planning; Director's Order #12: Conservation Planning, Environmental Impact Analysis, and Decision-making (and the related Environmental Screening Form); Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations))

2.3.5 Park Annual Performance Planning and Reporting

Each park will prepare annual performance plans (articulating annual goals for each fiscal year) and annual performance reports (describing the progress made in meeting the annual goals). The development of the annual performance plan and report will be synchronized with NPS budget development.

3

Land Protection



Appropriate land protection methods must be applied to protect park resources and values from incompatible land uses.

The National Park Service will use all available authorities to protect lands and resources within units of the national park system, and the Park Service will seek to acquire nonfederal lands and interests in land that have been identified for acquisition as promptly as possible. For lands not in federal ownership, both those that have been identified for acquisition and other nonfederally owned lands within a park unit's authorized boundaries, the Service will cooperate with federal agencies; tribal, state, and local governments; nonprofit organizations; and property owners to provide appropriate protection measures. Cooperation with these entities will also be pursued, and other available land protection tools will be employed when threats to resources originate outside boundaries.

3.1 General

The National Park Service is required by the 1916 Organic Act to protect and preserve unimpaired the resources and values of the national park system while providing for public use and enjoyment. A number of park units have nonfederally owned lands within their authorized boundaries. When nonfederal lands exist within park boundaries, acquisition of those lands and/or interests in those lands may be the best way to protect and manage natural and cultural resources or provide for visitor enjoyment. When acquisition is necessary and appropriate, the Park Service will acquire those lands and/or interests as promptly as possible, consistent with departmental land transaction and appraisal policies. Practical, cost-effective alternatives will be considered and pursued by the Service to advance protection and management goals.

The boundaries of most park units are not based strictly on ecological processes or other resource protection principles, and park units are increasingly subject to impacts from external sources. Examples include air pollution, water pollution, and the loss of scenic vistas, natural quiet, and wildlife habitat. To fulfill NPS protection responsibilities, strategies and actions beyond park boundaries may be employed. External threats may be addressed by using available tools—such as gateway community planning and partnership arrangements; NPS educational programs; and participation in the planning processes of federal agencies and tribal, state, and local governments. Strong fulfillment of Service responsibilities is required by the National Environmental Policy Act, the National Historic Preservation Act, and other applicable laws to minimize impacts on park resources and values.

3.2 Land Protection Methods

The Park Service may employ a variety of different methods, as appropriate, for protecting park resources. These methods will be considered in the land protection planning process for each unit. Examples include

- acquisition of fee-simple real property interest, possibly with arrangements for some rights to be reserved;
- acquisition of less-than-fee real property interests, such as easements or rights-of-way; and
- cooperative approaches, such as cooperative agreements, participation in regional consortiums, local planning and zoning processes, or other measures that do not involve federal acquisition of any interest in real property.

Federal fee-simple ownership (all of the rights associated with real property) provides the Service with the greatest ability to protect and manage resources and provide for public use and enjoyment. Less-than-fee interests (some of the rights associated with real property) require a federal commitment to monitor and enforce the Service's interest in the affected property. Acquisition of less-than-fee interests may be appropriate in instances in which the Service needs only a specific interest in land, or in which it needs to modify uses of the land to protect resources or values but full fee ownership is not required or possible.

Acquisition of fee-simple interests is a critically important and effective land protection method for lands within park unit boundaries. The Service may employ, as appropriate, a broad strategy to protect land and resources, including innovative techniques; partnerships; participation in the planning and decision-making processes of other federal agencies; and vigilance at the regional and local levels of government where nonfederal land use decisions are generally made.

Some park units created by Congress have been specifically authorized to continue historical or traditional activities such as farming, ranching, or low-density residential uses. Congress may also restrict the method of acquisition or prohibit acquisition without owner consent. In all cases, the Park Service will acquire the lands and/or interests in land only by the method or methods authorized.

When nonfederal land is identified for acquisition, the Service will make every reasonable effort to reach an agreement with the owner on the purchase price, in accordance with the uniform appraisal standards for departmental land transaction policies. If an agreement cannot be reached, the Service will take further steps in accordance with authorities and congressional directions that apply to the unit in question. NPS policy is to acquire lands and interests in lands from willing sellers, and condemnation is generally considered only as a last resort. However, acquisition by condemnation is sometimes necessary to establish just compensation, to clear a title, or to prevent imminent damage or unacceptable threats to park resources and values.

(See Condemnation 3.8)

3.3 Land Protection Plans

Planning for the protection of park lands will be integrated into the planning process for park management. Land protection plans (LPPs) should be prepared to determine and publicly document what lands or interests in land need to be in public ownership and what means of protection are available to achieve the purposes for which the unit was created. These plans will be prepared for each unit of the national park system containing nonfederal land or interests in land within its authorized boundary. A thorough review of a park's authorizing statutes and complete legislative history will be conducted as part of the land protection planning process.

Land acquisition priorities will be guided by a park unit's land protection plan. Superintendents will ensure that land protection plans are developed, and periodically reviewed and updated to identify what land or interests in land would facilitate achieving park purposes. These purposes and the desired conditions for resources and visitor

experiences are normally defined in the park's general management plan. Strategic plans define what results can be accomplished in the foreseeable future—usually a five-year period. Land protection plans will be coordinated with general management plans, strategic plans, and other plans for resource management and visitor use. Decisions about acquisition within park boundaries will consider the relationship between the park and its adjacent lands. Superintendents have the responsibility to be aware of uses or activities that are planned for lands around the park that may have impacts on park resources and opportunities for visitor enjoyment.

A land protection plan should be simple and concise and document (1) what lands or interests in land would advance park purposes through public ownership, (2) what means of protection are available to achieve park purposes as established by Congress, (3) the protection methods and funds that will be sought or applied to protect resources and to provide for visitor use and park facility development, and (4) acquisition priorities. Historic structures and objects on the land under consideration within the land protection plan will be evaluated for their relevance to the park mission and the scope of the park museum collection. The land protection plan will specify those structures and objects that benefit the public through public ownership and identify the appropriate source of funding. Personal property not identified for acquisition should be removed by the property owner. For acquisition of water rights, see chapter 4, section 4.6.2.

When appropriate, the land protection plan may serve as a vehicle for addressing land protection issues external to a park's boundaries. When external impacts or opportunities are addressed, plans will clearly distinguish between the authorities related to land acquisition and the authorities for the Service to cooperate with other entities beyond the park boundary.

3.4 Cooperative Conservation

Superintendents will be aware of and monitor state government programs for managing state-owned submerged lands and resources within NPS units. When there is potential for such programs to adversely impact park resources or values, superintendents will make their concerns known to appropriate state government officials and encourage compatible land uses that avoid or mitigate potential adverse impacts. When federal acquisition of state-owned submerged lands and resources within NPS units is not feasible, the Park Service will seek to enter into cooperative agreements with state governments to ensure the adequate protection of park resources and values.

External threats may originate with proposed uses outside a park that may adversely impact park resources or values. Superintendents will therefore be aware of and monitor land use proposals and changes to adjacent lands and their potential impacts. They will also seek to encourage compatible adjacent land uses to avoid or to mitigate potential adverse effects. Superintendents will make their concerns known and, when appropriate, actively participate in the planning and regulatory processes of neighboring jurisdictions, including other federal agencies and tribal, state, and local governments.

In working cooperatively with surrounding landowners and managers a superintendent might, for example, comment on potential zoning changes for proposed development projects, or brief the public and officials about park resources and related studies that are relevant to proposed zoning or other changes. Superintendents should, whenever possible, work cooperatively and communicate their concerns as early as possible in the process to minimize potential conflict. Superintendents should seek advice from the appropriate NPS program managers and the Solicitor's Office when dealing with complicated external land protection issues and threats, especially those with potential for Service-wide controversy or consequences.

In some cases—such as air or water pollution—the source of a significant threat may be far removed from the park's boundaries. In such cases the Park Service will coordinate at the regional or national level in making its concerns known and in seeking a remedy to the problem. Threats to parks from external sources should be identified and addressed in the general management plan or in other planning documents. The result will be enhanced public awareness of the far-reaching impacts of these threats and an increased likelihood of remedial actions by those who are responsible.

(See Cooperative Conservation Beyond Park Boundaries 1.6; Evaluating Impacts on Natural Resources 4.1.3; Partnerships 4.1.4; Biological Resource Management 4.4; Removal of Exotic Species Already Present 4.4.4.2; Water Resource Management 4.6; Air Resource Management 4.7; Geologic Resource Management 4.8; Soundscape Management 4.9; Lightscape Management 4.10; Stewardship 5.3. Also see Director's Order #25: Land Protection, and Reference Manual 25); Director's Order #75A: Civic Engagement and Public Involvement)

3.5 Boundary Adjustments

The boundary of a national park may be modified only as authorized by law. For many parks, such statutory authority is included in the enabling legislation or subsequent legislation that specifically authorizes a boundary revision. Where park-specific authority is not available, the Land and Water Conservation Fund Act of 1965, as amended, provides an additional but limited authority to adjust boundaries.

The act provides for boundary adjustments that essentially fall into three distinct categories: (1) technical revisions; (2) minor revisions based upon statutorily defined criteria; and (3) revisions to include adjacent real property acquired by donation, purchased with donated funds, transferred from any other federal agency, or obtained by exchange. Adjacent real property is considered to be land located contiguous to but outside the boundary of a national park system unit.

As part of the planning process, the Park Service will identify and evaluate boundary adjustments that may be necessary or desirable for carrying out the purposes of the park unit. Boundary adjustments may be recommended to

- protect significant resources and values, or to enhance opportunities for public enjoyment related to park purposes;
- address operational and management issues, such as the need for access or the need for boundaries to correspond to logical boundary delineations such as topographic or other natural features or roads; or
- otherwise protect park resources that are critical to fulfilling park purposes.

If the acquisition will be made using appropriated funds, and it is not merely a technical boundary revision, the criteria set forth by Congress at 16 USC 460l-9(c) (2) must be met. All recommendations for boundary changes must meet the following two criteria:

- The added lands will be feasible to administer considering their size, configuration, and ownership; costs; the views of and impacts on local communities and surrounding jurisdictions; and other factors such as the presence of hazardous substances or exotic species.
- Other alternatives for management and resource protection are not adequate.

These criteria apply conversely to recommendations for the deletion of lands from the authorized boundaries of a park unit. For example, before recommending the deletion of land from a park boundary, a finding would have to be made that the land did not include a significant resource, value, or opportunity for public enjoyment related to the purposes of the park. Full consideration should be given to current and future park needs before a recommendation is made to delete lands from the authorized boundaries of a park unit. Actions consisting solely of deletions of land from existing park boundaries would require an act of Congress.

3.6 Land Acquisition Authority

The National Park Service acquires lands or interests in land within parks when authorized to do so by an act of Congress or by presidential proclamation. Although acquisition outside authorized boundaries is generally prohibited, certain statutes provide limited systemwide authority for minor boundary changes and the acceptance of donated lands adjacent to a park's boundaries. There is no single statute authorizing land acquisition. There are, however, several laws that provide limited acquisition authority that is applicable systemwide. For most parks, acquisition authority is provided by statutes specific to the park. The Park Service land acquisition process and land protection planning process will comply with all applicable legislation, congressional guidelines, executive orders, and Department of the Interior policies. For delegations of authority for land acquisition, see Director's Order #25: Land Protection.

3.7 Land Acquisition Funding

When the acquisition of lands and/or interests in land within a park boundary is necessary, the Park Service will consider acquisition by

- purchase with appropriated or donated funds;
- exchange;
- donation;
- bargain sale;
- transfer or withdrawal from public domain; or
- condemnation, as a last resort.

Funding for land acquisition within the national park system is derived primarily from the Land and Water Conservation Fund. LWCF monies are restricted to uses associated with the acquisition of land and/or interests in land within the authorized boundaries of NPS units. As outlined in Department of the Interior policy, the federal portion of the fund will be used to acquire the lands, waters, and interests therein necessary to achieve the Service's natural, cultural, wildlife, and recreation management objectives. To implement this policy, the fund will be used in accordance with management objectives for each park unit based on the NPS mission and congressional mandates and in accordance with an analysis of long-range goals for resource protection, safe public access, and park management. As further required by departmental policy, the Service will, to the extent consistent with statutory authorities,

- prioritize acquisition of lands or interests in land within unit boundaries to achieve park purposes consistent with management objectives;
- use to the maximum extent practical, cost-effective alternatives to the direct federal purchase of privately owned lands, and, when acquisition is necessary, acquire or retain only the minimum interests determined by park officials to be necessary to meet management objectives;
- cooperate with landowners; other federal agencies; tribal, state, and local governments; and the private sector to manage land for public use or protect it for resource conservation; and
- formulate, or revise as necessary, plans for land acquisition and resource use or protection to ensure that sociocultural impacts are considered and that the most outstanding areas are adequately managed.

3.8 Condemnation

As a general policy and in accordance with congressional direction, condemnation is the acquisition method of last resort for the Park Service when acquiring lands or interests in lands.

It is the Service's goal to acquire lands or interests in lands through a cooperative negotiation process with a willing seller. Under certain circumstances, however, condemnation may be necessary. Friendly condemnations with willing sellers may be appropriate to ensure that the United States acquires clear title to the property in question, or to enable a court to determine the fair market value to be paid for the property. If there is no willing seller, the Service may pursue condemnation proceedings if

- it is first determined that other acquisition means will not be successful;
- the acquisition would be consistent with any restrictions applicable to that park unit; and
- approval has been obtained from the Director and any other required sources (e.g., by the Department of the Interior or Congress).

In Alaska, consideration of a land exchange is required before acquisition through condemnation.

4

Natural Resource Management



Natural resource studies contribute to a better understanding of park resources, and help managers make better decisions.

The National Park Service will preserve and protect the natural resources, processes, systems, and values of units of the national park system in an unimpaired condition to perpetuate their inherent integrity and to provide present and future generations with the opportunity to enjoy them.

The National Park Service will strive to understand, maintain, restore, and protect the inherent integrity of the natural resources, processes, systems, and values of the parks while providing meaningful and appropriate opportunities to enjoy them. The Service recognizes that natural processes and species are evolving, and the Service will allow this evolution to continue—minimally influenced by human actions. The natural resources, processes, systems, and values that the Service preserves are described generally in the 1916 NPS Organic Act and in the enabling legislation or presidential proclamation establishing each park. They are described in greater detail in management plans specific to each park. Natural resources, processes, systems, and values found in parks include

- physical resources such as water, air, soils, topographic features, geologic features, paleontological resources, and natural soundscapes and clear skies, both during the day and at night
- physical processes such as weather, erosion, cave formation, and wildland fire
- biological resources such as native plants, animals, and communities
- biological processes such as photosynthesis, succession, and evolution
- ecosystems
- highly valued associated characteristics such as scenic views

In this chapter, natural resources, processes, systems, and values are all included in the term "natural resources." The term "natural condition" is used here to describe the condition of resources that would occur in the absence of human dominance over the landscape.

The Service manages the natural resources of parks to maintain them in an unimpaired condition for present and future generations in accordance with NPS-specific statutes, including the NPS Organic Act and the National Parks Omnibus Management Act of 1998; general environmental laws such as the Clean Air Act, the Clean Water Act, the Endangered Species Act of 1973, the National Environmental Policy Act, and the Wilderness Act; executive orders; and applicable regulations.

Activities that take place outside park boundaries and that are not managed by the Service can profoundly affect the Service's ability to protect natural resources inside the parks. The Service will act to protect natural resources from impacts caused by external activities by working cooperatively with federal, state, and local agencies; tribal authorities; user groups; adjacent landowners; and others to identify and achieve broad natural resource goals. By working cooperatively through both formal and informal lines of communication and consultation, the Service will better achieve park management objectives and the protection of parks' natural resources.

(See Park Management 1.4; Cooperative Conservation Beyond Park Boundaries 1.6; Partnerships 4.1.4)

4.1 General Management Concepts

As explained in chapter 1 of these *Management Policies*, preserving park resources and values unimpaired is the core or primary responsibility of NPS managers. The Service cannot conduct or allow activities in parks that would impact park resources and values to a level that would constitute impairment. To comply with this mandate, park managers must determine in writing whether proposed activities in parks would impair natural resources. Park managers must also take action to ensure that ongoing NPS activities do not cause the impairment of park natural resources. In cases of uncertainty as to the impacts of activities on park natural resources, the protection of natural resources will predominate. The Service will reduce such uncertainty by facilitating and building a science-based understanding of park resources and the nature and extent of the impacts involved.

Natural resources will be managed to preserve fundamental physical and biological processes, as well as individual species, features, and plant and animal communities. The Service will not attempt to solely preserve individual species (except threatened or endangered species) or individual natural processes; rather, it will try to maintain all the components and processes of naturally evolving park ecosystems, including the natural abundance, diversity, and genetic and ecological integrity of the plant and animal species native to those ecosystems. Just as all components of a natural system will be recognized as important, natural change will also be recognized as an integral part of the functioning of natural systems. By preserving these components and processes in their natural condition, the Service will prevent resource degradation and therefore avoid any subsequent need for resource restoration. In managing parks to preserve naturally evolving ecosystems, and in accordance with requirements of the National Parks Omnibus Management Act of 1998, the Service will use the findings of science and the analyses of scientifically trained resource specialists in decision-making.

Park units with significant natural resources range in size from just a few acres to millions of acres and from urban to remote and wilderness settings. As integral parts of a national park system, these park units individually and cumulatively contribute to America's natural heritage and provide the places where that heritage can be better understood and enjoyed.

Science has demonstrated that few if any park units can fully realize or maintain their physical and biological integrity if managed as biogeographic islands. Instead, park units must be managed in the context of their larger ecosystems. The ecosystem context for some species and processes may be relatively small, while for others this context is vast. In any case, superintendents face the challenge of placing each of the resources they protect in their appropriate ecosystem

context and then working with all involved and affected parties to advance their shared conservation goals and avoid adverse impacts on these resources.

Superintendents must be mindful of the setting in which they undertake the protection of park resources. The practicability of achieving a natural soundscape may be quite reasonable at a park unit in a remote setting, but the same may not be true at a popular roadside viewpoint in the same park unit, or at a park unit in a more urban locale. Similarly, the restoration and maintenance of natural fire regimes can advance more rapidly and on a larger landscape scale in wilderness areas where considerations for public safety and the protection of private property and physical developments can usually be readily addressed. However, the restoration and maintenance of natural fire regimes in more developed and highly visited locations with the same considerations can be extremely complicated. The goal of protecting natural resources and values while providing for their enjoyment remains the same in all cases except to the extent that Congress has directly and specifically provided otherwise. The degree to which a park can adequately restore and maintain its natural resources to a desired condition will depend on a variety of factors—such as size, past management events, surrounding land uses, and the availability of resources. Through its planning processes, the Park Service will determine the desired future conditions for each park unit and identify a strategy to achieve them. This strategy should include working cooperatively with adjacent land and resource managers, as appropriate.

The Service will not intervene in natural biological or physical processes, except

- when directed by Congress;
- in emergencies in which human life and property are at stake;
- to restore natural ecosystem functioning that has been disrupted by past or ongoing human activities; or
- when a park plan has identified the intervention as necessary to protect other park resources, human health and safety, or facilities.

Any such intervention will be kept to the minimum necessary to achieve the stated management objectives.

Natural systems in the national park system, and the human influences upon them, will be monitored to detect change. The Service will evaluate possible causes and effects of changes that might cause impacts on park resources and values. The Service will use the results of monitoring and research to understand the detected change and to develop appropriate management actions.

Biological or physical processes altered in the past by human activities may need to be actively managed to restore them to a natural condition or to maintain the closest approximation of the natural condition when a truly natural system is no longer attainable. Prescribed burning and the control of ungulates when predators have been extirpated are two examples. Decisions about the extent and degree of management actions taken to protect or restore park ecosystems or their components will be based on clearly articulated, well-supported management objectives and the best scientific information available.

There may be situations in which an area may be closed to visitor use to protect the natural resources (for example, during an animal breeding season) or for reasons of public safety (for example, during a wildland fire). Such closures may be accomplished under the superintendent's discretionary authority and will comply with applicable regulations (36 CFR 1.5 and 1.7).

(See The Prohibition on Impairment of Park Resources and Values 1.4.4; Environmental Leadership 1.8; General Management Planning 2.3.1; Facility Planning and Design 9.1.1. Also see Director's Order #11B: Ensuring Quality of Information Disseminated by the NPS; Director's Order #75A: Civic Engagement and Public Involvement)

4.1.1 Planning for Natural Resource Management

Each park with a significant natural resource base (as exemplified by participation in the Vital Signs component of the Natural Resource Challenge) will prepare and periodically update a long-range (looking at least one to two decades ahead) comprehensive strategy for natural resource management. This long-range strategy will describe the comprehensive program of activities needed to achieve the desired future conditions for the park's natural resources. It will integrate the best available science and prescribe activities such as inventories, research, monitoring, restoration, mitigation, protection, education, and management of resource uses. The strategy will also describe the natural-resource-related activities needed to achieve desired future conditions for cultural resources (such as historic landscapes) and visitor enjoyment.

Similarly, planning for park operations, development, and management activities that might affect natural resources will be guided by high-quality, scientifically acceptable information, data, and impact assessment. Where existing information is inadequate, the collection of new information and data may be required before decision-making. Long-term research or monitoring may also be necessary to correctly understand the effects of management actions on natural resources whose function and significance are not clearly understood.

(See Decision-making Requirements to Identify and Avoid Impairments 1.4.7; General Management Planning 2.3.1; Land Protection Plans 3.3; NPS-conducted or -sponsored Inventory, Monitoring, and Research Studies 4.2.1; Cultural Landscapes 5.3.5.2; Chapter 8: Use of the Parks; Chapter 9: Park Facilities. Also see 516 DM 4.16—Adaptive Management)

4.1.2 Natural Resource Information

Information about natural resources that is collected and developed will be maintained for as long as it is possible to do so. All forms of information collected through inventorying, monitoring, research, assessment, traditional knowledge, and management actions will be managed to professional NPS archival and library standards.

Most information about park natural resources will be made broadly available to park employees, the scientific community, and the public. Pursuant to provisions of the National Parks Omnibus Management Act, the Service will withhold information about the nature and specific location of sensitive park natural resources—specifically caves and mineral, paleontological, endangered, threatened, rare, or commercially valuable resources— unless the Service determines, in writing, that disclosure of the information would further the purposes of the park; would not create an unreasonable risk of harm, theft, or destruction of resources; and would be consistent with other applicable laws.

Under the Freedom of Information Act, the Park Service may be able to withhold sensitive natural resource data and information that is used in ongoing law enforcement investigations or subject to national security clearance classification. The Service may be able to withhold data provided through interim project reporting, pending the completion of relevant projects and the receipt of final project reports, as specified in approved scientific research and collecting permits and associated research proposals if the release of information will cause foreseeable harm to the NPS interests. Information that is made available to the public (that is, not withheld under the Freedom of Information Act or other laws) will remain searchable and accessible under the professional and NPS archival and library standards.

(See Information Confidentiality 1.9.2.3; Confidentiality 5.2.3; Interpretive and Educational Programs 7.1. Also see Director's Order #66: FOIA and Protected Resource Information; Museum Handbook 24-Part II)

4.1.3 Evaluating Impacts on Natural Resources

Planning, environmental evaluation, and civic engagement regarding management actions that may affect the natural resources of the national park system are essential for carrying out the Service's responsibilities to present and future generations. The Service will ensure that the environmental costs and benefits of proposed operations, development, and resource management are fully and openly evaluated before taking actions that may impact the natural resources of parks. This evaluation must include appropriate participation by the public; the application of scholarly, scientific, and technical information in the planning, evaluation, and decision-making processes; the use of NPS knowledge and expertise through interdisciplinary teams and processes; and the full incorporation of mitigation measures, pollution prevention techniques, and other principles of sustainable park management.

Every environmental assessment and environmental impact statement produced by the Service will include an analysis of whether the impacts of a proposed activity constitute impairment of park natural resources and values. Every finding of no significant impact, record of decision, and National Historic Preservation Act Section 106 memorandum of agreement signed by the Park Service will contain a discrete certification that the impacts of the proposed activity will not impair park natural resources and values.

(See Park Management 1.4; Implementation Planning 2.3.4; NPS-conducted or -sponsored Inventory, Monitoring, and Research Studies 4.2.1. Also see Director's Order #12: Conservation Planning, Environmental Impact Analysis, and Decision-making)

4.1.4 Partnerships

The Service will pursue opportunities to improve natural resource management within parks and across administrative boundaries by pursuing cooperative conservation with public agencies, appropriate representatives of American Indian tribes and other traditionally associated peoples, and private landowners in accordance with Executive Order 13352 (Facilitation of Cooperative Conservation). The Service recognizes that cooperation with other land and resource managers can accomplish ecosystem stability and other resource management objectives when the best efforts of a single manager might fail. Therefore, the Service will develop agreements with federal, tribal, state, and local governments and organizations; foreign governments and organizations; and private landowners, when appropriate, to coordinate plant, animal, water, and other natural resource management activities in ways that maintain and protect park resources and values. Such cooperation may include park restoration activities, research on park natural resources, and the management of species harvested in parks. Cooperation also may involve coordinating management activities in two or more separate areas, integrating management practices to reduce conflicts, coordinating research, sharing data and expertise, exchanging native biological resources for species management or ecosystem restoration purposes, establishing native wildlife corridors, and providing essential habitats adjacent to or across park boundaries.

In addition, the Service will seek the cooperation of others in minimizing the impacts of influences originating outside parks by controlling noise and artificial lighting, maintaining water quality and quantity, eliminating toxic substances, preserving scenic views, improving air quality, preserving wetlands, protecting threatened or endangered species, eliminating exotic species, managing the use of pesticides, protecting shoreline processes, managing fires, managing boundary influences, and using other means of preserving and protecting natural resources.

(See Cooperative Conservation Beyond Park Boundaries 1.6; Partnerships 1.10; Cooperative Conservation 3.4; Agreements 5.2.2)

4.1.5 Restoration of Natural Systems

The Service will reestablish natural functions and processes in parks unless otherwise directed by Congress. Landscapes disturbed by natural phenomena, such as landslides, earthquakes, floods, hurricanes, tornadoes, and fires, will be allowed to recover naturally unless manipulation is necessary to protect other park resources, developments, or employee and public safety. Impacts on natural systems resulting from human disturbances include the introduction of exotic species; the contamination of air, water, and soil; changes to hydrologic patterns and sediment transport; the acceleration of erosion and sedimentation; and the disruption of natural processes. The Service will seek to return such disturbed areas to the natural conditions and processes characteristic of the ecological zone in which the damaged resources are situated. The Service will use the best available technology, within available resources, to restore the biological and physical components of these systems, accelerating both their recovery and the recovery of landscape and biological community structure and function. Efforts may include, for example

- removal of exotic species
- removal of contaminants and nonhistoric structures or facilities
- restoration of abandoned mineral lands, abandoned or unauthorized roads, areas overgrazed by domestic animals, or disrupted natural waterways and/or shoreline processes
- restoration of areas disturbed by NPS administrative, management, or development activities (such as hazard tree removal, construction, or sand and gravel extraction) or by public use
- restoration of natural soundscapes
- restoration of native plants and animals
- restoration of natural visibility

When park development/facilities are damaged or destroyed and replacement is necessary, the development will be replaced or relocated to promote the restoration of natural resources and processes.

(See Decision-making Requirements to Identify and Avoid Impairments 1.4.7; Restoration of Native Plant and Animal Species 4.4.2.2; Management of Natural Landscapes 4.4.2.4; Siting Facilities to Avoid Natural Hazards 9.1.1.5. Also see Director's Order #18: Wildland Fire Management)

4.1.6 Compensation for Injuries to Natural Resources

The Service will use all legal authorities that are available to protect and restore natural resources and the environmental benefits they provide when actions of another party cause the destruction or loss of, or injury to, park resources or values. As a first step, damage assessments provide the basis for determining the restoration and compensation needs that address the public's loss and are a key milestone toward the ultimate goal, which is restoration, replacement, and/or reclamation of resources for the American public.

Pursuant to applicable provisions of the Comprehensive Environmental Response, Compensation and Liability Act of 1980; the Oil Pollution Act of 1990; the Federal Water Pollution Control Act (as amended by the Clean Water Act of 1977); and the National Park System Resource Protection Act, the Service will

- determine the injury caused to natural resources, assess all appropriate damages, and monitor damages;
- seek to recover all appropriate costs associated with responses to such actions and the costs of assessing resource damages, including the direct and indirect costs of response, restoration, and monitoring activities; and
- use all sums recovered in compensation for resource injuries to restore, replace, or acquire the equivalent of the resources that were the subject of the action.

(See Compensation for Injuries to Cultural Resources 5.3.1.3. Also see Director's Order #14: Resource Damage Assessment and Restoration)

4.2 Studies and Collections

The Service will encourage appropriately reviewed natural resource studies whenever such studies are consistent with applicable laws and policies. These studies support the NPS mission by providing the Service, the scientific community, and the public with an understanding of park resources, processes, values, and uses that will be cumulative and constantly refined. This approach will provide a scientific and scholarly basis for park planning, development, operations, management, education, and interpretive activities.

As used here, the term studies means short- or long-term scientific or scholarly investigations or educational activities that may involve natural resource surveys, inventories, monitoring, and research, including data and specimen collection. Studies include projects conducted by researchers and scholars in universities, foundations and other institutions; tribal colleges and organizations; other federal, tribal, and state agencies; and NPS staff. The data and information acquired through studies conducted in parks will be made publicly available, consistent with section 4.1.2, and will be obtained and disseminated in accordance with the standards found in Director's Order #11B: Ensuring Quality of Information Disseminated by the NPS.

The Service will promote cooperative relationships with educational and scientific institutions and qualified individuals when that relationship can assist the Service in obtaining information and when the opportunity for research and study in the parks offers the cooperators a significant benefit to their programs. NPS facilities and assistance may be made available to qualified cooperators who are conducting NPS-authorized studies.

Studies in parks will be preceded by (1) an approved scope of work, proposal, or other detailed written description

of the work to be performed; and (2) a written statement of environmental and cultural resource compliance appropriate to the proposed methodology and study site. All studies in parks will employ nondestructive methods to the maximum extent feasible with respect to resource protection, research methodology, and the scientific and management value of the information and collections to be obtained. Although studies involving physical impacts to park resources or the removal of objects or specimens may be permitted, studies and collecting activities that will lead to the impairment of park resources and values are prohibited.

Scientific natural resource collecting activities are governed by 36 CFR 2.5. A very limited number of other types of natural resource collecting are governed by 36 CFR 2.1. In most cases, only small quantities may be collected. The repeated collection of materials to ensure a continuing source of supply for research or propagation is prohibited unless the proposed activity clearly requires repeated collection, as might be the case with a monitoring or park restoration program.

(See Decision-making Requirements to Identify and Avoid Impairments 1.4.7; Managing Information 1.9.2; Research 5.1; Resource Access and Use 5.3.5.3.1; Collecting Natural Products 8.8; Consumptive Uses 8.9; Social Science Studies 8.11. Also see Director's Order #28B: Ethnography Program; Director's Order #74: Studies and Collecting; Director's Order #78: Social Science)

4.2.1 NPS-conducted or -sponsored Inventory, Monitoring, and Research Studies

The Service will

- identify, acquire, and interpret needed inventory, monitoring, and research, including applicable traditional knowledge, to obtain information and data that will help park managers accomplish park management objectives provided for in law and planning documents;
- define, assemble, and synthesize comprehensive baseline inventory data describing the natural resources under NPS stewardship, and identify the processes that influence those resources;
- use qualitative and quantitative techniques to monitor key aspects of resources and processes at regular intervals;
- analyze the resulting information to detect or predict changes (including interrelationships with visitor carrying capacities) that may require management intervention and provide reference points for comparison with other environments and time frames; and
- use the resulting information to maintain—and where necessary restore—the integrity of natural systems.

The Service may support studies to (among other things)

- ensure a systematic, current, and fully adequate park information base;
- provide a sound basis for policy, guidelines, and management actions;
- develop effective strategies, methods, and technologies to (1) restore disturbed resources, and (2) predict, avoid, or minimize adverse impacts on natural and cultural resources and on visitors and related activities;
- ensure that plans and actions reflect contemporary knowledge about the natural and cultural context of special natural areas, cultural landscapes, and natural resources having traditional cultural meaning and value to associated human groups;
- determine the causes of natural resource management problems and identify alternative strategies for potentially resolving them;
- understand the ceremonial and traditional resource management practices of Native Americans, subsistence uses by rural Alaska residents, and traditional uses by groups with demonstrated ties to particular natural resources of parks;
- further understand park ecosystems and related human social systems, including visitors and gateway communities, and document their components, condition, and significance; and
- ensure that the interpretation of the parks' natural resources and issues reflects current standards of scholarship relating to the history, science, and condition of the resources.

Superintendents may authorize NPS staff to carry out routine inventory, monitoring, study, and related duties without requiring an NPS scientific research and collecting permit. With or without an NPS permit, staff will comply appropriately with professional standards and with general and park-specific research and collecting permit conditions. All research and data and specimen collection conducted by NPS employees will be appropriately documented and carried out in accordance with all laws, regulations, policies, and professional standards pertaining to survey, inventory, monitoring, and research. NPS staff will be expected to make their findings available to the public, such as by publication in professional journals or presentation in interpretive programs.

Park inventory, monitoring, and research needs and specific research objectives will be identified in the appropriate management plans for each park, or in park, regional, or Service-wide program plans.

(See Decision-making Requirements to Identify and Avoid Impairments 1.4.7; Natural Resource Information 4.1.2; Restoration of Natural Systems 4.1.5; Weather and Climate 4.7.2; Miscellaneous Management Facilities 9.4.5)

4.2.2 Independent Studies

Non-NPS studies conducted in parks are not required to address specifically identified NPS management issues or information needs. However, these studies, including data and specimen collection, require an NPS scientific research and collecting permit. The studies must conform to NPS policies and guidelines regarding the collection

and publication of data, the conduct of studies, wilderness restrictions, and park-specific requirements identified in the terms and conditions of the permit. Projects will be administered and conducted only by fully qualified personnel and conform to current standards of scholarship. NPS scientific research and collecting permits may include requirements that permittees provide for parks, within agreed-upon time frames, copies of appropriate field notes, cataloging, and other data; information about the data; progress reports; interim and final reports; and publications derived from the permitted activities.

(See Independent Research 5.1.2)

4.2.3 Natural Resource Collections

Natural resource collections include non-living and living specimens. Guidance for collecting and managing specimens and associated field records can be found in the Code of Federal Regulations (36 CFR 2.5) and NPS guidance documents, including the museum handbook. Nonliving specimens and their associated field records are managed as museum collections. Living collections will be managed in accordance with the provisions of a park's general management plan, the Animal Welfare Act, and other appropriate requirements.

Field data, objects, specimens, and features obtained for preservation during inventory, monitoring, research, and study projects, together with associated records and reports, will be managed over the long term within the museum collection. Specimens that are not authorized for consumptive analysis remain federal property and will be labeled and cataloged into the NPS cataloging system (ANCS+, or its successor) in accordance with applicable regulations (36 CFR 2.5).

(See Paleontological Resources and Their Contexts 4.8.2.1; Collecting Natural Products 8.8; Consumptive Uses 8.9; Natural and Cultural Studies, Research, and Collection Activities 8.10; Social Science Studies 8.11. Also see Director's Order #24: NPS Museum Collections Management)

4.2.4 Collection Associated with the Development of Commercial Products

Extractive use of park resources for commercial purposes is prohibited except when specifically authorized by law or in the exercise of valid existing rights.

The results of research conducted on any material originating as a research specimen collected under an NPS scientific research and collecting permit (including progeny, replicates, or derivatives) may be used only for scientific purposes and not for commercial purposes without supplemental written authorization from the Park Service. The sale of collected research specimens from the permitted collector to third parties is prohibited; these research specimens remain federal property. Specimens and any material originating as a specimen may be loaned for scientific purposes related to commercial use in accordance with the terms of applicable written authorization from the Park Service.

Similarly, the results of other research conducted under an NPS scientific research and collecting permit that does not involve the collection of specimens may be used for scientific purposes only and may not be used for commercial purposes without supplemental written authorization.

(Also see Director's Order #74: Studies and Collecting)

4.3 Special Designations

The Park Service recognizes that special designations apply to parts or all of some parks to highlight the additional management considerations that those designated areas warrant. These designations include research natural area, experimental research area, wilderness area, national wild and scenic river, national natural landmark, biosphere reserve, and world heritage listing. These designations do not reduce the Service's authority for managing the parks, although in some cases they may create additional management requirements or considerations.

4.3.1 Research Natural Areas

Research natural areas contain prime examples of natural resources and processes, including significant genetic resources that have value for long-term observational studies or as control areas for manipulative research taking place outside the parks. Superintendents recommend areas of parks to their regional director, who is authorized to designate them as research natural areas. Superintendents cooperate with other federal land managers in identifying park sites for designation and planning research and educational activities for this interagency program.

Activities in research natural areas generally will be restricted to nonmanipulative research, education, and other activities that will not detract from an area's research values.

4.3.2 Experimental Research Areas

Experimental research areas are specific tracts that are set aside and managed for approved manipulative research. Manipulative research is defined as research in which conscious alteration of existing conditions is part of the experiment. The limited situations that may warrant establishment of experimental research areas are identified in *Natural Resources Reference Manual 77*. Superintendents may recommend areas of the park to their regional director, who is authorized to designate them as experimental research areas.

4.3.3 Wilderness Areas

See chapter 6.

4.3.4 National Wild and Scenic Rivers System

Parks containing one or more river segments listed in the NPS National Rivers Inventory, or that have characteristics that might make them eligible for the National Wild and Scenic Rivers System, will comply with section 5(d)(1) of the Wild and Scenic Rivers Act (16 USC 1276(d)(1)), which instructs each federal agency to assess whether those rivers are suitable for inclusion in the system. The assessments,

and any resulting management requirements, may be incorporated into a park's general management plan or other management plan. No management actions may be taken that could adversely affect the values that qualify a river for inclusion in the National Wild and Scenic Rivers System.

(See Wild and Scenic Rivers 2.3.1.9. Also see Director's Order #46A: Wild and Scenic Rivers within the National Park System; Wild and Scenic Rivers Act)

4.3.5 National Natural Landmarks

Park sites that are among the best examples of a type of biotic community or geological feature in a park's physiographic province may be nominated to the Secretary of the Interior for inclusion in the National Registry of Natural Landmarks. As the agency responsible for maintaining the registry, the Park Service has developed criteria for eligibility (36 CFR Part 62).

4.3.6 Biosphere Reserves

Biosphere reserves are sites that are part of a worldwide network of natural reserves recognized for their roles in conserving genetic resources; facilitating long-term research and monitoring; and encouraging education, training, and the demonstration of sustainable resource use. A biosphere reserve is usually representative of a biogeographic province.

With the approval of the NPS Director, parks may be nominated for recognition as biosphere reserves, or as constituents of biosphere reserves. Specific guidance for recognition is provided by the United States Man and Biosphere (MAB) Programme based on the general guidance of the United Nations Education, Scientific, and Cultural Organization (UNESCO). Working within the Man and Biosphere Programme, the Park Service may assist in determining the suitability and feasibility of including parks in U.S. biosphere reserves, may participate in research and educational activities, and may furnish information on its biosphere reserves for inclusion in domestic and international information systems.

The designation of park lands as biosphere reserves or constituents of biosphere reserves does not alter the purposes for which the parks were established, change the management requirements, or reduce NPS jurisdiction over parks. To the extent practicable, superintendents of parks that are recognized as biosphere reserves will incorporate biosphere reserve objectives into general management plans, implementation plans, action plans, and park interpretive programs. Superintendents will pursue opportunities to use the biosphere reserve designation as a framework for local, regional, and international cooperation.

4.3.7 World Heritage List

Park properties containing natural features believed to possess outstanding universal value to humanity may qualify for placement on the World Heritage List under criteria described in the *World Heritage Committee Operational Guidelines* and in accordance with the World Heritage Convention. Before they can be nominated, all such properties must be assessed according to World Heritage criteria, and before the United States can submit a nomination to the World Heritage Committee, the property must first be included on the U.S. Tentative List of Potential Future World Heritage Nominations.

Any park superintendent who believes that part or all of the park they manage should be considered for inscription on the World Heritage List must consult with the NPS Office of International Affairs, the NPS Director, and the Department of the Interior before proceeding. U.S. recommendations are approved by an interagency panel chaired by the Assistant Secretary for Fish and Wildlife and Parks based on criteria promulgated by the World Heritage Committee. These criteria and the rules for U.S. participation in the Convention Concerning the Protection of the World Cultural and Natural Heritage are published in 36 CFR Part 73.

Once a property is placed on the World Heritage List, the Park Service will recognize the designation in public information and interpretive programs. Where appropriate, superintendents should use the park's world heritage status to promote sustainable tourism (tourism that does not adversely impact park resources and values) and the preservation of the world's natural and cultural heritage. Placement on the World Heritage List will not alter the purposes for which a park was established, or its management requirements, or reduce NPS jurisdiction over the park.

(See Nominations for World Heritage List Designation 5.1.3.2.3)

4.4 Biological Resource Management

4.4.1 General Principles for Managing Biological Resources

The National Park Service will maintain as parts of the natural ecosystems of parks all plants and animals native to park ecosystems. The term "plants and animals" refers to all five of the commonly recognized kingdoms of living things and includes such groups as flowering plants, ferns, mosses, lichens, algae, fungi, bacteria, mammals, birds, reptiles, amphibians, fishes, insects, worms, crustaceans, and microscopic plants or animals. The Service will successfully maintain native plants and animals by

- preserving and restoring the natural abundances, diversities, dynamics, distributions, habitats, and behaviors of native plant and animal populations and the communities and ecosystems in which they occur;
- restoring native plant and animal populations in parks when they have been extirpated by past human-caused actions; and
- minimizing human impacts on native plants, animals, populations, communities, and ecosystems, and the processes that sustain them.

4.4.1.1 Plant and Animal Population Management Principles

The individual plants and animals found in parks are genetically parts of species populations that may extend across both park and nonpark lands. As local populations within a group of populations naturally fluctuate in size, they become vulnerable to extirpation during periods when their numbers are low. The periodic disappearance of local populations is common in some species, and the regional persistence of these species depends upon the natural recolonization of suitable habitat by individuals from the remaining local populations. Thus, providing for the persistence of a species in a park may require maintaining a number of local populations, often both within and outside the park.

In addition, some populations of vertebrate and invertebrate animals, such as bats, caribou, warblers, marine turtles, frogs, salmon, whales, and butterflies, migrate at regular intervals into and out of parks. For these migratory populations, the parks provide only one of the several major habitats they need, and survival of the species in parks also depends on the existence and quality of habitats outside the parks, including in many cases outside the United States. The Service will adopt park resource preservation, development, and use management strategies that are intended to maintain the natural population fluctuations and processes that influence the dynamics of individual plant and animal populations, groups of plant and animal populations, and migratory animal populations in parks.

In addition to maintaining all native plant and animal species and their habitats inside parks, the Service will work with other land managers to encourage the conservation of the populations and habitats of these species outside parks whenever possible. To meet its commitments for maintaining native species in parks, the Service will cooperate with states, tribal governments, the U.S. Fish and Wildlife Service, NOAA Fisheries, and other countries, as appropriate, to

- participate in local and regional scientific and planning efforts, identify ranges of populations of native plants and animals, and develop cooperative strategies for maintaining or restoring these populations in the parks;
- suggest mutually beneficial harvest regulations for lands and waters outside the parks for populations that extend across park boundaries, such as resident deer or fishes; for short-distance seasonal migrant populations, such as elk or fishes; or for long-distance migrant populations, such as salmon;
- develop data, through monitoring, for use in plant and animal management programs (such as local land management decision-making for assessing resident plant and animal population trends and in international management negotiations for such far-ranging seasonal migrants as geese, whales, and marine turtles);
- present information about species life cycles, ranges, and population dynamics in park interpretive programs for use in increasing public awareness of management needs for all species, both resident and migrant, that occur in parks; and
- prevent the introduction of exotic species into units of the national park system, and remove, when possible, or otherwise contain individuals or populations of these species that have already become established in parks.

(See Civic Engagement 1.7; Cooperative Conservation Beyond Park Boundaries 1.6)

4.4.1.2 Genetic Resource Management Principles

The Service will strive to protect the full range of genetic types (genotypes) of native plant and animal populations in the parks by perpetuating natural evolutionary processes and minimizing human interference with evolving genetic diversity.

The restoration of native plants and animals will be accomplished using organisms taken from populations as closely related genetically and ecologically as possible to park populations, preferably from similar habitats in adjacent or local areas. Deviations from this general policy may be made where the management goal is to increase the variability of the park gene pool to mitigate past, human-induced loss of genetic variability. Actions to transplant organisms for purposes of restoring genetic variability through gene flow between native breeding populations will be preceded by an assessment of the genetic compatibility of the populations.

The need to maintain appropriate levels of genetic diversity will guide decisions on what actions to take to manage isolated populations of species or to enhance the recovery of populations of rare, threatened, or endangered species. All resource management actions involving planting or relocating species, subspecies, or varieties will be guided by detailed knowledge of site ecological histories and knowledge of local adaptations, ranges, and habitat requirements.

When native plants or animals are removed for any reason—such as hunting, fishing, pest management, or culling to reduce unnatural population conditions resulting from human activities—the Service will maintain the appropriate levels of natural genetic diversity.

(See Restoration of Natural Systems 4.1.5; Restoration of Native Plant and Animal Species 4.4.2.2)

4.4.1.3 Definition of Native and Exotic Species

Native species are defined as all species that have occurred, now occur, or may occur as a result of natural processes on lands designated as units of the national park system. Native species in a place are evolving in concert with each other. Exotic species are those species that occupy or could occupy park lands directly or indirectly as the result of deliberate or accidental human activities. Exotic species are also commonly referred to as nonnative, alien, or invasive species. Because an exotic species did not evolve in concert with the species native to the place, the exotic species is not

a natural component of the natural ecosystem at that place. Genetically modified organisms exist solely due to human activities and therefore are managed as exotic species in parks.

4.4.2 Management of Native Plants and Animals

Whenever possible, natural processes will be relied upon to maintain native plant and animal species and influence natural fluctuations in populations of these species. The Service may intervene to manage individuals or populations of native species only when such intervention will not cause unacceptable impacts to the populations of the species or to other components and processes of the ecosystems that support them. The second is that at least one of the following conditions exists:

- Management is necessary
  - ◇ because a population occurs in an unnaturally high or low concentration as a result of human influences (such as loss of seasonal habitat, the extirpation of predators, the creation of highly productive habitat through agriculture or urban landscapes) and it is not possible to mitigate the effects of the human influences;
  - ◇ to protect specific cultural resources of parks;
  - ◇ to accommodate intensive development in portions of parks appropriate for and dedicated to such development;
  - ◇ to protect rare, threatened, or endangered species;
  - ◇ to protect human health as advised by the U.S. Public Health Service (which includes the Centers for Disease Control and the NPS public health program);
  - ◇ to protect property when it is not possible to change the pattern of human activities; or
  - ◇ to maintain human safety when it is not possible to change the pattern of human activities.

Or,

- Removal of individuals or parts thereof
  - ◇ is part of an NPS research project described in an approved management plan, or is part of research being conducted by others who have been issued a scientific research and collecting permit;
  - ◇ is done to provide plants or animals for restoring native populations in parks or cooperating areas without diminishing the viability of the park populations from which the individuals are taken; or
  - ◇ meets specific park management objectives.

In planning and implementing plant and animal population management actions, the Service will follow established planning procedures, including provisions for public review and comment. The Service will consult, as appropriate, with other federal land-management agencies, the U.S. Fish and Wildlife Service, the NOAA Fisheries, state wildlife management agencies, other appropriate state agencies, tribal governments, and others. Such consultation will address (1) the management of selected animal populations, (2) research involving the taking of animal species of interest to these agencies, and (3) cooperative studies and plans dealing with the public hunting and fishing of animal populations that occur across park boundaries.

The Service's cooperative conservation efforts concerning fish and wildlife management will be consistent with departmental policy articulated at 43 CFR Part 24. This departmental policy recognizes the broad authorities and responsibilities of federal and state agencies with regard to the management of the nation's fish and wildlife resources; this policy also promotes cooperative management relationships among these agencies. In particular, the policy calls on the Service to consult with state agencies on certain fish and wildlife management actions and encourages the execution of memoranda of understanding as appropriate to ensure the conduct of programs that meet mutual objectives as long as they do not conflict with federal law or regulation.

The Service will assess the results of managing plant and animal populations by conducting follow-up monitoring or other studies to determine the impacts of the management methods on nontargeted and targeted components of the ecosystem.

4.4.2.1 NPS Actions That Remove Native Plants and Animals

Whenever the Service removes native plants or animals, manages plant or animal populations to reduce their sizes, or allows others to remove plants or animals for an authorized purpose, the Service will seek to ensure that such removals will not cause unacceptable impacts on native resources, natural processes, or other park resources. Whenever the Service identifies a possible need for reducing the size of a park plant or animal population, the Service will use scientifically valid resource information obtained through consultation with technical experts, literature review, inventory, monitoring, or research to evaluate the identified need for population management; the Service will document it in the appropriate park management plan.

In addition, the Service will manage such removals to prevent them from interfering broadly with

- natural habitats, natural abundances, and natural distributions of native species and natural processes
- rare, threatened, and endangered plant or animal species or their critical habitats
- scientific study, interpretation, environmental education, appreciation of wildlife, or other public benefits
- opportunities to restore depressed populations of native species
- breeding or spawning grounds of native species

Where the need to reduce animal populations may be due to persistent human/animal conflicts, the Service will determine whether or not it can eliminate or mitigate the

conflicts by modifying or curtailing the conflicting visitor use or other human activities. Where visitor use or other human activities cannot be modified or curtailed, the Service may directly reduce the animal population by using several animal population management techniques, either separately or together. These techniques include relocation, public hunting on lands outside a park or where legislatively authorized within a park, habitat management, predator restoration, reproductive

intervention, and destruction of animals by NPS personnel or their authorized agents. Where animal populations are reduced, destroyed animals may be left in natural areas of the park to decompose unless there are human safety concerns regarding attraction of potentially harmful scavengers to populated sites or trails or other human health and sanitary concerns associated with decomposition. Live animals or carcasses may be removed from parks according to the provisions of applicable laws, agreements, and regulations, including the granting of preference to Native Americans.

(See Pest Management 4.4.5. Also see Director's Order #18: Wildland Fire Management)

4.4.2.2 Restoration of Native Plant and Animal Species

The Service will strive to restore extirpated native plant and animal species to parks whenever all of the following criteria are met:

- Adequate habitat to support the species either exists or can reasonably be restored in the park and if necessary also on adjacent public lands and waters; once a natural population level is achieved, the population can be self-perpetuating.
- The species does not, based on an effective management plan, pose a serious threat to the safety of people in parks, park resources, or persons or property within or outside park boundaries.
- The genetic type used in restoration most nearly approximates the extirpated genetic type.
- The species disappeared or was substantially diminished as a direct or indirect result of human-induced change to the species population or to the ecosystem.
- Potential impacts upon park management and use have been carefully considered.

Programs to restore animal species may include confining animals in small field enclosures during restoration efforts, but only until the animals have become accustomed to the new area or they have become sufficiently established to minimize threats from predators, poaching, disease, or other factors. Programs to restore animal species may also include confining animals in cages for captive breeding to increase the number of offspring for release to the wild or to manage the population's gene pool. Programs to restore plant species may include propagating plants in greenhouses, gardens, or other confined areas to develop propagation materials (propagules) for restoration efforts or to manage a population's gene pool.

(See Restoration of Natural Systems 4.1.5)

4.4.2.3 Management of Threatened or Endangered Plants and Animals

The Service will survey for, protect, and strive to recover all species native to national park system units that are listed under the Endangered Species Act. The Service will fully meet its obligations under the NPS Organic Act and the Endangered Species Act to both proactively conserve listed species and prevent detrimental effects on these species. To meet these obligations, the Service will

- cooperate with both the U.S. Fish and Wildlife Service and the NOAA Fisheries to ensure that NPS actions comply with both the written requirements and the spirit of the Endangered Species Act. This cooperation should include the full range of activities associated with the Endangered Species Act, including consultation, conferencing, informal discussions, and securing all necessary scientific and/or recovery permits;
- undertake active management programs to inventory, monitor, restore, and maintain listed species' habitats; control detrimental nonnative species; manage detrimental visitor access; and reestablish extirpated populations as necessary to maintain the species and the habitats upon which they depend;
- manage designated critical habitat, essential habitat, and recovery areas to maintain and enhance their value for the recovery of threatened and endangered species;
- cooperate with other agencies to ensure that the delineation of critical habitat, essential habitat, and/or recovery areas on park-managed lands provides needed conservation benefits to the total recovery efforts being conducted by all the participating agencies;
- participate in the recovery planning process, including the provision of members on recovery teams and recovery implementation teams where appropriate;
- cooperate with other agencies, states, and private entities to promote candidate conservation agreements aimed at precluding the need to list species; and
- conduct actions and allocate funding to address endangered, threatened, proposed, and candidate species.

The National Park Service will inventory, monitor, and manage state and locally listed species in a manner similar to its treatment of federally listed species to the greatest extent possible. In addition, the Service will inventory other native species that are of special management concern to parks (such as rare, declining, sensitive, or unique species and their habitats) and will manage them to maintain their natural distribution and abundance.

The Service will determine all management actions for the protection and perpetuation of federally, state, or locally

listed species through the park management planning process, and will include consultation with lead federal and state agencies as appropriate.

(See Cooperative Conservation Beyond Park Boundaries 1.6; Partnerships 1.10 and 4.1.4; Cooperative Planning 2.3.1.8; Visitor Use 8.2)

4.4.2.4 Management of Natural Landscapes

Natural landscapes disturbed by natural phenomena, such as landslides, earthquakes, floods, hurricanes, tornadoes, and fires, will be allowed to recover naturally unless manipulation is necessary to (1) mitigate for excessive disturbance caused by past human effects, (2) preserve cultural and historic resources as appropriate based on park planning documents, or (3) protect park developments or the safety of people. Landscape and vegetation conditions altered by human activity may be manipulated where the park management plan provides for restoring the lands to a natural condition. Management activities to restore human-altered landscapes may include, but are not restricted to

- removing constructed features, restoring natural topographic gradients, and revegetating with native park species on acquired inholdings and on sites from which previous development is being removed;
- restoring natural processes and conditions to areas disturbed by human activities such as fire suppression;
- rehabilitating areas disturbed by visitor use or by the removal of hazard trees; and
- maintaining open areas and meadows in situations in which they were formerly maintained by natural processes that now are altered by human activities.

Landscape revegetation efforts will use seeds, cuttings, or transplants representing species and gene pools native to the ecological portion of the park in which the restoration project is occurring. Where a natural area has become so degraded that restoration with gene pools native to the park has proven unsuccessful, improved varieties or closely related native species may be used.

Landscape restoration efforts will use geological materials and soils obtained in accordance with geological and soil resource *Management Policies*. Landscape restoration efforts may use, on a temporary basis, appropriate soil fertilizers or other soil amendments so long as that use does not unacceptably alter the physical, chemical, or biological characteristics of the soil and biological community and does not degrade surface or groundwaters.

(See Restoration of Natural Systems 4.1.5; Cultural Landscapes 5.3.5.2)

4.4.2.5 Maintenance of Altered Plant Communities

In altered plant communities managed for a specified purpose, plantings will consist of species that are native to the park or that are historically appropriate for the period or event commemorated. Communities altered to maintain habitat for threatened or endangered species may only use native plants, and the manipulation of existing plants will be carried out to enhance the recovery of the threatened or endangered species or the recovery of the natural functioning of the plant and animal community that endangered species are a part of. Use of exotic plants must conform to exotic species policy. Use of nonnatural plantings in altered communities may be permitted under any of the following conditions:

- In localized, specific areas, screen plantings may be used to protect against the undesirable impacts of adjacent land uses provided that the plantings do not result in the invasion of exotic species.
- Where necessary to preserve and protect the desired condition of specific cultural resources and landscapes, plants and plant communities generally will be managed to reflect the character of the landscape that prevailed during the historic period. Efforts may be made to extend the lives of specimen trees dating from the historic period being commemorated. An individual tree or shrub known to be of historic value that is diseased beyond recovery and has become hazardous will be removed and may be replaced. While specimen trees or shrubs that need to be perpetuated are still healthy, their own progeny will be propagated from seeds or through vegetative reproduction, such as cuttings.
- Where cultivated crop plants may be needed for livestock or agricultural uses that are allowed as part of the cultural landscape, authorized by federal law, or retained as a property right, with rigorous review given to any proposal to introduce a genetically modified organism.
- Where needed for intensive development areas. Such plantings will use noninvasive native or nonnative historic species and materials to the maximum extent possible. Certain native species may be fostered for esthetic, interpretive, or educational purposes.

Exotic species may not be used to vegetate vista clearings in otherwise natural vegetation.

Limited, recurring use of soil fertilizers or other soil amendments may be allowed only as needed to maintain the desired condition of the altered plant community, and only where such use does not unacceptably alter the physical, chemical, or biological characteristics of the soil and biological community or degrade surface or groundwaters.

(See Management of Exotic Species 4.4.4; Cultural Landscapes 5.3.5.2)

4.4.3 Harvest of Plants and Animals by the Public

Public harvesting of designated species of plants and animals, or their components, may be allowed in park units when

- hunting, trapping, subsistence use, or other harvesting is specifically authorized by statute or regulation and not subsequently prohibited by regulation;

- harvest of certain plant parts or unoccupied seashells for personal consumption or use is specifically authorized by the superintendent in accordance with 36 CFR 2.1(c)(1);
- recreational fishing is not specifically prohibited; or
- commercial fishing is specifically authorized by statute or regulation.

Where harvesting is allowed and subject to NPS control, the Service will allow harvesting only when (1) the monitoring requirement contained in section 4.4.2 and the criteria in section 4.4.2.1 above have been met, and (2) the Service has determined that the harvesting will not unacceptably impact park resources or natural processes, including the natural distributions, densities, age-class distributions, and behavior of

- harvested species
- native species that the harvested species use for any purpose, or
- native species that use the harvested species for any purpose

In consultation and cooperation, as appropriate, with individual state or tribal governments, the Service will manage harvesting programs and any associated habitat management programs intended to restore and maintain habitats supporting harvested plant or animal populations to conform with applicable federal and state regulations.

Habitat manipulation for harvested species may include the restoration of a disturbed area to its natural condition so it can become self-perpetuating, but this will not include the artificial manipulation of habitat to increase the numbers of a harvested species above its natural range in population levels.

The Service may encourage the intensive harvesting of exotic species in certain situations when needed to meet park management objectives.

The Service does not engage in activities to reduce the numbers of native species for the purpose of increasing the numbers of harvested species (i.e., predator control), nor does the Service permit others to do so on lands managed by the National Park Service.

The Service manages harvest to allow for self-sustaining populations of harvested species and does not engage in the stocking of plants or animals to increase harvest. In some special situations, the Service may stock native or exotic animals for recreational harvesting purposes, but only when such stocking will not unacceptably impact park natural resources or processes and when

- the stocking is of fish into constructed large reservoirs or other significantly altered large water bodies and the purpose is to provide for recreational fishing; or
- the intent for stocking is a treaty right or expressed in statute, other applicable law, or a House or Senate report accompanying a statute.

The Service will not stock waters that are naturally barren of harvested aquatic species.

4.4.4 Management of Exotic Species

Exotic species will not be allowed to displace native species if displacement can be prevented.

4.4.4.1 Introduction or Maintenance of Exotic Species

In general, new exotic species will not be introduced into parks. In rare situations, an exotic species may be introduced or maintained to meet specific, identified management needs when all feasible and prudent measures to minimize the risk of harm have been taken and it is

- a closely related race, subspecies, or hybrid of an extirpated native species; or
- an improved variety of a native species in situations in which the natural variety cannot survive current, human-altered environmental conditions; or
- used to control another, already established exotic species; or
- needed to meet the desired condition of a historic resource, but only where it is noninvasive and is prevented from being invasive by such means as cultivating (for plants), or tethering, herding, or pasturing (for animals). In such cases, the exotic species used must be known to be historically significant, to have existed in the park during the park's period of historical significance, to be a contributing element to a cultural landscape, or to have been commonly used in the local area at that time; or
- an agricultural crop used to maintain the character of a cultural landscape, with rigorous review given to any proposal to introduce a genetically modified organism; or
- necessary to provide for intensive visitor use in developed areas and both of the following conditions exist:
  - ◇ Available native species will not meet park management objectives.
  - ◇ The exotic species is managed so it will not spread or become a pest on park or adjacent lands.
- a sterile, noninvasive plant that is used temporarily for erosion control; or
- directed by law or expressed legislative intent.

Domestic livestock such as cattle, sheep, goats, horses, mules, burros, reindeer, and llamas are exotic species that are maintained in some parks for commercial herding, pasturing, grazing, or trailing; for recreational use; or for administrative use for maintaining the cultural scene or supporting park operations. The policies applicable to the grazing of commercial domestic livestock are discussed in chapter 8, section 8.6.8. The Service will phase out the commercial grazing of livestock whenever possible and manage recreational and administrative uses of livestock to prevent those uses from unacceptably impacting park resources.

4.4.4.2 Removal of Exotic Species Already Present

All exotic plant and animal species that are not maintained to meet an identified park purpose will be managed—up to and including eradication—if (1) control is prudent and feasible, and (2) the exotic species

- interferes with natural processes and the perpetuation of natural features, native species or natural habitats, or
- disrupts the genetic integrity of native species, or
- disrupts the accurate presentation of a cultural landscape, or
- damages cultural resources, or
- significantly hampers the management of park or adjacent lands, or
- poses a public health hazard as advised by the U.S. Public Health Service (which includes the Centers for Disease Control and the NPS public health program), or
- creates a hazard to public safety.

High priority will be given to managing exotic species that have, or potentially could have, a substantial impact on park resources, and that can reasonably be expected to be successfully controlled. Lower priority will be given to exotic species that have almost no impact on park resources or that probably cannot be successfully controlled. Where an exotic species cannot be successfully eliminated, managers will seek to contain the exotic species to prevent further spread or resource damage.

The decision to initiate management should be based on a determination that the species is exotic. For species determined to be exotic and where management appears to be feasible and effective, superintendents should (1) evaluate the species' current or potential impact on park resources; (2) develop and implement exotic species management plans according to established planning procedures; (3) consult, as appropriate, with federal, tribal, local, and state agencies as well as other interested groups; and (4) invite public review and comment, where appropriate. Programs to manage exotic species will be designed to avoid causing significant damage to native species, natural ecological communities, natural ecological processes, cultural resources, and human health and safety. Considerations and techniques regarding removal of exotic species are similar to those used for native species (see 4.4.2.1 NPS Actions That Remove Native Plants and Animals).

(Also see Executive Order 13112 (Invasive Species))

4.4.5 Pest Management

All park employees, concessioners, contractors, permittees, licensees, and visitors on all lands managed or regulated by the National Park Service will comply with NPS pest *Management Policies*.

4.4.5.1 Pests

Pests are living organisms that interfere with the purposes or management objectives of a specific site within a park or that jeopardize human health or safety. Decisions concerning whether or not to manage a pest or pest population will be influenced by whether the pest is an exotic or a native species. Exotic pests will be managed according to both the policies in this section (4.4.5) and the exotic species policies in section 4.4.4. Native pests will be allowed to function unimpeded, except as noted below. Many fungi, insects, rodents, disease organisms, and other organisms that may be perceived as pests are, in fact, native organisms existing under natural conditions and are natural elements of the ecosystem. Also, native pests that were evident in pesticide-free times are traditional elements in park cultural settings.

The Service may control native pests to

- conserve threatened, rare, or endangered species, or unique specimens or communities;
- preserve, maintain, or restore the historical integrity of cultural resources;
- conserve and protect plants, animals, and facilities in developed areas;
- prevent outbreaks of a pest from invading uninfested areas outside the park;
- manage a human health hazard when advised to do so by the U.S. Public Health Service (which includes the Centers for Disease Control and the NPS public health program); or
- to otherwise protect against a significant threat to human safety.

4.4.5.2 Integrated Pest Management Program

The Service conducts an integrated pest management (IPM) program to reduce risks to the public, park resources, and the environment from pests and pest-related management strategies. Integrated pest management is a decision-making process that coordinates knowledge of pest biology, the environment, and available technology to prevent unacceptable levels of pest damage by cost-effective means while posing the least possible risk to people, resources, and the environment.

The Service and each park unit will use an IPM approach to address pest issues. Proposed pest management activities must be conducted according to the IPM process prescribed in Director's Order #77-7: Integrated Pest Management. Pest issues will be reviewed on a case-by-case basis. Controversial issues, or those that have potential to negatively impact the environment, must be addressed through established planning procedures and be included in an approved park management or IPM plan. IPM procedures will be used to determine when to implement pest management actions and which combination of strategies will be most effective for each pest situation.

Under the Service's IPM program, all pesticide use on lands managed or regulated by the Service, whether that use was authorized or unauthorized, must be reported annually.

4.4.5.3 Pesticide Use

A pesticide, as defined by the Federal Insecticide, Fungicide and Rodenticide Act, is any substance or mixture that is used in any manner to destroy, repel, or control the growth of any viral, microbial, plant, or animal pest. Except as identified in the next paragraph, all prospective users of pesticides in parks must submit pesticide use requests, which will be reviewed on a case-by-case basis, taking into account environmental effects, cost and staffing, and other relevant considerations. The decision to incorporate a chemical, biological, or bioengineered pesticide into a management strategy will be based on a determination by a designated IPM specialist that it is necessary and other available options are either not acceptable or not feasible. Pesticide applications will only be performed by or under the supervision of certified or registered applicators licensed under the procedures of a federal or state certification system.

Insect repellents, bear deterrent sprays, and insecticides applied to persons or to livestock must conform to NPS policies and approval procedures, except that pesticides used under the following conditions do not require approval:

- cleansers and disinfectants used in restrooms and restaurants
- personal insect repellents, insecticides, and bear deterrent sprays that employees or park visitors personally obtain and use to meet personal needs
- insect repellents and insecticides applied to personally owned pets and pack and saddle stock

4.4.5.4 Biological Control Agents and Bioengineered Products

The application or release of any bio-control agent or bioengineered product relating to pest management activities must be reviewed by designated IPM specialists in accordance with Director's Order #77-7 and conform to the exotic species policies in section 4.4.4.

4.4.5.5 Pesticide Purchase and Storage

Pesticides must not be stockpiled. No pesticides may be purchased unless they are authorized and expected to be used within one year from the date of purchase. Pesticide storage, transport, and disposal will comply with procedures established by (1) the Environmental Protection Agency; (2) the individual states in which parks are located; and (3) Director's Order #30A: Hazardous and Solid Waste Management, Director's Order #77-1: Wetland Protection, and Director's Order 77-7: Integrated Pest Management.

(See Planning for Natural Resource Management 4.1.1; Genetic Resource Management Principles 4.4.1.2; Management of Exotic Species 4.4.4; Maintenance 9.1.4)

4.5 Fire Management

Naturally ignited fire, including the smoke it produces, is part of many of the natural systems that are being sustained in parks. Such natural systems contain plant and animal communities that are characterized as fire-adapted or fire-dependent. They require periodic episodes of fire to retain their ecological integrity and, in the human-caused absence of fire, they can experience undesirable impacts that diminish their integrity—such as unnatural successional trends, loss of habitat for fire-adapted plant and animal species, or vulnerability to unnaturally intense wildland fire. Other park natural systems are characterized by a natural absence or very low frequency of fire. These systems are at risk of losing their ecological integrity when the natural fire regime is subjected to human interference.

Fires that burn natural or landscaped vegetation in parks are called wildland fires. Wildland fires occur from both natural and human sources of ignition. Wildland fires may contribute to or hinder the achievement of park management objectives, and management response to each wildland fire is determined by whether or not the fire occurs within prescription as identified in the park's fire management plan. Wildland fire use is the application of an appropriate management response to naturally ignited wildland fires to accomplish specific resource management objectives in predefined areas outlined in fire management plans. Prescribed fires are the deliberate ignition of fires under prescribed circumstances to accomplish resource management objectives in predefined areas outlined in approved fire management plans.

Fire management consists of a program of activities designed to meet management objectives for protection of resource values, life, and property and, where appropriate, for using naturally ignited and human-ignited wildland fires as management tools. Park fire management programs designed specifically to meet park resource management objectives—including allowing fire to perform its natural role as much as practicable—will ensure that firefighter and public safety are not compromised.

Parks with vegetation capable of burning will prepare a fire management plan that is consistent with federal law and departmental fire *Management Policies*, and that includes addressing the need for adequate funding and staffing to support the planned fire management program. The plan will be designed to guide a program that

- responds to the park's natural and cultural resource objectives;
- provides for safety considerations for park visitors, employees, and developed facilities;
- addresses potential impacts on public and private neighbors and their property adjacent to the park; and
- protects public health and safety.

The fire management plan will also include guidance on determining in which situations natural regeneration of a burned ecosystem is appropriate and when management actions are needed to restore, stabilize, or rehabilitate an area following wildland fire.

Environmental and cultural resource compliance documentation developed in support of the plan will consider the effects of fire on air quality, water quality, and human health and safety. It will also discuss the influence of fire, fire management, and the potential consequences and effects of fire exclusion on the ability of the park to meet its natural and cultural resource management objectives. Preparation of the plan and supporting documents will include collaboration with appropriate NPS natural and cultural resource offices, adjacent communities, interest groups, state and federal agencies, and tribal governments, with cooperating agency status granted when requested by eligible adjacent communities, state and federal agencies, and tribal governments.

All wildland fires will be effectively managed through application of the appropriate strategic and tactical management options as guided by the park's fire management plan. These options will be selected after comprehensive consideration of the resource values to be protected, firefighter and public safety, costs, availability of firefighting resources, weather, and fuel conditions. Naturally ignited and human-ignited fires managed to achieve resource management and fuel treatment objectives, and the smoke they produce, will both be managed to comply with applicable local, state, and federal air quality regulations. Such fires will also include monitoring programs that record fire behavior, smoke behavior, fire decisions, and fire effects to provide information on whether specific objectives are met and to improve future fire management strategies. All parks will use a systematic decision-making process identified in their fire management plans or other documents to determine the most appropriate management strategies for all unplanned ignitions and for any naturally or management-ignited fires that are no longer meeting resource management objectives.

Parks lacking an approved fire management plan may not use resource benefits as a consideration influencing the selection of a suppression strategy; they must consider the resource impacts of suppression alternatives in their decisions. Until a plan is approved, parks must immediately suppress all wildland fires, taking into consideration park resources and values to be protected, firefighter and public safety, costs, availability of firefighting resources, weather, and fuel conditions. Parks will use methods to suppress wildland fires that minimize the impacts of the suppression action and the fire and are commensurate with effective control, firefighter and public safety, and resource values to be protected.

Burnable vegetation in many parks includes areas that are hazardous to specific park resources or human safety and property because of the presence of fuels that could carry wildland fire into special resource protection zones, developed areas, or outside park boundaries. The fire management plan will address strategies for preventing the accumulation of hazardous fuels in specific areas and for eliminating hazardous conditions that may have developed over time due to past fire suppression programs or ongoing development activities. These strategies will entail strategic planning, interdisciplinary coordination, and interorganizational collaboration as needed to provide appropriate treatment using adaptive management practices that range from site specific to landscape level. Although prescribed fire remains the preferred and most widely used NPS tool for managing the accumulation of hazardous fuels, the strategies will incorporate other activities, such as manual, mechanical, biological and, rarely, chemical treatments (applying integrated pest management principles), that may be appropriate in specific instances, as guided by NPS and DOI policies and legal requirements.

More details on wildland fire management, including interagency and Department of the Interior policies and requirements, are contained in Director's Order #18: Wildland Fire Management.

Fire management or suppression activities conducted within wilderness, including the categories of designated, recommended, potential, proposed, and eligible areas, will be consistent with the "minimum requirement" concept identified in chapter 6 and Director's Order #41: Wilderness Preservation and Management.

(See General Management Concepts 4.1; Partnerships 4.1.4; Restoration of Natural Systems 4.1.5; Air Resource Management 4.7; Fire Detection, Suppression, and Post-fire Rehabilitation and Protection 5.3.1.2; Fire Management 6.3.9; Visitor Safety 8.2.5.1; Structural Fire Protection and Suppression 9.1.8)

4.6 Water Resource Management

4.6.1 Protection of Surface Waters and Groundwaters

The Service will perpetuate surface waters and groundwaters as integral components of park aquatic and terrestrial ecosystems.

4.6.2 Water Rights

Water for the preservation and management of the national park system will be obtained and used in accordance with legal authorities. The Park Service will consider all available authorities on a case-by-case basis and will pursue those that are the most appropriate to protect water-related resources in parks. While preserving its legal remedies, the Service will work with state water administrators to protect park resources and participate in negotiations to seek the resolution of conflicts among multiple water claimants. Water essential for NPS needs will be purchased if it is not otherwise available. NPS consumptive use of water will be efficient and frugal, especially in water-scarce areas.

All rights to the use of water diverted from or used on federal lands within the national park system by the United

States or its concessioners, lessors, or permittees will be perfected in the name of the United States.

Park surface waters or groundwater will be withdrawn for consumptive use only when such withdrawal is absolutely necessary for the use and management of the park. All park water withdrawn for domestic or administrative uses will be returned to the park watershed system once it has been treated to a degree that ensures that there will be no impairment of park resources.

The Service may enter into contracts for the sale or lease of water to persons, states, or their political subdivisions that provide public accommodations or services for park visitors outside and near the park that have no reasonable alternative sources of water. The Service will authorize such contracts only if

- the transfer does not jeopardize or unduly interfere with the natural or cultural resources of the park, and
- the government's costs are fully recovered, and
- the contract is for a short term, true emergency.

The Service will follow the requirements and procedures of Director's Orders #35A and #35B when considering the sale or lease of park water.

(See Decision-making Requirements to Identify and Avoid Impairments 1.4.7; Cooperative Conservation Beyond Park Boundaries 1.6)

4.6.3 Water Quality

The pollution of surface waters and groundwaters by both point and nonpoint sources can impair the natural functioning of aquatic and terrestrial ecosystems and diminish the utility of park waters for visitor use and enjoyment. The Service will determine the quality of park surface and groundwater resources and avoid, whenever possible, the pollution of park waters by human activities occurring within and outside the parks. The Service will

- work with appropriate governmental bodies to obtain the highest possible standards available under the Clean Water Act for the protection for park waters;
- take all necessary actions to maintain or restore the quality of surface waters and groundwaters within the parks consistent with the Clean Water Act and all other applicable federal, state, and local laws and regulations; and
- enter into agreements with other agencies and governing bodies, as appropriate, to secure their cooperation in maintaining or restoring the quality of park water resources.

(See Pest Management 4.4.5; Soil Resource Management 4.8.2.4; Backcountry Use 8.2.2.4; Domestic and Feral Livestock 8.6.8; Mineral Exploration and Development 8.7; Water Supply Systems 9.1.5.1; Wastewater Treatment Systems 9.1.5.2; Waste Management and Contaminant Issues 9.1.6; Facilities for Water Recreation 9.3.4.2. Also see Director's Order #83: Public Health)

4.6.4 Floodplains

In managing floodplains on park lands, the National Park Service will (1) manage for the preservation of floodplain values; (2) minimize potentially hazardous conditions associated with flooding; and (3) comply with the NPS Organic Act and all other federal laws and executive orders related to the management of activities in flood-prone areas, including Executive Order 11988 (Floodplain Management), the National Environmental Policy Act, applicable provisions of the Clean Water Act, and the Rivers and Harbors Appropriation Act of 1899. Specifically, the Service will

- protect, preserve, and restore the natural resources and functions of floodplains;
- avoid the long- and short-term environmental effects associated with the occupancy and modification of floodplains; and
- avoid direct and indirect support of floodplain development and actions that could adversely affect the natural resources and functions of floodplains or increase flood risks.

When it is not practicable to locate or relocate development or inappropriate human activities to a site outside and not affecting the floodplain, the Service will

- prepare and approve a statement of findings, in accordance with procedures described in Director's Order 77-2 (Floodplain Management);
- use nonstructural measures as much as practicable to reduce hazards to human life and property while minimizing the impact to the natural resources of floodplains;
- ensure that structures and facilities are designed to be consistent with the intent of the standards and criteria of the National Flood Insurance Program (44 CFR Part 60).

(See Siting Facilities to Avoid Natural Hazards 9.1.1.5)

4.6.5 Wetlands

The Service will manage wetlands in compliance with NPS mandates and the requirements of Executive Order 11990 (Protection of Wetlands), the Clean Water Act, the Rivers and Harbors Appropriation Act of 1899, and the procedures described in Director's Order 77-1 (Wetland Protection). The Service will (1) provide leadership and take action to prevent the destruction, loss, or degradation of wetlands; (2) preserve and enhance the natural and beneficial values of wetlands; and (3) avoid direct and indirect support of new construction in wetlands unless there are no practicable alternatives and the proposed action includes all practicable measures to minimize harm to wetlands.

The Service will implement a "no net loss of wetlands" policy. In addition, the Service will strive to achieve a longer-term goal of net gain of wetlands across the national park system through restoration of previously degraded or destroyed wetlands.

When natural wetland characteristics or functions have been degraded or lost due to previous or ongoing human actions, the Service will, to the extent practicable, restore them to predisturbance conditions.

The Service will conduct or obtain parkwide wetland inventories to help ensure proper planning with respect to the management and protection of wetland resources. Additional, more detailed wetland inventories will be conducted in areas that are proposed for development or are otherwise susceptible to degradation or loss due to human activities.

When practicable, the Service will not simply protect but will seek to enhance natural wetland values by using them for educational, recreational, scientific, and similar purposes that do not disrupt natural wetland functions.

For proposed new development or other new activities, plans, or programs that are either located in or otherwise could have adverse impacts on wetlands, the Service will employ the following sequence:

- Avoid adverse wetland impacts to the extent practicable.
- Minimize impacts that cannot be avoided.
- Compensate for remaining unavoidable adverse wetland impacts by restoring wetlands that have been previously destroyed or degraded.

Compensation for wetland impacts or losses will require that at least 1 acre of wetlands be restored for each acre destroyed or degraded.

Actions proposed by the Park Service that have the potential to cause adverse impacts on wetlands must be addressed in an environmental assessment or an environmental impact statement. If the preferred alternative will result in adverse impacts on wetlands, a statement of findings must be prepared and approved in accordance with Director's Order #77-1: Wetland Protection.

(See Decision-making Requirements to Identify and Avoid Impairments 1.4.7; Siting Facilities to Avoid Natural Hazards 9.1.1.5)

4.6.6 Watershed and Stream Processes

The Service will manage watersheds as complete hydrologic systems and minimize human- caused disturbance to the natural upland processes that deliver water, sediment, and woody debris to streams. These processes include runoff, erosion, and disturbance to vegetation and soil caused by fire, insects, meteorological events, and mass movements. The Service will manage streams to protect stream processes that create habitat features such as floodplains, riparian systems, woody debris accumulations, terraces, gravel bars, riffles, and pools. Stream processes include flooding, stream migration, and associated erosion and deposition.

The Service will protect watershed and stream features primarily by avoiding impacts on watershed and riparian vegetation and by allowing natural fluvial processes to proceed unimpeded. When conflicts between infrastructure (such as bridges and pipeline crossings) and stream processes are unavoidable, NPS managers will first consider relocating or redesigning facilities rather than manipulating streams. Where stream manipulation is unavoidable, managers will use techniques that are visually nonobtrusive and that protect natural processes to the greatest extent practicable.

(See Floodplains 4.6.4; Shorelines and Barrier Islands; 4.8.1.1; Facility Planning and Design 9.1.1. Also see "Unified Federal Policy for a Watershed Approach to Federal Land and Resource Management," 65 FR 62566, October 18, 2000)

4.7 Air Resource Management

4.7.1 Air Quality

The National Park Service has a responsibility to protect air quality under both the 1916 Organic Act and the Clean Air Act (CAA). Accordingly, the Service will seek to perpetuate the best possible air quality in parks to (1) preserve natural resources and systems; (2) preserve cultural resources; and (3) sustain visitor enjoyment, human health, and scenic vistas. Vegetation, visibility, water quality, wildlife, historic and prehistoric structures and objects, cultural landscapes, and most other elements of a park environment are sensitive to air pollution and are referred to as "air quality-related values." The Service will actively promote and pursue measures to protect these values from the adverse impacts of air pollution. In cases of doubt as to the impacts of existing or potential air pollution on park resources, the Service will err on the side of protecting air quality and related values for future generations.

Superintendents will take actions consistent with their affirmative responsibilities under the Clean Air Act to protect air quality-related values in Class I areas. Class I areas are national parks over 6, 000 acres and national wilderness areas over 5,000 acres that were in existence on August 7, 1977. The act establishes a national goal of preventing any future and remedying any existing human-made visibility impairment in Class I areas. The Service supports that goal and will take advantage of opportunities created by the act to help achieve it. The federal land manager shares the responsibility to protect air quality-related values in Class I areas. As the federal land manager for the department, the Secretary of the Interior has delegated this responsibility to the Assistant Secretary for Fish and Wildlife and Parks.

The Clean Air Act also recognizes the importance of integral vistas, which are those views perceived from within Class I areas of a specific landmark or panorama located outside the boundary of the Class I area. Integral vistas have been identified by the Service and are listed in Natural Resources Reference Manual 77. There are no regulations requiring special protection of these integral vistas, but the

Service will strive to protect these park-related resources through cooperative means.

Although the Clean Air Act gives the highest level of air quality protection to Class I areas, it provides many opportunities for the Service to participate in the development of pollution control programs to preserve, protect, and enhance the air quality of all units of the national park system. Regardless of Class I designation, the Service will take advantage of these opportunities.

Air resource management requirements will be integrated into NPS operations and planning, and all air pollution sources within parks—including prescribed fire management and visitor use activities—will comply with all federal, state, and local air quality regulations and permitting requirements. Superintendents will make reasonable efforts to notify visitors and employees when air pollution concentrations within an area exceed the national or state air quality standards established to protect public health. Furthermore, because the current and future quality of park air resources depends heavily on the actions of others, the Service will acquire the information needed to effectively participate in decision-making that affects park air quality. The Service will

- inventory the air quality-related values associated with each park;
- monitor and document the condition of air quality and related values;
- evaluate air pollution impacts and identify causes;
- minimize air quality pollution emissions associated with park operations, including the use of prescribed fire and visitor use activities; and
- ensure healthful indoor air quality in NPS facilities.

External programs needed to remedy existing and prevent future impacts on park resources and values from human-caused air pollution will be aggressively pursued by NPS participation in the development of federal, state, and local air pollution control plans and regulations. Permit applications for major new air pollution sources will be reviewed, and potential impacts will be assessed. If it is determined that any such new source might cause or contribute to an adverse impact on air quality-related values, the Park Service will recommend to the permitting authority that the construction permit be denied or modified to eliminate adverse impacts.

The public's understanding of park air quality issues and the positive role and efforts of the Service toward improving the air quality in parks will be promoted through educational and interpretive programs.

(See Cooperative Conservation Beyond Park Boundaries 1.6; Fire Management 4.5; Environmental Monitoring and Control 5.3.1.4; Resource Issue Interpretation and Education 7.5.3; Visitor Safety and Emergency Response 8.2.5; Energy Management 9.1.7)

4.7.2 Weather and Climate

Earth's climate has changed throughout history. Although national parks are intended to be naturally evolving places that conserve our natural and cultural heritage for generations to come, accelerated climate change may significantly alter park ecosystems. Thus, parks containing significant natural resources will gather and maintain baseline climatological data for reference.

Because any human attempt to modify weather has the potential to alter the natural conditions in parks, the Service will not conduct weather-modification activities, the Service will seek to prevent weather modification activities conducted by others from affecting a park's weather, climate, and resources.

(See NPS-conducted or -sponsored Inventory, Monitoring, and Research Studies 4.2.1; Miscellaneous Management Facilities 9.4.5)

4.8 Geologic Resource Management

The Park Service will preserve and protect geologic resources as integral components of park natural systems. As used here, the term "geologic resources" includes both geologic features and geologic processes. The Service will (1) assess the impacts of natural processes and human activities on geologic resources; (2) maintain and restore the integrity of existing geologic resources; (3) integrate geologic resource management into Service operations and planning; and (4) interpret geologic resources for park visitors.

4.8.1 Protection of Geologic Processes

The Service will, except as identified below, allow natural geologic processes to proceed unimpeded. Geologic processes are the natural physical and chemical forces that act within natural systems and on human developments across a broad spectrum of space and time. Such processes include, but are not limited to, exfoliation, erosion and sedimentation, glaciation, karst processes, shoreline processes, and seismic and volcanic activity. Geologic processes will be addressed during planning and other management activities in an effort to reduce hazards that can threaten the safety of park visitors and staff and the long-term viability of the park infrastructure.

Intervention in natural geologic processes will be permitted only when

- directed by Congress;
- necessary in emergencies that threaten human life and property;
- there is no other feasible way to protect natural resources, park facilities, or historic properties;
- intervention is necessary to restore impacted conditions and processes, such as restoring habitat for threatened or endangered species.

4.8.1.1 Shorelines and Barrier Islands

Natural shoreline processes (such as erosion, deposition, dune formation, overwash, inlet formation, and shoreline migration) will be allowed to continue without interference.

Where human activities or structures have altered the nature or rate of natural shoreline processes, the Service will, in consultation with appropriate state and federal agencies, investigate alternatives for mitigating the effects of such activities or structures and for restoring natural conditions. The Service will comply with the provisions of Executive Order 11988 (Floodplain Management) and state coastal zone management plans prepared under the Coastal Zone Management Act of 1972.

Any shoreline manipulation measures proposed to protect cultural resources may be approved only after an analysis of the degree to which such measures would impact natural resources and processes, so that an informed decision can be made through an assessment of alternatives.

Where erosion control is required by law, or where present developments must be protected in the short run to achieve park management objectives, including high-density visitor use, the Service will use the most effective method feasible to achieve the natural resource management objectives while minimizing impacts outside the target area.

New developments will not be placed in areas subject to wave erosion or active shoreline processes unless (1) the development is required by law; or (2) the development is essential to meet the park's purposes, as defined by its establishing act or proclamation, and

- no practicable alternative locations are available;
- the development will be reasonably assured of surviving during its planned life span without the need for shoreline control measures; and
- steps will be taken to minimize safety hazards and harm to property and natural resources.

(See Floodplains 4.6.4; Cultural Resources Chapter 5; Siting Facilities to Avoid Natural Hazards 9.1.1.5. Also see Director's Order #77-2: Floodplain Management)

4.8.1.2 Karst

The Service will manage karst terrain to maintain the inherent integrity of its water quality, spring flow, drainage patterns, and caves. Karst processes (the processes by which water dissolves soluble rock such as limestone) create areas typified by sinkholes, underground streams, caves, and springs.

Local and regional hydrological systems resulting from karst processes can be directly influenced by surface land use practices. If existing or proposed developments do or will significantly alter or adversely impact karst processes, these impacts will be mitigated. Where practicable, these developments will be placed where they will not have an effect on the karst system.

4.8.1.3 Geologic Hazards

Naturally occurring geologic processes, which the Park Service is charged to preserve unimpaired, can be hazardous to humans and park infrastructure. These include earthquakes, volcanic eruptions, mudflows, landslides, floods, shoreline processes, tsunamis, and avalanches. The Service will work closely with specialists at the U.S. Geological Survey and elsewhere, and with local, state, tribal, and federal disaster management officials, to devise effective geologic hazard identification and management strategies. Although the magnitude and timing of future geologic hazards are difficult to forecast, park managers will strive to understand future hazards and, once the hazards are understood, minimize their potential impact on visitors, staff, and developed areas. Before interfering with natural processes that are potentially hazardous, superintendents will consider other alternatives.

The Service will try to avoid placing new visitor and other facilities in geologically hazardous areas. Superintendents will examine the feasibility of phasing out, relocating, or providing alternative facilities for park developments subject to hazardous processes, consistent with other sections of these *Management Policies*.

(See Siting Facilities to Avoid Natural Hazards 9.1.1.5)

4.8.2 Management of Geologic Features

The Service will protect geologic features from the unacceptable impacts of human activity while allowing natural processes to continue. The term "geologic features" describes the products and physical components of geologic processes. Examples of geologic features in parks include rocks, soils, and minerals; geysers and hot springs in geothermal systems; cave and karst systems; canyons and arches in erosional landscapes; sand dunes, moraines, and terraces in depositional landscapes; dramatic or unusual rock outcrops and formations; and paleontological and paleoecological resources such as fossilized plants or animals or their traces.

4.8.2.1 Paleontological Resources and Their Contexts

Paleontological resources, including both organic and mineralized remains in body or trace form, will be protected, preserved, and managed for public education, interpretation, and scientific research. The Service will study and manage paleontological resources in their paleoecological context (that is, in terms of the geologic data associated with a particular fossil that provides information about the ancient environment).

Superintendents will establish programs to inventory paleontological resources and systematically monitor for newly exposed fossils, especially in areas of rapid erosion. Scientifically significant resources will be protected by collection or by on-site protection and stabilization. The Service will encourage and help the academic community to conduct paleontological field research in accordance with the terms of a scientific research and collecting permit. Fossil localities and associated geologic data will

be adequately documented when specimens are collected. Paleontological resources found in an archeological context are also subject to the policies for archeological resources. Paleontological specimens that are to be retained permanently are subject to the policies for museum objects.

The Service will take appropriate action to prevent damage to and unauthorized collection of fossils. To protect paleontological resources from harm, theft, or destruction, the Service will ensure, where necessary, that information about the nature and specific location of these resources remains confidential, in accordance with the National Parks Omnibus Management Act of 1998.

Parks will exchange fossil specimens only with other museums and public institutions that are dedicated to the preservation and interpretation of natural heritage and qualified to manage museum collections. Fossils to be deaccessioned in an exchange must fall outside the park's scope of collection statement. Systematically collected fossils in an NPS museum collection in compliance with 36 CFR 2.5 cannot be outside the scope of collection statement. Exchanges must follow deaccession procedures in the Museum Handbook, Part II, chapter 6.

The sale of original paleontological specimens is prohibited in parks.

The Service generally will avoid purchasing fossil specimens. Casts or replicas should be acquired instead. A park may purchase fossil specimens for the park museum collection only after making a written determination that

- the specimens are scientifically significant and accompanied by detailed locality data and pertinent contextual data;
- the specimens were legally removed from their site of origin, and all transfers of ownership have been legal;
- the preparation of the specimens meets professional standards;
- the alternatives for making these specimens available to science and the public are unlikely; and
- acquisition is consistent with the park's enabling legislation and scope of collection statement, and acquisition will ensure the specimens' availability in perpetuity for public education and scientific research.

All NPS construction projects in areas with potential paleontological resources must be preceded by a preconstruction surface assessment prior to disturbance. For any occurrences noted, or when the site may yield paleontological resources, the site will be avoided or the resources will, if necessary, be collected and properly cared for before construction begins. Areas with potential paleontological resources must also be monitored during construction projects.

(See Natural Resource Information 4.1.2; Studies and Collections 4.2; Independent Research 5.1.2; Artifacts and Specimens 10.2.4.6. Also see 36 CFR 2.5)

4.8.2.2 Caves

As used here, the term "caves" includes karst (such as limestone and gypsum caves) and nonkarst caves (such as lava tubes, littoral caves, and talus caves). The Service will manage caves in accordance with approved cave management plans to perpetuate the natural systems associated with the caves, such as karst and other drainage patterns, air flows, mineral deposition, and plant and animal communities. Wilderness and cultural resources and values will also be protected.

Many caves or portions of caves contain fragile nonrenewable resources and have no natural restorative processes. In these cases, most impacts are cumulative and essentially permanent. As a result, no developments or uses, including those that allow for general public entry (such as pathways, lighting, and elevator shafts), will be allowed in, above, or adjacent to caves until it can be demonstrated that they will not unacceptably impact natural cave resources and conditions, including subsurface water movements, and that access will not result in unacceptable risks to public safety. Developments already in place above caves will be removed if they are impairing or threatening to impair natural conditions or resources.

Parks will manage the use of caves when such actions are required for the protection of cave resources or for human safety. Some caves or portions of caves may be managed exclusively for research, with access limited to permitted research personnel. In accordance with the Federal Cave Resources Protection Act of 1988, recreational use of undeveloped caves will be governed by a permit system, and cave use will be regulated or restricted if necessary to protect and preserve cave resources. Under 43 CFR Part 37 regulations for the act, all caves in the national park system are deemed to be significant. As further established by this act, specific locations of significant cave entrances may be kept confidential and exempted from FOIA requests.

(See Decision-making Requirements to Identify and Avoid Impairments 1.4.7; Information Confidentiality 1.9.2.3; Caves 6.3.11.2)

4.8.2.3 Geothermal and Hydrothermal Resources

Thermal resources, also known as geothermal or hydrothermal systems, comprise a subsurface heat source, heat conduit rock formations, and air and/or water that circulates through the formations and may discharge at the surface. Such resources create features such as geysers, hot springs, mudpots, fumaroles, unique/ rare mineral precipitates and formations, and hydrophilic biotic communities. Thermal resources in park units will be protected, preserved, and managed as a critical component of the units' natural resource systems, and for public education, interpretation, and scientific research.

Superintendents will strive to maintain the natural integrity of thermal systems, including the movement of air and/or water through the heated rock, cold water recharge, the proximity of the hot and warm water to the heat source, and the hydrostatic pressure and elevated temperature.

Superintendents will work to prevent unacceptable impacts on thermal resources caused by development. Such impacts include the loss of surface thermal features; land subsidence; an increase in seismic activity; the release of noxious gases; noise and surface disturbance from drilling or power plant construction; and the release of polluted water or brines. Because thermal systems may extend well beyond park boundaries, the Service will work closely with tribes and federal, state, local agencies to delineate the full extent of thermal resources and protect those that occur in parks. In protecting park thermal resources, superintendents should consider authorities available under the Geothermal Steam Act of 1970, as amended; state water rights; and mineral leasing laws.

As required by the Geothermal Steam Act, the Service will maintain a list of significant thermal features in park units. The criteria and procedures for designating significant thermal resources in parks are specified in the Geothermal Steam Act Amendments of 1988. In cooperation with the U.S. Geological Survey, the Service will conduct a monitoring program for the designated significant thermal features.

4.8.2.4 Soil Resource Management

The Service will actively seek to understand and preserve the soil resources of parks, and to prevent, to the extent possible, the unnatural erosion, physical removal, or contamination of the soil or its contamination of other resources. Parks will obtain adequate soil surveys for the management of park resources. All soil surveys will follow National Cooperative Soil Survey Standards. Products will include soil maps, determinations of the physical and chemical characteristics of soils, and the interpretations needed to guide resource management and development decisions.

Management action will be taken by superintendents to prevent or at least minimize adverse, potentially irreversible impacts on soils. Soil conservation and soil amendment practices may be implemented to reduce impacts. Importation of off-site soil or soil amendments may be used to restore damaged sites. Off-site soil normally will be salvaged soil, not soil removed from pristine sites, unless the use of pristine site soil can be achieved without causing any overall ecosystem impairment. Before using any off-site materials, parks must develop a prescription and select the materials that will be needed to restore the physical, chemical, and biological characteristics of original native soils without introducing any exotic species.

When soil excavation is an unavoidable part of an approved facility development project, the Service will minimize soil excavation, erosion, and off-site soil migration during and after the development activity.

When use of a soil fertilizer or other soil amendment is an unavoidable part of restoring a natural landscape or maintaining an altered plant community, the use will be guided by a written prescription. The prescription will be designed to ensure that such use of soil fertilizer or soil amendment does not unacceptably alter the physical, chemical, or biological characteristics of the soil, biological community, or surface or groundwaters.

(See Evaluating Impacts on Natural Resources 4.1.3; Natural Resource Collections 4.2.3; Floodplains 4.6.4; Wetlands 4.6.5; Facility Planning and Design 9.1.1)

4.9 Soundscape Management

Park natural soundscape resources encompass all the natural sounds that occur in parks, including the physical capacity for transmitting those natural sounds and the interrelationships among park natural sounds of different frequencies and volumes. Natural sounds occur within and beyond the range of sounds that humans can perceive, and they can be transmitted through air, water, or solid materials. The National Park Service will preserve, to the greatest extent possible, the natural soundscapes of parks.

Some natural sounds in the natural soundscape are also part of the biological or other physical resource components of the park. Examples of such natural sounds include

- sounds produced by birds, frogs, or katydids to define territories or aid in attracting mates
- sounds produced by bats or porpoises to locate prey or navigate
- sounds received by mice or deer to detect and avoid predators or other danger
- sounds produced by physical processes, such as wind in the trees, claps of thunder, or falling water.

The Service will restore to the natural condition wherever possible those park soundscapes that have become degraded by unnatural sounds (noise), and will protect natural soundscapes from unacceptable impacts.

Using appropriate management planning, superintendents will identify what levels and types of unnatural sound constitute acceptable impacts on park natural soundscapes. The frequencies, magnitudes, and durations of acceptable levels of unnatural sound will vary throughout a park, being generally greater in developed areas. In and adjacent to parks, the Service will monitor human activities that generate noise that adversely affects park soundscapes, including noise caused by mechanical or electronic devices. The Service will take action to prevent or minimize all noise that through frequency, magnitude, or duration adversely affects the natural soundscape or other park resources or values, or that exceeds levels that have been identified through monitoring as being acceptable to or appropriate for visitor uses at the sites being monitored.

(See General 4.1; Cultural Soundscape Management 5.3.1.7; Recreational Activities 8.2.2; Use of Motorized Equipment 8.2.3; Overflights and Aviation Uses 8.4. Also see 36 CFR 2.12: Audio Disturbances)

4.10 Lightscape Management

The Service will preserve, to the greatest extent possible, the natural lightscapes of parks, which are natural resources and values that exist in the absence of human-caused light. The absence of light in areas such as caves and at the bottom of deep bodies of water influences biological processes and the evolution of species, such as the blind cave fish. The phosphorescence of waves on dark nights helps hatchling sea turtles orient to the ocean. The stars, planets, and earth's moon that are visible during clear nights influence humans and many other species of animals, such as birds that navigate by the stars or prey animals that reduce their activities during moonlit nights.

Improper outdoor lighting can impede the view and visitor enjoyment of a natural dark night sky. Recognizing the roles that light and dark periods and darkness play in natural resource processes and the evolution of species, the Service will protect natural darkness and other components of the natural lightscape in parks. To prevent the loss of dark conditions and of natural night skies, the Service will minimize light that emanates from park facilities, and also seek the cooperation of park visitors, neighbors, and local government agencies to prevent or minimize the intrusion of artificial light into the night scene of the ecosystems of parks. The Service will not use artificial lighting in areas such as sea turtle nesting locations where the presence of the artificial lighting will disrupt a park's dark-dependent natural resource components.

The Service will

- restrict the use of artificial lighting in parks to those areas where security, basic human safety, and specific cultural resource requirements must be met;
- use minimal-impact lighting techniques;
- shield the use of artificial lighting where necessary to prevent the disruption of the night sky, natural cave processes, physiological processes of living organisms, and similar natural processes.

The decision about whether or not to install artificial lighting in particular circumstances is left to the discretion of the superintendent and is made through the planning process.

(See Cooperative Conservation Beyond Park Boundaries 1.6; Visitor Safety and Emergency Response 8.2.5, Facility Planning and Design 9.1.1; Integration of Facilities into the Park Environment 9.1.1.2; Energy Management 9.1.7)

4.11 Chemical Information and Odors

Natural chemicals and odors transmit information that is received by living organisms. Natural chemicals involved in the transmission of information are released by animals, plants, and geologic materials. Once released, these chemicals can be transmitted through air and water. Many animals can perceive these natural chemicals and modify their behaviors, such as mating, migration, feeding, predator avoidance, prey selection, and the establishment of social structures, as a response. Specific examples of relationships that involve natural chemical information and odors include, among others,

- scent posts where one animal deposits one or more chemicals by rubbing, urination, defecation, or other means, and where other animals can detect the passage of the first animal because of the odor produced by a deposited chemical;
- flowers that produce odors that attract insects, birds, and other animals, with resulting cross-pollination of the flowers and reproduction of the species as the outcome;
- female insects that release chemicals (pheromones) that attract males, with fertilization of the female's eggs and reproduction of the species as the outcome;
- stressed trees that emit chemicals that some types of beetles use to find weakened trees, which they then successfully can colonize and use as habitat for reproducing themselves; and
- geologic materials (soils or bedrock) that emit characteristic chemicals that fish can sense and use as guides to find the places in streams where they hatched and where they subsequently return to breed and deposit fertilized eggs, with reproduction of the species as the outcome.

The Service will preserve, to the greatest extent possible, the natural flow of natural chemical information and odors by preventing (1) the release of human-generated chemicals that can block the release, deposition, or perception of natural chemicals; and (2) human actions that disrupt or commingle the pathways through which natural chemicals are dispersed.

The Service acknowledges that some of its management activities may necessarily alter the natural flow of natural chemical information and odors. The Service may, for example,

- introduce pesticides or pheromones into parks as part of an integrated pest management program;
- construct and operate intensive development areas that eliminate animal scent stations and introduce unnatural chemicals;
- change the vegetation and thereby change the kinds of natural plant chemicals released to the air;
- move water from one drainage to another through water and sewer systems; or
- provide for the use of exhaust-emitting motors in the air, on land, and on water.

Whenever the Service engages in activities that disrupt the natural flow of natural chemical information or odors, it will comply with all applicable laws, regulations, and policies and seek to minimize harm to the environment. In no case will the Service engage in an activity if it will impair park resources or values.

5

Cultural Resource Management

The National Park Service will protect, preserve, and foster appreciation of the cultural resources in its custody and demonstrate its respect for the peoples traditionally associated with those resources through appropriate programs of research, planning, and stewardship.



The National Park Service is steward of many of America's most important cultural resources, including the home of President Franklin D. Roosevelt in Hyde Park, NY.

The National Park Service is the steward of many of America's most important cultural resources. These resources are categorized as archeological resources, cultural landscapes, ethnographic resources, historic and prehistoric structures, and museum collections. The Service's cultural resource management program involves

- research to identify, evaluate, document, register, and establish basic information about cultural resources and traditionally associated peoples;
- planning to ensure that management processes for making decisions and setting priorities integrate information about cultural resources and provide for consultation and collaboration with outside entities; and
- stewardship to ensure that cultural resources are preserved and protected, receive appropriate treatments (including maintenance) to achieve desired conditions, and are made available for public understanding and enjoyment.

The cultural resource *Management Policies* of the National Park Service are derived from a suite of historic preservation, environmental, and other laws, proclamations, executive orders, and regulations. A comprehensive list can be found in the Cultural Resource Management Handbook issued pursuant to Director's Order #28. Taken collectively, this guidance provides the Service with the authority and responsibility for managing cultural resources in every unit of the national park system so that those resources may be preserved unimpaired for future generations. Cultural resource management will be carried out in a manner that is consistent with these legislative and regulatory provisions and with implementing policies and procedures such as the Secretary of the Interior's *Standards and Guidelines for Archeology and Historic Preservation (48 Federal Register (FR) 44716-740)*, and *Standards and Guidelines for Federal Agency Historic Preservation Programs Pursuant to the National Historic Preservation Act (63 FR 20497-508).*

Superintendents and qualified cultural resource professionals will work together to carry out the Park Service's cultural resource management program. Other NPS staff and volunteers participating in cultural resource research, planning, and stewardship activities will be supervised by full-performance-level cultural resource professionals of the appropriate disciplines. Law enforcement professionals will consult with full-performance-level cultural resource professionals of the appropriate disciplines when investigating cultural resource crimes.

Superintendents and cultural resource professionals will ensure that research about and stewardship of cultural resources are carried out only after adequate planning and consultation with interested or affected individuals, groups, and other outside entities.

(See Decision-making Requirements to Identify and Avoid Impairments 1.4.7. Also see NHPA [16 USC 470h-4]; Secretary of the Interior's Professional Qualification Standards [48 FR 44738-44739]; Employee Training and Development Planning and Tracking Kit [1996])

5.1 Research

5.1.1 NPS Research

The National Park Service will conduct a vigorous interdisciplinary program of research into the cultural resources of each park. The principal goals of such research will be to

- ensure a systematic, adequate, and current information base representing park cultural resources and traditionally associated peoples in support of planning, management, and operations;
- ensure appropriate protection, preservation, treatment, and interpretation of cultural resources, employing the best current scholarship;
- develop approaches for managing park cultural and natural resources that ensure consideration of the views held by traditionally associated peoples and others by emphasizing cooperative conservation and civic engagement;
- collect data on subsistence and other consumptive uses of park resources in order to reach informed decisions; and
- develop appropriate technologies and methods for monitoring, protecting, preserving, and treating cultural resources.

Adequate research to support informed planning and compliance with legal requirements will precede any final decisions about the treatment of cultural resources, or about park operations, development, and natural resource management activities that might affect cultural resources. Research will be periodically updated to reflect changing issues, sources, and methods. Research needs will be identified and justified in a park's approved resource stewardship strategy.

A written scope of work, research design, project agreement, proposal, or other description of work to be performed will be prepared and approved before any research is conducted. All archeological research, whether for inventory, data recovery, or other purposes, must comply with the Archaeological Resources Protection Act of 1979 (ARPA), the Antiquities Act, and the Native American Graves Protection and Repatriation Act (NAGPRA), as applicable. The National Park Service will not take or allow any action that reduces the research potential of cultural resources without first performing an appropriate level of research, consultation, and documentation. Because research involving physical intervention into cultural resources or the removal of objects or specimens is a destructive process entailing an irretrievable commitment of the resources and often affecting traditional practices associated with the resources, research in parks will employ nondestructive methods to the maximum extent feasible.

The features of sites, landscapes, and structures will be left in place unless impracticable. Field data, objects, specimens, and features of sites and structures retrieved for preservation during cultural resource research and treatment projects, together with associated records and reports, will be managed within the park museum collection, stored in NPS or non-NPS repositories, as appropriate, including repositories maintained by partners. All collections of archeological material remains and associated records will be maintained in repositories in accordance with applicable regulations.

Research conducted by NPS personnel, contractors, and cooperative researchers will be subjected to peer review both inside and outside the Service to ensure that it meets professional standards, reflects current scholarship, and adheres to the principles of conduct for the appropriate discipline. The data and knowledge acquired through research will be recorded on permanent and durable (long-lived) media, documented in the appropriate Service-wide databases, and placed permanently in park museum and library collections and park files. This information will be made widely available and be incorporated, as appropriate, into park planning documents, exhibits, and interpretive programs. As appropriate, information will be shared with proper state and tribal historic preservation offices, other tribal offices, and certified local governments.

Certain research data may be withheld from public disclosure to protect sensitive or confidential information about archeological, historic, or other NPS resources when doing so would be consistent with the Freedom of Information Act, section 304 of the National Historic Preservation Act, or section 9 of the Archaeological Resources Protection Act. In some circumstances, the Service may withhold information about ethnographic resources. The Solicitor's Office should be consulted when there is any question about the legal authority to withhold information.

(See Levels of Park Planning 2.3; Studies and Collections 4.2; Confidentiality 5.2.3; Research and Scholarship 7.5.4; Use by American Indians and Other Traditionally Associated Groups 8.5. Also see 36 CFR 79; 36 CFR Part 800; 43 CFR Parts 3, 7, and 10; NHPA; Secretary of the Interior's Standards and Guidelines for Preservation Planning [48 FR 44716-720]; Secretary of the Interior's Standards and Guidelines for Historical Documentation [48 FR 44728-730]; Director's Order #28: Cultural Resource Management; Cultural Resource Management Handbook; Director's Order #66: FOIA and Protected Resource Information)

5.1.2 Independent Research

The National Park Service will promote relationships with individuals and organizations qualified to perform research, and encourage them to direct their research toward park management objectives and the broader contexts within which park resources exist. The Park Service will encourage independent researchers to follow the Secretary of the Interior's standards and guidelines and NPS guidelines to the fullest extent possible; the Service will also require that the views of traditionally associated peoples be fully considered. Research done in cooperation with tribal governments, tribal colleges, and tribal organizations should include mutually agreed upon conditions concerning the dissemination of data as well as consideration of the confidentiality of culturally sensitive information.

Research that includes taking plants, fish, wildlife, rocks, or minerals must comply with the permit requirements of 36 CFR 2.5. Permits that would allow cultural resources to be physically disturbed or allow objects or specimens to be collected will be issued only when there is compelling evidence that the proposed research is essential to significant research concerns, and when that the purpose of the research can be reasonably achieved only by using park resources. Permits must require provision for the long-term preservation and management of any recovered objects and specimens and for their cataloging, together with any associated records, in the NPS museum cataloging system. Independent researchers will be authorized to conduct archeological research on park lands only through the issuance of an ARPA or Antiquities Act permit by the appropriate regional director. This permitting authority cannot be further delegated. As appropriate, parks will also issue other necessary permits, such as a special use permit. Archeological research conducted by independent researchers must comply with the Native American Graves Protection and Repatriation Act when applicable.

NPS facilities, collections, and assistance will be made available to qualified scholars conducting NPS-authorized research as long as park operations are not substantially impeded or park resources are not adversely impacted.

(See Independent Studies 4.2.2; Consultation 5.2.1; Natural and Cultural Studies, Research, and Collection Activities 8.10. Also see 43 CFR Parts 3, 7, and 10)

5.1.3 Identification and Evaluation of Resources

The National Park Service will conduct surveys to identify and evaluate the cultural resources of each park, assessing resources within their larger cultural, chronological, and geographic contexts. The resulting inventories will provide the substantive data required for (1) nominating resources to the National Register of Historic Places; (2) general park planning and specific proposals for preserving, protecting, and treating cultural resources to achieve desired conditions; (3) land acquisition, development, and maintenance activities; (4) interpretation, education, and natural and cultural resource management activities; and (5) compliance with legal requirements.

5.1.3.1 Inventories

The Park Service will (1) maintain and expand the following inventories (or their successors) about cultural resources in units of the national park system, (2) enter information into appropriate related databases, and (3) develop an integrated information system—

- Archeological sites inventory for historic and prehistoric archeological resources and the related

Archeological Sites Management Information System (ASMIS) database

- Cultural Landscapes Inventory (CLI) of historic designed landscapes, historic vernacular landscapes, ethnographic landscapes, and historic sites
- List of Classified Structures (LCS), encompassing historic and prehistoric structures
- National Catalog of Museum Objects, encompassing all cultural objects, archival and manuscript materials, and natural history specimens in NPS collections and the related automated version, the Automated National Catalog System (ANCS+)

(See Levels of Park Planning 2.3; Confidentiality 5.2.3. Also see Secretary of the Interior's Standards and Guidelines for Identification [48 FR 44720-723]; Director's Order #28: Cultural Resource Management; Cultural Resource Management Handbook)

5.1.3.2 Evaluation and Categorization

Cultural resources will be professionally evaluated and categorized to assist in management decisions about their treatment and use. Cultural resources will be evaluated for significance using the National Register Criteria for Evaluation (36 CFR 60.4), and those meeting the criteria will be nominated for listing. Museum collections are inappropriate for listing and will not be evaluated using these criteria. Some collections in their original structures can be included as contributing elements to a listed structure. As appropriate, cultural resources will be categorized using other management categories established by the National Park Service and listed in the *Cultural Resource Management Handbook*.

Cultural resource professionals will evaluate cultural resources in consultation with the appropriate state and tribal historic preservation officers. Ethnographically meaningful cultural and natural resources, including traditional cultural properties, will be identified and evaluated in consultation with peoples having traditional associations to park resources. Examples of traditionally associated peoples include Acadians, African Americans, Hispanic Americans, and Native Americans. Some ethnographically meaningful resources do not meet the National Register Criteria for Evaluation, but will be inventoried in consultation with traditionally associated peoples and considered in management decisions about treatment and use.

(See Consultation 5.2.1. Also see Secretary of the Interior's Standards and Guidelines for Evaluation [48 FR 44723-726])

5.1.3.2.1 National Register Nomination

Park resources that appear to meet the criteria for the National Register of Historic Places will be nominated—either individually, as components of historic districts, or within multiple property nominations—for listing by the Keeper of the National Register. National historic sites, national historical parks, and other parks that are significant primarily for their cultural resources are entered automatically in the National Register upon establishment. However, nomination forms will be prepared and submitted to document the qualifying and contributing features of such parks and other National Register-eligible resources within them.

(Also see 36 CFR Parts 60 and 63; Secretary of the Interior's Standards and Guidelines for Registration [48 FR 44726-728]; National Register Bulletins 16A and 16B [Guidelines for Completing National Register of Historic Places Forms])

5.1.3.2.2 National Historic Landmark Designation

Historic and cultural units of the national park system are nationally significant by virtue of their authorizing legislation or presidential proclamation. National historic landmark designations are appropriate for park cultural resources that meet national historic landmark criteria if the national significance of those resources is not adequately recognized in the park's authorizing legislation or presidential proclamation. Cultural parks may warrant landmark designation as parts of larger areas encompassing resources associated with their primary themes. Modified National Register forms will be prepared and submitted to nominate such resources for landmark designation by the Secretary of the Interior.

(Also see 36 CFR Part 65)

5.1.3.2.3 Nominations for World Heritage List Designation

Park properties containing cultural features believed to possess outstanding universal value to humanity may qualify for placement on the World Heritage List under criteria described in the World Heritage Committee Operational Guidelines and in accordance with the World Heritage Convention. Before they can be nominated, all such properties must be assessed according to World Heritage criteria, and before the United States can submit a nomination to the World Heritage Committee the property must first be included on the U.S. Tentative List of Potential Future World Heritage Nominations.

Any park superintendent who believes that part or all of the park they manage should be considered for inscription on the World Heritage List must consult with the NPS Office of International Affairs, the NPS Director, and the Department of the Interior before proceeding. U.S. recommendations are approved by an interagency panel chaired by the Assistant Secretary for Fish and Wildlife and Parks, based on criteria promulgated by the World Heritage Committee. These criteria and the rules for U.S. participation in the Convention Concerning the Protection of World Cultural and Natural Heritage are published in 36 CFR Part 73.

Once a property is placed on the World Heritage List, the Park Service will recognize the designation in public information and interpretive programs. Where appropriate, superintendents should use a park's world heritage status to promote the park and encourage sustainable tourism (tourism that does not adversely impact park resources

and values) and the preservation of the world's natural and cultural heritage. Placement on the World Heritage List will not alter the purposes for which a park was established, change management requirements, or reduce NPS jurisdiction over a park.

(See World Heritage Sites 4.3.7. Also see 36 CFR Part 73)

5.2 Planning

Effective park stewardship requires informed decision-making about a park's cultural resources. This is best accomplished through a comprehensive planning process. Effective planning is based on an understanding of what a park's cultural resources are and why those resources are significant. To gain this understanding, the Service must obtain baseline data on the nature and types of cultural resources, and their (1) distribution; (2) condition; (3) significance; and (4) local, regional, and national contexts. Cultural resource planning, and the resource evaluation process that is part of it, will include consultation with cultural resource professionals and scholars having relevant expertise; traditionally associated peoples; and other groups and individuals. Current scholarship and needs for research are considered in this process, along with the park's legislative history and other relevant information.

Each park's resource stewardship strategy will provide comprehensive recommendations about specific actions needed to achieve and maintain the desired resource conditions and visitor experiences for the park's cultural resources. This will include activities necessary to identify, evaluate, manage, monitor, protect, preserve, and treat the park's cultural resources, and to provide for enjoyment and understanding of the resources by the public.

Superintendents will ensure full consideration of the park's cultural resources and values in all proposals for operations, development, and natural resource programs, including the management of wilderness areas. When proposed undertakings may adversely affect national historic sites, national battlefields, and other predominantly cultural units of the national park system that were established in recognition of their national historical significance, superintendents will provide opportunities for the same level of review and consideration by the Advisory Council on Historic Preservation and the Secretary of the Interior that the Advisory Council's regulations require for undertakings that may adversely affect national historic landmarks (36 CFR 800.10).

(See Decision-making Requirements to Identify and Avoid Impairments 1.4.7; Strategic Planning 2.3.3; Implementation Planning 2.3.4. Also see Executive Order 13007 (Indian Sacred Sites); Secretary of the Interior's Standards and Guidelines for Federal Agency Historic Preservation Programs Pursuant to the National Historic Preservation Act [63 FR 20496-508]; Secretary of the Interior's Standards and Guidelines for Preservation Planning [48 FR 44716-720]; Secretary of the Interior's Standards for the Treatment of Historic Properties)

5.2.1 Consultation

The National Park Service is committed to the open and meaningful exchange of knowledge and ideas to enhance (1) the public's understanding of park resources and values and the policies and plans that affect them; and (2) the Service's ability to plan and manage the parks by learning from others. Open exchange requires that the Service seek and employ ways to reach out to and consult with all those who have an interest in the parks.

Each superintendent will consult with outside parties having an interest in the park's cultural resources or in proposed NPS actions that might affect those resources, and provide them with opportunities to learn about and comment on those resources and planned actions. Consultation may be formal, as when it is required pursuant to the Native American Graves Protection and Repatriation Act or section 106 of the National Historic Preservation Act, or it may be informal, when there is not a specific statutory requirement. Consultation will be initiated, as appropriate, with tribal, state, and local governments; state and tribal historic preservation officers; the Advisory Council on Historic Preservation; other interested federal agencies; traditionally associated peoples; present-day park neighbors; and other interested groups.

Consultations on proposed NPS actions will take place as soon as practical and in an appropriate forum that ensures, to the maximum extent possible, effective communication and the identification of mutually acceptable alternatives. The Service will establish and maintain continuing relationships with outside parties to facilitate future collaboration, formal consultations, and the ongoing informal exchange of views and information on cultural resource matters.

Because national parks embody resources and values of interest to a national audience, efforts to reach out and consult must be national in scope. However, the Service will be especially mindful of consulting with traditionally associated peoples—those whose cultural systems or ways of life have an association with park resources and values that predates establishment of the park. Traditionally associated peoples may include park neighbors, traditional residents, and former residents who remain attached to the park area despite having relocated. Examples of traditionally associated peoples include both federally designated and nondesignated American Indian tribes in the contiguous 48 states, Alaska Natives, Native Hawaiians, African Americans at Jean Lafitte, Asian Americans at Manzanar, Hispanic Americans at Tumacacori, and others.

In particular, traditionally associated peoples should be consulted about

- proposed research on and stewardship of cultural and natural resources with ethnographic meaning for the groups;
- development of park planning and interpretive documents that may affect resources traditionally associated with the groups;

- proposed research that entails collaborative study of the groups;
- identification, treatment, use, and determination of affiliation of objects subject to the Native American Graves Protection and Repatriation Act;
- repatriation of Native American cultural items or human remains based on requests by affiliated groups in accordance with the Native American Graves Protection and Repatriation Act;
- planned excavations and proposed responses to inadvertent discoveries of cultural resources that may be culturally affiliated with the groups;
- other proposed NPS actions that may affect the treatment of, use of, and access to cultural and natural resources with known or potential cultural meaning for the groups; and
- designation of National Register, National Historic Landmark, and World Heritage Sites with known or potential cultural meaning for the groups.

Consultation with federally recognized American Indian tribes will be on a government-to-government basis. The Service will notify appropriate tribal authorities (such as tribal historic preservation officers) about proposed actions when first conceived, and by subsequently consulting their appointed representatives whenever proposed actions may affect tribal interests, practices, and traditional resources (such as places of religious value).

There are other groups and individuals with strong connections to the land through experiencing a significant life event within or near a park unit. Through its civic engagement activities, the Service will be sensitive to and carefully consider the views of those who have these associations.

Whenever groups are created, controlled, or managed for the purpose of providing advice or recommendations to the Service, the Service will first consult with the Office of the Solicitor to determine whether the Federal Advisory Committee Act requires the chartering of an advisory committee. Consultation with the Office of the Solicitor will not be necessary when the Service meets with individuals, groups, or organizations simply to exchange views and information or to solicit individual advice on proposed actions. The act does not apply to intergovernmental meetings held exclusively between federal officials and elected officers of state, local, and tribal governments (or their designated employees with authority to act on their behalf) acting in their official capacities, when (1) the meetings relate to intergovernmental responsibilities or administration, and (2) the purpose of the committee is solely to exchange views, information, or advice relating to the management or implementation of federal programs established pursuant to statute that explicitly or inherently share intergovernmental responsibilities or administration.

(See Civic Engagement 1.7; Relationship with American Indian Tribes 1.11; Ethnographic Resources 5.3.5.3. Also see ARPA; NAGPRA; NEPA; NHPA [16 USC 470f]; 36 CFR Part 800; 40 CFR Parts 1500-1508; 41 CFR Part 101;, 43 CFR Parts 7 and 10; Executive Memorandum on Government-to-Government Relations with Native American Tribal Governments; Executive Order 13007 (Indian Sacred Sites); Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments); 512 Department of the Interior Manual [DM] 2; Director's Order #71: Government-to-government Relationships with Tribal Governments; NPS Guide to the Federal Advisory Committee Act)

5.2.2 Agreements

The National Park Service will seek to establish mutually beneficial agreements with interested groups to facilitate collaborative research, consultation, park planning, training, and cooperative management approaches with respect to park cultural resources and culturally important natural resources. The NPS goal is to allow traditionally associated peoples to exercise traditional cultural practices in parks to the extent allowable by law and consistent with the criteria listed in section 8.2. To the extent this goal can be legally reached through agreements, park superintendents should do so.

Whenever parks have cultural resources that are owned or managed by others, agreements will clarify how the resources are to be managed. Agreements will provide ways for periodically reviewing their effectiveness, making mutually agreed-upon modifications, and avoiding and resolving disagreements and disputes. All agreements will conform to the requirements of Director's Order #20: Agreements.

(See Decision-making Requirements to Identify and Avoid Impairments 1.4.7; Partnerships 1.10; Partnerships 4.1.4; Park Structures Owned or Managed by Others 5.3.5.4.8; Submerged Cultural Resources 5.3.5.1.6; Use by American Indians and Other Traditionally Associated Groups 8.5; Consumptive Uses 8.9. Also see Executive Order 13007 (Indian Sacred Sites); 36 CFR 2.1)

5.2.3 Confidentiality

Sensitive or confidential information is sometimes acquired during consultations and during other research, planning, and stewardship activities. Under certain circumstances and to the extent permitted by law, information about the specific location, character, nature, ownership, or acquisition of cultural resources on park lands will be withheld from public disclosure. If a question arises about withholding information, and disclosure could result in a significant invasion of privacy or a risk of harm to a cultural resource, the Park Service will consult the provisions of the Archaeological Resources Protection Act (16 USC 470hh); the National Parks Omnibus Management Act (16 USC 5937); and the National Historic Preservation Act (16 USC 470w-3) before making a decision. Under some conditions, the Service may be required by law to disclose confidential information acquired during consultations, public meetings, and other research, planning, and stewardship activities, or in association with the acquisition of resources, including museum collections. Before these activities occur, NPS staff and authorized researchers will make every effort to inform

affected parties that, while the information they provide will not be shared voluntarily, confidentiality cannot be guaranteed.

To the extent permitted by law, the Service will withhold from public disclosure (1) information provided by individuals who wish the information to remain confidential, and (2) the identities of individuals who wish to remain anonymous and who are protected from release by exemption under the Freedom of Information Act. In each instance the Service will document its decision to disseminate or withhold sensitive or confidential information from public disclosure.

More detailed guidance on sensitive and confidential information can be found in Director's Order #66: FOIA and Protected Resource Information and the Museum Handbook, Part III.

(See Information Confidentiality 1.9.2.3; Natural Resource Information 4.1.2. Also see 43 CFR Part 2; 43 CFR 7.18; Privacy Act)

5.3 Stewardship

5.3.1 Protection and Preservation of Cultural Resources

The National Park Service will employ the most effective concepts, techniques, and equipment to protect cultural resources against theft, fire, vandalism, overuse, deterioration, environmental impacts, and other threats without compromising the integrity of the resources.

5.3.1.1 Emergency Management

Measures to protect or rescue cultural resources in the event of an emergency, disaster, or fire will be developed as part of a park's emergency operations and fire management planning processes. Designated personnel will be trained to respond to all emergencies in a manner that maximizes visitor and employee safety and the protection of resources and property.

(See Emergency Preparedness and Emergency Operations 8.2.5.2. Also see 36 CFR Part 78)

5.3.1.2 Fire Detection, Suppression, and Post-fire Rehabilitation and Protection

The Park Service will take action to prevent or minimize the impact of wildland, prescribed, and structural fires on cultural resources, including the impact of suppression and rehabilitation activities.

In the preservation of historic structures and museum and library collections, every attempt will be made to comply with national building and fire codes. When these cannot be met without significantly impairing a structure's integrity and character, management and use of the structure will be modified to minimize potential hazards rather than modifying the structure itself.

Subject to the previous paragraph, when warranted by the significance of a historic structure or a museum or library collection, adequate and appropriate fire detection, warning, and suppression systems will be installed. Pre-fire plans will be developed for historic structures and buildings housing museum or library collections; these plans will be designed to identify the floor plan, utilities, hazards, and areas and objects requiring special protection. This information will be kept current and made available to local and park fire personnel.

Park and local fire personnel will be advised of the locations and characteristics of cultural resources threatened by fire and of any priorities for protecting them during any planned or unplanned fire incident. At parks with cultural resources, park fire personnel will receive cultural resource protection training. At parks that have wildland or structural fire risks and programs, cultural resource management specialists will receive fire prevention and emergency response training. Cultural resource management specialists who assist with wildland fire programs will be certified for incident management positions commensurate with their individual responsibilities.

Smoking will not be permitted in spaces housing museum or library collections or in historic structures (except those used as residences in which smoking is permitted by the park superintendent).

(See Fire Management 4.5; Fire Management 6.3.9; Structural Fire Protection and Suppression 9.1.8. Also see Director's Order #18: Wildland Fire Management; Director's Order #58: Structural Fire Management and Reference Manual 58)

5.3.1.3 Compensation for Injuries to Cultural Resources

The Service will use all legal authorities that are available to protect and restore cultural resources and the benefits they provide when actions of another party cause the destruction or loss of or injury to park resources or values. As a first step, damage assessments provide the basis for determining the restoration and compensation needs that address the public's loss and are a key milestone toward the ultimate goal, which is restoration of resources for the American public. In accordance with the National Park System Resource Protection Act, the Park Service will take all necessary and appropriate steps to recover costs and damages from any person who destroys, causes the loss of, or injures any resource of the national park system. When such incidents involve cultural resources, the Service will

- prevent or minimize the destruction or loss of or injury to the cultural resource, or abate or minimize the imminent risk of such destruction, loss, or injury;
- assess and monitor damage to the cultural resource;
- recover any and all costs associated with the restoration or replacement of the cultural resource or costs associated with the acquisition of an equivalent resource;

- recover the value of any significant loss of use of the cultural resource pending its restoration or replacement or the acquisition of an equivalent, or the value of the cultural resource in the event it cannot be restored or replaced; and
- recover any and all costs incurred in responding to, assessing, and/or monitoring damage to the cultural resource.

(See Compensation for Injuries to Natural Resources 4.1.6. Also see Director's Order #14: Resource Damage Assessment and Restoration)

5.3.1.4 Environmental Monitoring and Control

When necessary to preserve a historic structure or a museum collection, appropriate measures will be taken to control relative humidity, temperature, light, and air quality. When museum collections are housed in a historic structure, the needs of both the collection and the structure will be identified and evaluated, weighing relative rarity and significance, before environmental control measures are introduced. The environmental conditions of all areas housing museum collections will be regularly monitored, according to a schedule specific to each condition, to determine whether appropriate levels of relative humidity, temperature, and light are being maintained.

(See Air Quality 4.7.1. Also see Director's Order #24: NPS Museum Collections Management)

5.3.1.5 Pest Management

The Park Service will follow an integrated pest management approach in addressing pest problems (including invasive vegetation) related to cultural resources. Pest occurrences will be dealt with on a case-by-case basis according to the principles identified in section 4.4.5 and Director's Order #77: Natural Resource Protection to ensure the most effective and lowest risk management strategy.

(See Pest Management 4.4.5)

5.3.1.6 Visitor Carrying Capacity

Superintendents will set, enforce, and monitor carrying capacities to limit public visitation to or use of cultural resources that would be subject to adverse effects from unrestricted levels of visitation or use. This will include (1) reviewing the park's purpose; (2) analyzing existing visitor use of and related impacts on the park's cultural resources and traditional resource users; (3) prescribing indicators and specific standards for acceptable and sustainable visitor use; and (4) identifying ways to address and monitor unacceptable impacts resulting from overuse. Studies to gather basic data and make recommendations on setting, enforcing, and monitoring carrying capacities for cultural resources will be conducted in collaboration with cultural resource specialists representing the appropriate disciplines.

(See Visitor Carrying Capacity 8.2.1)

5.3.1.7 Cultural Soundscape Management

Culturally appropriate sounds are important elements of the national park experience in many parks. The Service will preserve soundscape resources and values of the parks to the greatest extent possible to protect opportunities for appropriate transmission of cultural and historic sounds that are fundamental components of the purposes and values for which the parks were established. Examples of appropriate cultural and historic sounds include native drumming (at Yosemite National Park, for example), music (at New Orleans Jazz National Historical Park, for example), and bands, marching, cannon fire, or other military demonstrations at some national battlefield parks. The Service will prevent inappropriate or excessive types and levels of sound (noise) from unacceptably impacting the ability of the soundscape to transmit the cultural and historic resource sounds associated with park purposes.

(See Soundscape Management 4.9; Recreational Activities 8.2.2. Also see 36 CFR 2.12: Audio Disturbances)

5.3.2 Physical Access for Persons with Disabilities

The National Park Service will provide persons with disabilities the highest feasible level of physical access to historic properties that is reasonable, consistent with the preservation of each property's significant historical features. Access modifications for persons with disabilities will be designed and installed to least affect the features of a property that contribute to its significance. Modifications to some features may be acceptable in providing access once a review of options for the highest level of access has been completed. However, if it is determined that modification of particular features would impair a property's integrity and character in terms of the Advisory Council's regulations at 36 CFR 800.9, such modifications will not be made. To the extent possible, modifications for access will benefit the greatest number of visitors, staff, and the public, and be integrated with or close to the primary path of travel for entrances and from parking areas. In situations where access modifications cannot be made, alternative methods of achieving program access will be adopted.

(See Access to Interpretive and Educational Opportunities 7.5.2; Accessibility for Persons with Disabilities 8.2.4; Accessibility for Persons with Disabilities 9.1.2; Accessibility of Commercial Services 10.2.6.2. Also see Director's Order #42: Accessibility for Visitors with Disabilities in National Park Service Programs and Services)

5.3.3 Historic Property Leases and Cooperative Agreements

The National Park Service may permit the use of a historic property through a lease or cooperative agreement if the lease or cooperative agreement will ensure the property's preservation. Proposed uses must not unduly limit public appreciation of the property; interfere with visitor use and enjoyment of the park; or preclude use of the property for park administration, employee residences, or other management purposes judged more appropriate or cost-effective.

If a lease or cooperative agreement requires or allows the lessee or cooperator to maintain, repair, rehabilitate, restore, or build upon the property, the work must be done in accordance with applicable Secretary of the Interior's standards and guidelines and other NPS policies, guidelines, and standards.

(See Leases 8.12. Also see Director's Order #38: Real Property Leasing; NHPA [16 USC 470h-3]; 16 USC 460l-22(a); Omnibus Consolidated Appropriations Act, 1997 [16 USC 1g]; 36 CFR Part 18)

5.3.4 Stewardship of Human Remains and Burials

Marked and unmarked prehistoric and historic burial areas and graves will be identified, evaluated, and protected. Every effort will be made to avoid impacting burial areas and graves when planning park development and managing park operations. Such burial areas and graves will not knowingly be disturbed or archeologically investigated unless threatened with destruction.

The Service will consult with American Indian tribes, Alaska Natives, Native Hawaiians, and other individuals and groups linked by demonstrable ties of kinship or culture to potentially identifiable human remains when such remains may be disturbed or are inadvertently encountered on park lands. Reinterment at the same park may be permitted and may include remains that may have been removed from lands now within the park.

American Indian, Alaska Native, and Native Hawaiian human remains and photographs of such remains will not be exhibited. Drawings, renderings, or casts of such remains may be exhibited with the consent of culturally affiliated Indian tribes, Alaska Natives, and Native Hawaiian organizations. The exhibit of non-Native American human remains, or photographs, drawings, renderings, or casts of such remains, is allowed in consultation with traditionally associated peoples. The Service may allow access to and study, publication, and destructive analysis of human remains, but must consult with traditionally associated peoples and consider their opinions and concerns before making decisions on appropriate actions. In addition, such use of human remains will occur only with an approved research proposal that describes why the information cannot be obtained through other sources or analysis and why the research is important to the field of study and the general public.

(See Cultural Resources 6.3.8; Consultation 7.5.6; Cemeteries and Burials 8.6.10. Also see ARPA; NAGPRA; 36 CFR Part 79; 43 CFR Part 10)

5.3.5 Treatment of Cultural Resources

The Park Service will provide for the long-term preservation of, public access to, and appreciation of the features, materials, and qualities contributing to the significance of cultural resources. With some differences by type, cultural resources are subject to several basic treatments, including (1) preservation in their existing states; (2) rehabilitation to serve contemporary uses, consistent with their integrity and character; and (3) restoration to earlier appearances by the removal of later additions and replacement of missing elements. Decisions regarding which treatments will best ensure the preservation and public enjoyment of particular cultural resources will be reached through the planning and compliance process, taking into account

- the nature and significance of a resource and its condition and interpretive value
- the research potential of the resource
- the level of intervention required by treatment alternatives
- the availability of data and the terms of any binding restrictions
- the concerns of traditionally associated peoples and other groups and individuals

Except for emergencies that threaten irreparable loss without immediate action, no treatment project will be undertaken unless supported by an approved planning document appropriate to the proposed action.

The preservation of cultural resources in their existing states will always receive first consideration. Treatments entailing greater intervention will not proceed without the consideration of interpretive alternatives. The appearance and condition of resources before treatment and changes made during treatment will be documented. Such documentation will be shared with any appropriate state or tribal historic preservation office or certified local government and added to the park museum cataloging system. Pending treatment decisions reached through the planning process, all resources will be protected and preserved in their existing states.

As a basic principle, anything of historical appearance that the National Park Service presents to the public in a park will be either an authentic survival from the past or an accurate representation of that once existing there. Reconstructions and reproductions will be clearly identified as such.

The Service will holistically approach the treatment of related cultural resources in a park. All cultural resource and natural resource values will be considered in defining specific treatment and management goals. Research will be coordinated and sequenced so that decisions are not made in isolation. Each proposed action will be evaluated to ensure consistency or compatibility in the overall treatment of park resources. The relative importance and relationship of all values will be weighed to identify potential conflicts between and among resource preservation goals, park management and operation goals, and park user goals. Conflicts will be considered and resolved through the planning process, which will include any consultation required by 16 USC 470f.

Although each resource type is most closely associated with a particular discipline, an interdisciplinary approach is commonly needed to properly define specific treatment and management goals for cultural resources. Policies applicable to the various resource types follow.

(See Park Management 1.4; Levels of Park Planning 2.3; Planning 5.2; Cultural Resources 6.3.8. Also see NEPA; Secretary of the Interior's Standards for the Treatment of Historic Properties)

5.3.5.1 Archeological Resources

Archeological resources will be managed in situ, unless the removal of artifacts or physical disturbance is justified by research, consultation, preservation, protection, or interpretive requirements. Preservation treatments will include proactive measures that protect resources from vandalism and looting, and will maintain or improve their condition by limiting damage due to natural and human agents. Data recovery actions will be taken only in the context of planning, consultation, and appropriate decision-making. Preservation treatments and data recovery activities will be conducted within the scope of an approved research design. Archeological research will use nondestructive methods of testing and analysis wherever possible. The Park Service will incorporate information about archeological resources into interpretive, educational, and preservation programs. Artifacts and specimens recovered from archeological resources, along with associated records and reports, will be maintained together in the park museum collection.

(Also see Director's Order #28A: Archeology; 36 CFR Part 79; Secretary of the Interior's Standards and Guidelines for Archeological Documentation [48 FR 44734-737]; Museum Handbook)

5.3.5.1.1 Preservation

Archeological resources will be maintained and preserved in a stable condition to prevent degradation and loss. The condition of archeological resources will be documented, regularly monitored, and evaluated against initial baseline data. Parks are encouraged to enlist concerned local citizens in site stewardship programs to patrol and monitor the condition of archeological resources. The preservation of archeological components of cultural landscapes, structures, and ruins are also subject to the treatment policies for cultural landscapes, historic and prehistoric structures, and historic and prehistoric ruins.

(See Volunteers in the Parks 1.9.1.6)

5.3.5.1.2 Stabilization

Archeological resources subject to erosion, slumping, subsidence, or other natural deterioration will be stabilized using the least intrusive and destructive methods. The methods used will protect natural resources and processes to the maximum extent feasible. Stabilization will occur only after sufficient research demonstrates the likely success of the proposed stabilizing action and after existing conditions are documented.

5.3.5.1.3 Rehabilitation, Restoration, and Reconstruction

These terms are normally related to the treatment of historic structures and cultural landscapes. The Park Service will not normally undertake the rehabilitation, restoration, or reconstruction of archeological resources or features. Archeological studies undertaken in conjunction with the rehabilitation or restoration of cultural landscapes, structures, or ruins, or with the reconstruction of obliterated cultural landscapes or missing structures, will be guided by the treatment policies for archeological resources as well as those for the other associated resource types.

5.3.5.1.4 Protection

Archeological resources will be protected against human agents of destruction and deterioration whenever practicable. Archeological resources subject to vandalism and looting will be periodically monitored and, if appropriate, fencing, warning signs, remote-sensing alarms, and other protective measures will be installed. Training and public education programs will be developed to make park staff and the public aware of the value of the park's archeological resources and the penalties for destroying them. For public safety reasons, local citizens who are monitoring resources under site stewardship programs will be instructed to report incidents of vandalism and looting to law enforcement personnel for response.

(See Volunteers in Parks 7.6.1; Shared Responsibilities 8.3.3)

5.3.5.1.5 Archeological Data Recovery

Archeological data recovery is permitted if justified by research or interpretation needs. Significant archeological data that would otherwise be lost as a result of resource treatment projects or uncontrollable degradation or destruction will be recovered in accordance with appropriate research proposals and preserved in park museum collections. Data will be recovered to mitigate the loss of significant archeological data due to park development, but only after

- the redesign, relocation, and cancellation of the proposed development have all been considered and ruled out as infeasible through the planning process;
- the park development has been approved; and
- the project has provided for data recovery, cataloging, and the initial preservation of recovered collections.

(See Planning 5.2)

5.3.5.1.6 Earthworks

Appropriate and, when feasible, native vegetation will be maintained when necessary to prevent the erosion of prehistoric and historic earthworks, even when the historic condition might have been bare earth. Because earthwork restorations and reconstructions can obliterate surviving remains and are often difficult to maintain, other means of representing and interpreting the original earthworks will receive first consideration.

(See Management of Native Plants and Animals 4.4.2; Management of Exotic Species 4.4.4)

5.3.5.1.7 Submerged Cultural Resources

Historic shipwrecks and other submerged cultural resources will be protected, to the extent permitted by law, in the same manner as terrestrial archeological resources. Protection activities involve inventory, evaluation, monitoring, interpretation, and establishing partnerships to provide for the management of historic shipwrecks and other submerged cultural resources in units of the national park system. The Service will not allow treasure hunting or commercial salvage activities at or around historic shipwrecks or other submerged cultural resources located within park boundaries unless legally obligated to do so. Parks may provide recreational diving access to submerged cultural resources that are not susceptible to damage or the removal of artifacts. The Service will ensure that the activities of others in park waters do not adversely affect submerged cultural resources or the surrounding natural environment. The Service will consult with the owners of non-abandoned historic shipwrecks and enter into written agreements with them to clarify how the shipwrecks will be managed by the Park Service. Shipwrecks owned by a state government pursuant to the Abandoned Shipwreck Act of 1987 will be managed in accordance with the Abandoned Shipwreck Act Guidelines (55 FR 50116-145, 55 FR 51528, and 56 FR 7875).

(See Recreational Activities 8.2.2. Also see 36 CFR Part 2; 485 DM 27; Director's Order #4: Diving Management)

5.3.5.2 Cultural Landscapes

The treatment of a cultural landscape will preserve significant physical attributes, biotic systems, and uses when those uses contribute to historical significance. Treatment decisions will be based on a cultural landscape's historical significance over time, existing conditions, and use. Treatment decisions will consider both the natural and built characteristics and features of a landscape, the dynamics inherent in natural processes and continued use, and the concerns of traditionally associated peoples.

The treatment implemented will be based on sound preservation practices to enable long-term preservation of a resource's historic features, qualities, and materials. There are three types of treatment for extant cultural landscapes: preservation, rehabilitation, and restoration.

(See Decision-making Requirements to Identify and Avoid Impairments 1.4.7. Also see Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes)

5.3.5.2.1 Preservation

A cultural landscape will be preserved in its present condition if

- that condition allows for satisfactory protection, maintenance, use, and interpretation; or
- another treatment is warranted but cannot be accomplished until some future time.

5.3.5.2.2 Rehabilitation

A cultural landscape may be rehabilitated for contemporary use if

- it cannot adequately serve an appropriate use in its present condition; and
- rehabilitation will retain its essential features and not alter its integrity and character or conflict with approved park management objectives.

5.3.5.2.3 Restoration

A cultural landscape may be restored to an earlier appearance if

- all changes after the proposed restoration period have been professionally evaluated and the significance of those changes has been fully considered;
- restoration is essential to public understanding of the park's cultural associations;
- sufficient data about that landscape's earlier appearance exist to enable its accurate restoration; and
- the disturbance or loss of significant archeological resources is minimized and mitigated by data recovery.

5.3.5.2.4 Reconstruction of Obliterated Landscapes

No matter how well conceived or executed, reconstructions are contemporary interpretations of the past rather than authentic survivals from it. The National Park Service will not reconstruct an obliterated cultural landscape unless

- there is no alternative that would accomplish the park's interpretive mission;
- sufficient data exist to enable its accurate reconstruction, based on the duplication of historic features substantiated by documentary or physical evidence, rather than on conjectural designs or features from other landscapes;
- reconstruction will occur in the original location;
- the disturbance or loss of significant archeological resources is minimized and mitigated by data recovery; and
- reconstruction is approved by the Director.

A landscape will not be reconstructed to appear damaged or ruined. General representations of typical landscapes will not be attempted.

5.3.5.2.5 Biotic Cultural Resources

Biotic cultural resources, which include plant and animal communities associated with the significance of a cultural landscape, will be duly considered in treatment and management. The cultural resource and natural resource components of the park's resource stewardship strategy will jointly identify acceptable plans for the management and treatment of biotic cultural resources. The park's resource stewardship strategy will anticipate and plan for the natural and human-induced processes of change. Before any major treatment of a cultural landscape is undertaken, there must be an understanding of the degree to which change

contributes to or compromises the historic character of the landscape, and the way in which natural cycles influence the ecological processes within the landscape. Treatment and management of a cultural landscape will establish acceptable parameters for change and manage the biotic resources within those parameters.

(See Maintenance of Altered Plant Communities 4.4.2.5)

5.3.5.2.6 Land Use and Ethnographic Value

Many cultural landscapes are significant because of their historic land use and practices. When land use is a primary reason for the significance of a landscape, the objective of treatment will be to balance the perpetuation of use with the retention of the tangible evidence that represents its history. The variety and arrangement of cultural and natural features in a landscape often have sacred or other continuing importance in the ethnic histories and cultural vigor of associated peoples. These features and their past and present-day uses will be identified, and the beliefs, attitudes, practices, traditions, and values of traditionally associated peoples will be considered in any treatment decisions.

Contemporary use of a cultural landscape is appropriate if it

- does not adversely affect significant landscape characteristics and features; and
- either follows the historic use or does not impede public appreciation of it.

All uses of cultural landscapes are subject to legal requirements, policy, guidelines, and standards for natural and cultural resource preservation, public safety, and special park uses.

5.3.5.2.7 New Construction

Contemporary alterations and additions to a cultural landscape must not radically change, obscure, or destroy its significant spatial organization, materials, and features. New buildings, structures, landscape features, and utilities may be constructed in a cultural landscape if

- existing structures and improvements do not meet essential management needs;
- new construction is designed and sited to preserve the landscape's integrity and historic character; and
- the alterations, additions, or related new construction is differentiated from yet compatible with the landscape's historic character—unless associated with an approved restoration or reconstruction.

New additions will meet the Secretary of the Interior's Standards for Rehabilitation.

5.3.5.3 Ethnographic Resources

Park ethnographic resources are the cultural and natural features of a park that are of traditional significance to traditionally associated peoples. These peoples are the contemporary park neighbors and ethnic or occupational communities that have been associated with a park for two or more generations (40 years), and whose interests in the park's resources began before the park's establishment. Living peoples of many cultural backgrounds—American Indians, Inuit (Eskimos), Native Hawaiians, African Americans, Hispanics, Chinese Americans, Euro-Americans, and farmers, ranchers, and fishermen—may have a traditional association with a particular park.

Traditionally associated peoples generally differ as a group from other park visitors in that they typically assign significance to ethnographic resources—places closely linked with their own sense of purpose, existence as a community, and development as ethnically distinctive peoples. These places may be in urban or rural parks and support ceremonial activities or represent birthplaces of significant individuals, group origin sites, migration routes, or harvesting or collecting places. Although these places have historic attributes that are of great importance to the group, they may not necessarily have a direct association with the reason the park was established or be appropriate as a topic of general public interest. Some ethnographic resources might also be traditional cultural properties. A traditional cultural property is one that is eligible for inclusion in the National Register of Historic Places because of its association with cultural practices or beliefs of a living community that are (1) rooted in that community's history, and (2) important in maintaining the continuing cultural identity of the community.

The Service's primary interest in these places stems from its responsibilities under

- the NPS Organic Act—to conserve the natural and historic objects within parks unimpaired for the enjoyment of future generations;
- the National Historic Preservation Act (NHPA)—to preserve, conserve, and encourage the continuation of the diverse traditional prehistoric, historic, ethnic, and folk cultural traditions that underlie and are a living expression of our American heritage;
- the American Indian Religious Freedom Act (AIRFA)—to protect and preserve for American Indians access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites;
- the Archeological Resources Protection Act (ARPA)—to secure, for the present and future benefit of the American people, the protection of archeological resources and sites that are on public lands and Indian Lands;
- the National Environmental Policy Act (NEPA)—to preserve important historic, cultural, and natural aspects of our national heritage; and
- Executive Order 13007 (Indian Sacred Sites)—to accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and avoid adversely affecting the physical integrity of such sacred sites.

The Service must therefore be respectful of these ethnographic resources and carefully consider the effects

that NPS actions may have on them. When religious issues are evident, the Service must also consider constraints imposed on federal agency actions by the First and Fourteenth Amendments to the U.S. Constitution.

The National Park Service will adopt a comprehensive approach towards appreciating the diverse human heritage and associated resources that characterize the national park system. The Service will identify the present-day peoples whose cultural practices and identities were, and often still are, closely associated with each park's cultural and natural resources.

The Alaska National Interest Lands Conservation Act (ANILCA) recognizes the importance of maintaining Alaska Native and non-Native subsistence lifestyles and contains provisions that authorize activities by the Park Service to assist Alaska Natives in the preservation of cultural resources. For many rural Alaskans, the land and the way of life are inseparable. The Service will explore opportunities in Alaska to forge a mutually beneficial relationship between Alaska Natives, rural Alaskans, and the Service. In Alaska and elsewhere, the Service will try to strengthen the ability of traditional and indigenous peoples to perpetuate their culture and to enrich the parks with a deeper sense of place and applicable traditional knowledge held by associated groups.

Ethnographic information will be collected through collaborative research that recognizes the sensitive nature of such information. Cultural anthropologists/ethnographers will document the meanings that traditionally associated groups assign to traditional natural and cultural resources and the landscapes they form. The park's ethnographic file will include this information, as well as data on the traditional management practices and knowledge systems that affect resource uses and the short- and long-term effects of use on the resources.

(See Confidentiality 5.2.3. Also see Director's Order #28B: Ethnography Program)

5.3.5.3.1 Resource Access and Use

Consistent with the requirements of the Organic Act, the National Historic Preservation Act, American Indian Religious Freedom Act, the Archaeological Resources Protection Act, the National Environmental Policy Act, and Executive Order 13007 (Indian Sacred Sites) cited in section 5.3.5.3 above, the Service will strive to allow American Indians and other traditionally associated peoples access to and use of ethnographic resources. Continued access to and use of ethnographic resources is often essential to the survival of family, community, or regional cultural systems, including patterns of belief and sociocultural and religious life. However, the Service may not allow access and use if it would violate the criteria listed in section 8.1.

The Service generally supports traditional access and use when reasonable accommodations can be made under NPS authorities to allow greater access and use. Park superintendents may reasonably control the times when and places where specific groups may have exclusive access to particular areas of a park.

With regard to consumptive use of park resources, current NPS policy is reflected in regulations published at 36 CFR 2.1. These regulations allow superintendents to designate certain fruits, berries, nuts, or unoccupied seashells that may be gathered by hand for personal use or consumption if it will not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources. The regulations do not authorize the taking, use, or possession of fish, wildlife, or plants for ceremonial or religious purposes except where specifically authorized by federal statute or treaty rights or where hunting, trapping, or fishing are otherwise allowed. These regulations are currently under review, and NPS policy is evolving in this area.

Regulations addressing traditional subsistence uses that are authorized in Alaska by the Alaska National Interest Lands Conservation Act are published at 36 CFR Part 13. Some park-specific enabling acts (for example, Big Cypress National Preserve and Kaloko-Honokohau National Historical Park) allow subsistence or other traditional uses of park resources.

(See Appropriate Use 8.1.1; Use by American Indians and Other Traditionally Associated Groups 8.5; Special Park Uses 8.6; Collecting Natural Products 8.8; Consumptive Uses 8.9)

5.3.5.3.2 Sacred Sites

The National Park Service acknowledges that American Indian tribes, including Native Alaskans, treat specific places containing certain natural and cultural resources as sacred places having established religious meaning and as locales of private ceremonial activities. Consistent with Executive Order 13007 (Indian Sacred Sites), the Service will, to the extent practicable, accommodate access to and ceremonial use of Indian sacred sites by religious practitioners from recognized American Indian tribes and Alaska Natives, and avoid adversely affecting the physical integrity of such sacred sites.

In consultation with the appropriate groups, the Service will develop a record about such places, and identify any treatments preferred by the groups. This information will alert superintendents and planners to the potential presence of sensitive areas and will be kept confidential to the extent permitted by law. The Service will collaborate with affected groups to prepare mutually agreeable strategies for providing access to ordinarily gated or otherwise inaccessible locales, and for enhancing the likelihood of privacy during religious ceremonies. Any strategies that are developed must comply with constitutional and other legal requirements. To the extent feasible and allowable by law, accommodations will also be made for access to and the use of sacred places when interest is expressed by other traditionally associated peoples (especially Native Hawaiians and other Pacific islanders) and by American Indian peoples and others who often have a long-standing connection and identity with a particular park or resource.

Various ethnic groups, local groups with recently developed ties to resources in neighboring parks, and visitors to family and national cemeteries and national memorials also might use park resources for traditional or individual religious ceremonies. Mutually acceptable agreements may be negotiated with known groups to provide access to and the use of such places, consistent with constitutional and other legal constraints.

(See Confidentiality 5.2.3; Resource Access and Use 5.3.5.3.1; Use by American Indians and Other Traditionally Associated Groups 8.5; First Amendment Activities 8.6.3. Also see Director's Orders #66: FOIA and Protected Resource Information, and #71B: Indian Sacred Sites; NHPA [16 USC 470w-3]; Executive Order 13007 (Indian Sacred Sites); 512 DM 3)

5.3.5.3.3 Research

The Park Service will maintain a program of professional cultural anthropological/ethnographic research designed to provide NPS managers with information about relationships between park resources and associated peoples. Research will be undertaken in cooperation with associated peoples in an interdisciplinary manner whenever reasonable, especially in studies of natural resource use and ethnographic landscapes. Research findings will be used to inform planning, cultural and natural resource management decision-making, and interpretation, as well as to help managers meet responsibilities to associated peoples and other stakeholders in the outcomes of NPS decisions.

Collaborative research dealing with recent or contemporary cultural systems and the resources of park-associated peoples will involve the groups in the design and implementation of the research and the review of research findings to the fullest possible extent. The Service will provide individuals or groups involved with or directly affected by the research with copies or summaries of the reports, as appropriate.

(See Levels of Park Planning 2.3; Studies and Collections 4.2; Consultation 7.5.6; Use by American Indians and Other Traditionally Associated Groups 8.5. Also see Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes)

5.3.5.4 Historic and Prehistoric Structures

The treatment of historic and prehistoric structures will be based on sound preservation practice to enable the long-term preservation of a structure's historic features, materials, and qualities. There are three types of treatment for extant structures: preservation, rehabilitation, and restoration.

(Also see Secretary of the Interior's Standards for the Treatment of Historic Properties)

5.3.5.4.1 Preservation

A structure will be preserved in its present condition if

- that condition allows for satisfactory protection, maintenance, use, and interpretation; or
- another treatment is warranted but cannot be accomplished until some future time.

5.3.5.4.2 Rehabilitation

A historic structure may be rehabilitated (rehabilitation does not apply to prehistoric structures) for contemporary use if

- it cannot adequately serve an appropriate use in its present condition; and
- rehabilitation will retain its essential features and will not alter its integrity and character or conflict with approved park management objectives.

5.3.5.4.3 Restoration

A structure may be restored to an earlier appearance if

- all changes after the proposed restoration period have been professionally evaluated, and the significance of those changes has been fully considered;
- restoration is essential to public understanding of the park's cultural associations;
- sufficient data about that structure's earlier appearance exist to enable its accurate restoration; and
- the disturbance or loss of significant archeological resources is minimized and mitigated by data recovery.

5.3.5.4.4 Reconstruction of Missing Structures

No matter how well conceived or executed, reconstructions are contemporary interpretations of the past rather than authentic survivals from it. The National Park Service will not reconstruct a missing structure unless

- there is no alternative that would accomplish the park's interpretive mission;
- sufficient data exist to enable its accurate reconstruction based on the duplication of historic features substantiated by documentary or physical evidence rather than on conjectural designs or features from other structures;
- reconstruction will occur in the original location;
- the disturbance or loss of significant archeological resources is minimized and mitigated by data recovery; and
- reconstruction is approved by the Director.

A structure will not be reconstructed to appear damaged or ruined. Generalized representations of typical structures will not be attempted.

(See Environmental Monitoring and Control 5.3.1.4; Physical Access for Persons with Disabilities 5.3.2; Historic and Prehistoric Ruins 5.3.5.4.10)

5.3.5.4.5 Movement of Historic Structures

Proposals for moving historic structures will consider the effects of movement on the structures, their present environments, their proposed environments, and the archeological research value of the structures and their sites. No historic structure will be moved if its preservation

would be adversely affected or until the appropriate recovery of significant archeological data has occurred. Prehistoric structures will not be moved.

A nationally significant historic structure may be moved only if

- it cannot practically be preserved on its present site; or
- the move constitutes a return to a previous historic location, and the previous move and present location are not important to the structure's significance.

A historic structure of less-than-national significance may be moved if

- it cannot practically be preserved on its present site; or
- its present location is not important to its significance, and its relocation is essential to public understanding of the park's cultural associations.

In moving a historic structure, every effort will be made to reestablish its historic orientation, immediate setting, and general relationship to its environment.

The Park Service will not acquire historic structures for relocation to parks unless those structures were removed from the park and are necessary to achieve the park purpose or authorized by legislation.

5.3.5.4.6 New Construction

In preference to new construction, every reasonable consideration will be given to using historic structures for park purposes compatible with their preservation and public appreciation. Additions may be made to historic structures when essential to their continued use and when new construction will not destroy historic materials, features, and spatial relationships that characterize the structure. Structural additions will harmonize in size, scale, proportion, and materials with, but be readily distinguishable from, the older work, and will not intrude upon the historic scene. New additions will meet the *Secretary of the Interior's Standards for Rehabilitation*.

In those areas of parks managed for the preservation, protection, and interpretation of cultural resources and their settings, new structures, landscape features, and utilities will be constructed only if

- existing structures and improvements do not meet essential park management needs; and
- new construction is designed and sited to preserve the integrity and character of the area.

Unless associated with an approved restoration or reconstruction, all alterations, additions, or related new construction will be differentiated from yet compatible with the historic character of the structure.

(See Rehabilitation 5.3.5.4.2; Use of Historic Structures 5.3.5.4.7; Adaptive Use 9.1.1.4. Also see Executive Order 13006 (Locating Federal Facilities on Historic Properties); National Historic Preservation Act)

5.3.5.4.7 Use of Historic Structures

NHPA (16 USC 470h-2(a)(1)) and Executive Order 13006 (Locating Federal Facilities on Historic Properties) require each federal agency—before acquiring, constructing, or leasing buildings—to use, to the maximum extent feasible, historic properties available to it whenever operationally appropriate and economically prudent. The *National Historic Preservation Act* also requires each agency to implement alternatives for the adaptive use of historic properties it owns if that will help ensure the properties' preservation. Therefore, compatible uses for structures will be found whenever possible. This policy will help prevent the accelerated deterioration of historic structures due to neglect and vandalism. Unused significant historic structures should be stabilized and protected through appropriate measures (such as mothballing) until long-term decisions are made through the planning process.

All uses of historic structures are subject to preservation and public safety requirements. No administrative or public use will be permitted that would threaten the stability or character of a structure, the museum objects within it, or the safety of its users, or that would entail alterations that would significantly compromise its integrity.

(See Fire Detection, Suppression, and Post-fire Rehabilitation and Protection 5.3.1.2; Physical Access for Persons with Disabilities 5.3.2; Adaptive Use 9.1.1.4; Energy Management 9.1.7; Historic Structures 9.4.3.3. Also see Executive Order 13287 (Preserve America))

5.3.5.4.8 Park Structures Owned or Managed by Others

Structures and related property owned or managed by others will be managed in accordance with NPS policies, guidelines, and standards to the extent permitted by the Service's interest. This includes structures and property owned but not occupied by the Service, and structures and property owned by others in which the Service has a less-than-fee interest or plays a major management or preservation role. Interests acquired or retained by the Service will enable the application of this policy.

(See Land Protection Plans 3.3; Historic Property Leases and Cooperative Agreements 5.3.3; Commercial Visitor Services Planning 10.2.2)

5.3.5.4.9 Damaged or Destroyed Historic Structures

Historic structures damaged or destroyed by fire, storm, earthquake, war, or any other accident may be preserved as ruins; be removed; or be rehabilitated, restored, or reconstructed in accordance with these policies.

5.3.5.4.10 Historic and Prehistoric Ruins

The stabilization of historic and prehistoric ruins will be preceded by studies leading to the recovery of any data that would be affected by stabilization work. Ruins and related features on unexcavated archeological sites will be stabilized only to the extent necessary to preserve research values or to arrest structural deterioration, recognizing that it is preferable to preserve archeological sites in situ

than to excavate them. Archeological ruins to be exhibited will not be excavated until consultation has occurred with traditionally associated peoples and adequate provisions are made for data recovery and stabilization. Structures will not be deliberately reduced to ruins, and missing structures will not be reconstructed to appear damaged or ruined.

5.3.5.5 Museum Collections

The Service will collect, protect, preserve, provide access to, and use objects, specimens, and archival and manuscript collections (henceforth referred to collectively as "collections," or individually as "items") in the disciplines of archeology, ethnography, history, biology, geology, and paleontology to aid understanding among park visitors, and to advance knowledge in the humanities and sciences. As appropriate, the Service will consult with culturally affiliated or traditionally associated peoples before treating or reproducing items in NPS collections that are subject to the Native American Graves Protection and Repatriation Act.

(Also see Museum Handbook)

5.3.5.5.1 Preservation

An item in a museum collection will be preserved in its present condition through ongoing preventive care if

- that condition is satisfactory for exhibit or research; or
- another treatment is warranted but it cannot be accomplished until some future time.

An item will be stabilized if

- preventive measures are insufficient to reduce deterioration to a tolerable level; or
- the item is so fragile that it will be endangered under any circumstances.

Active conservation treatment (intervention) will be minimized to reduce the possibility of compromising the item's integrity. All active treatment will be documented.

5.3.5.5.2 Restoration

An item in a museum collection may be restored to an earlier appearance if

- restoration is required for exhibit or research purposes;
- sufficient data about that item's earlier appearance exist to enable its accurate restoration; and
- restoration will not modify that item's known original character.

Restoration will be accomplished using the techniques and materials that least modify the item and so that the materials can be removed at a later time with minimal adverse effect. Restored areas will be documented and distinguishable from original material. Restoration will take into account the possible importance of preserving signs of wear, damage, former maintenance, and other historical and scientific evidence.

5.3.5.5.3 Reproduction

Items needed for interpretive and educational presentations will be reproduced for such use when the originals (1) are unavailable, or (2) would be subject to undue deterioration or loss, or (3) are otherwise inappropriate for exhibit. If an object is inappropriate for exhibit because of its religious or spiritual significance to a traditionally associated people, it will be reproduced only after consultation with such people.

5.3.5.5.4 Acquisition, Management, Disposition, and Use

Collections and related documentation essential to achieving the purposes and objectives of parks will be acquired and maintained in accordance with approved scope of collection statements for each park. When museum objects, specimens, or archival documents become available and fall within a park's approved scope of collection statement, every reasonable effort will be made to acquire them if they can be managed and made accessible according to NPS standards.

Archeological objects systematically collected in a park, and natural history specimens systematically collected in a park for exhibit or permanent retention, will be managed as part of the park's museum collection. The management and care of museum collections will be addressed at all appropriate levels of planning. Requisite levels of care will be established through the interdisciplinary efforts of qualified professionals.

Museum collections will be acquired and disposed of in conformance with legal authorizations and current NPS procedures. The National Park Service will acquire only collections having legal and ethical pedigrees. Each park will maintain complete and current accession records to establish the basis for legal custody of the collections in its possession, including intellectual property rights when acquired. Each park will prepare museum catalog records to record basic property management data and other documentary information about the park's museum collection. Collections will be inventoried in accordance with current procedures. Archeological, cultural landscape, ethnographic, historic and prehistoric structure, historic furnishings, natural resource, and other projects that generate collections for parks will provide for cataloging and initial preservation of those collections in the project budget.

The Service may cooperate with qualified entities in the management, use, and exhibition of museum collections, and may loan items to or borrow items from such entities for approved purposes. The Service may deaccession items using means authorized in the Museum Act and the Native American Graves Protection and Repatriation Act.

Interested persons will be permitted to inspect and study NPS museum collections and records in accordance with standards for the preservation and use of collections, and subject to laws and policies regarding the confidentiality of resource data. At-cost copies of documents may be provided.

(See Natural Resource Collections 4.2.3; Paleontological Resources and Their Contexts 4.8.2.1; Confidentiality 5.2.3; Fire Detection, Suppression, and Post-fire Rehabilitation and Protection 5.3.1.2; Environmental Monitoring and Control 5.3.1.4; Consultation 7.5.6; Special Park Uses 8.6; Museum Collections Management Facilities 9.4.2. Also see 16 USC 18f; 43 USC 1460; 36 CFR Part 79; 43 CFR Part 10; and Museum Handbook)

5.3.5.5.5 Historic Furnishings

When historic furnishings are present in their original arrangement in a historic structure, every effort will be made to preserve them as an entity. Such historic furnishings will not be moved or replaced unless required for their protection or repair or unless the structure is designated for another use in an approved planning document. The original arrangement of historic furnishings will be properly documented. A structure may be refurnished in whole or in part if

- all changes after the proposed refurnishing period have been professionally evaluated, and their significance has been fully considered;
- a planning process has demonstrated that refurnishing is essential to public understanding of the park's cultural associations; and
- sufficient evidence of the design and placement of the structure's furnishings exists to enable its accurate refurnishing without reliance on evidence from comparable structures.

Generalized representations of typical interiors will not be attempted except in exhibit contexts that make their representative nature obvious. Reproductions may be used in place of historic furnishings, but only when photographic evidence or prototypes exist to ensure the accurate re-creation of historic pieces.

(See Levels of Park Planning 2.3; Nonpersonal Services 7.3.2)

5.3.5.5.6 Archives and Manuscripts

Archival and manuscript collections are museum collections; they will be preserved, arranged, cataloged, and described in finding aids. They will be maintained and used in ways that preserve the collections and their context (provenance and original order) intact while providing controlled access. With few legal exemptions, the Park Service will make archives and manuscripts available to researchers. Electronic documents that are to be preserved in archival and manuscript collections will be migrated so that their information remains accessible.

All documentation associated with natural and cultural resource studies and other resource management actions will be retained in the park's museum collection for use in managing park resources over time. Parks will retain notes or copies of records significant to their administrative histories when they periodically transfer their official records to federal record centers.

(See Managing Information 1.9.2; Confidentiality 5.2.3)

6

Wilderness Preservation and Management

All NPS lands will be evaluated for their eligibility for inclusion within the national wilderness preservation system. For those lands that possess wilderness characteristics, no action that would diminish their wilderness eligibility will be taken until after Congress and the President have taken final action. The superintendent of each park containing wilderness will develop and maintain a wilderness management plan or equivalent document. Wilderness considerations will be integrated into all planning documents to guide the preservation, management, and use of the park's wilderness area and ensure that wilderness is unimpaired for future use and enjoyment as wilderness.



A wilderness is an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain.

6.1 General Statement

The National Park Service will manage wilderness areas for the use and enjoyment of the American people in such a manner as will leave them unimpaired for future use and enjoyment as wilderness. Management will include the protection of these areas, the preservation of their wilderness character, and the gathering and dissemination of information regarding their use and enjoyment as wilderness. The purpose of wilderness in the national parks includes the preservation of wilderness character and wilderness resources in an unimpaired condition and, in accordance with the Wilderness Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.

The policies contained in this chapter are supplemented by Director's Order #41: Wilderness Preservation and Management and Reference Manual 41, which accompanies the director's order. Those documents should be referred to for more detailed information on the topics covered in this chapter.

6.2 Identification and Designation of the Wilderness Resource

The National Park Service will use the following wilderness study process to consider NPS areas for inclusion within the congressionally designated national wilderness preservation system.

6.2.1 Assessment of Wilderness Eligibility or Ineligibility

All lands administered by the National Park Service, including new units or additions to existing units since 1964, will be evaluated for their eligibility[2] for inclusion in the national wilderness preservation system. Additionally, lands that were originally assessed as ineligible for wilderness because of nonconforming or incompatible uses must be reevaluated if the nonconforming uses have been terminated or removed. A wilderness eligibility assessment will consist of a brief memorandum from the regional director to the Director that makes a managerial determination as to the eligibility of the park lands for wilderness designation.

The assessment may include information important for other park planning purposes, and other park planning efforts may likewise produce information important to wilderness. The assessment should therefore be completed in a timely manner and thoughtfully coordinated with other planning activities. The assessment may be combined with the wilderness study described below if the combined document can be completed in a timely manner.

[2] *Management Policies 2001* used the term "suitability" to refer to the Park Service's initial screening assessment as to whether lands meet the minimum criteria for inclusion in the national wilderness preservation system. The Wilderness Act, however, uses "suitability" to refer to the Secretary's determinations in forwarding recommendations to the President. For purposes of clarity, the NPS initial screening assessment has been renamed an "eligibility" assessment. The change from "suitability" to "eligibility" in no way lessens the protected status of these lands.

6.2.1.1 Primary Eligibility Criteria

NPS lands will be considered eligible for wilderness if they are at least 5,000 acres or of sufficient size to make practicable their preservation and use in an unimpaired condition, and if they possess the following characteristics (as identified in the Wilderness Act):

- The earth and its community of life are untrammeled by humans, where humans are visitors and do not remain.
- The area is undeveloped and retains its primeval character and influence without permanent improvements or human habitation.
- The area generally appears to have been affected primarily by the forces of nature, with the imprint of humans' work substantially unnoticeable.
- The area is protected and managed so as to preserve its natural conditions.
- The area offers outstanding opportunities for solitude or a primitive and unconfined type of recreation.

6.2.1.2 Additional Considerations in Determining Eligibility

In addition to the primary eligibility criteria, the following considerations should be taken into account in determining eligibility:

- A wilderness area may contain significant ecological, geological, or other features of scientific, educational, scenic, or historical value, although it does not need these things to be considered eligible for wilderness designation.
- Lands that have been logged, farmed, grazed, mined, or otherwise used in ways not involving extensive development or alteration of the landscape may also be considered eligible for wilderness designation if, at the time of assessment, the effects of these activities are substantially unnoticeable or their wilderness character could be maintained or restored through appropriate management actions.
- An area will not be excluded from a determination of wilderness eligibility solely because established or proposed management practices require the use of tools, equipment, or structures if those practices are necessary to meet minimum requirements for the administration of the area as wilderness.
- In the process of determining wilderness eligibility, lands will not be excluded solely because of existing rights or privileges (e.g., mineral exploration and development, commercial operations, agricultural development, grazing, or stock driveways). If the National Park Service determines that these lands possess wilderness character, they may be included in the eligibility determination so that they can be considered for designation as wilderness or potential wilderness.
- Lands containing aboveground or buried utility lines will normally not be considered as eligible for wilderness designation, but they can be considered as

eligible for "potential" wilderness designation if there is a long-term intent to remove the lines. No new utility lines may be installed in wilderness, and existing utility lines may not be extended or enlarged except as may be allowed pursuant to section 1106 of the Alaska National Interest Lands Conservation Act (16 USC 1133(c)).

- Historic features that are primary attractions for park visitors will generally not be recommended as eligible for wilderness designation. However, an area that attracts visitors primarily for the enjoyment of solitude and unconfined recreation in a primitive setting may also contain cultural resource features and still be included in wilderness. Historic trails may serve and be maintained as part of the wilderness trail system, as identified and coordinated within an approved wilderness management plan and the park's cultural resource plan. The presence of historic structures does not make an area ineligible for wilderness. A recommendation may be made to include a historic structure in wilderness if (1) the structure would be only a minor feature of the total wilderness proposal; and (2) the structure will remain in its historic state, without development.
- Dams within or affecting the area being studied do not make a waterway ineligible for wilderness designation. The nature and extent of impacts and the extent to which the impacts can be mitigated would need to be addressed in subsequent wilderness studies.
- The established use of motorboats, snowmobiles, or aircraft does not make an area ineligible for wilderness. The nature and extent of any impacts on the environment and on eligibility, and the extent to which the impacts can be mitigated would need to be addressed in subsequent wilderness studies, along with the possible need to discontinue the use.
- Overflights do not make an area ineligible for wilderness designation. The nature and extent of any overflight impacts and the extent to which the impacts can be mitigated would need to be addressed in subsequent wilderness studies.

6.2.1.3 The Assessment Process

The Service will involve the public in the wilderness eligibility assessment process through notification of its intentions to conduct the assessment and publication of the Director's determination, either as "eligible" or as "ineligible" for further wilderness study. Notification will include the issuance of news releases to local and regional news media and the publication of a final eligibility determination in the *Federal Register*. The final determination of an area's eligibility, or ineligibility, for further study must be approved by the Director before publication of the final eligibility determination in the *Federal Register*. For areas determined to be ineligible for wilderness designation, the wilderness preservation provisions in the NPS *Management Policies* are not applicable. However, ineligible lands will be managed in accordance with the NPS Organic Act and all other laws, executive orders, regulations, and policies applicable to units of the national park system.

6.2.2 Wilderness Studies

Lands and waters found to possess the characteristics and values of wilderness, as defined in the Wilderness Act and determined eligible pursuant to the wilderness eligibility assessment, will be formally studied to develop the recommendation to Congress for wilderness designation. The National Park Service will continue to undertake wilderness studies of all lands that have been determined to be eligible as a result of the wilderness eligibility assessment. Also, studies will be made of lands for which subsequent legislation directs that wilderness studies be completed.

Wilderness studies will be supported by appropriate documentation of compliance with the National Environmental Policy Act and the National Historic Preservation Act. The Council on Environmental Quality requires environmental impact statements for wilderness studies that will result in recommendations for designations (i.e., proposals for legislation to designate as wilderness).

6.2.2.1 Potential Wilderness

A wilderness study may identify lands that are surrounded by or adjacent to lands proposed for wilderness designation but that do not themselves qualify for immediate designation due to temporary nonconforming or incompatible conditions. The wilderness recommendation forwarded to the Congress by the President may identify these lands as "potential" wilderness for future designation as wilderness when the nonconforming use has been removed or eliminated. If so authorized by Congress, these potential wilderness areas will become designated wilderness upon the Secretary's determination, published in the *Federal Register*, that they have finally met the qualifications for designation by the cessation or termination of the nonconforming use.

6.2.2.2 Proposed Wilderness

The findings and conclusions of a formal wilderness study will be reviewed by the Director, who will then determine which lands will be forwarded to the Department of the Interior (Assistant Secretary's Office) as "proposed" wilderness. The Director's proposed wilderness will identify park lands that the Director believes the Secretary should recommend for immediate wilderness designation, as well as any other lands identified as "not proposed" or as "potential" wilderness.

6.2.3 Recommended Wilderness

The Secretary of the Interior is responsible for recommending to the President those lands under his/her jurisdiction that are suitable or nonsuitable for inclusion within the national wilderness preservation system. The Secretary performs this function through the Assistant Secretary's Office by reviewing NPS proposed wilderness and either approving or revising the proposal. The final result is forwarded by the Secretary for the President's consideration. The President is then responsible for transmitting his recommendations with respect to wilderness designation to both houses of Congress. These recommendations must be accompanied by maps and boundary descriptions. The National Park Service will

track the status of the wilderness designation process in Congress.

6.2.4 Designated Wilderness

After the President's wilderness recommendation is formally sent to and considered by Congress, Congress may subsequently enact the legislation needed to include the area within the national wilderness preservation system as "designated" and/or "potential" wilderness. The National Park Service will assist the department and Congress in this process as requested. Lands released by Congress from further wilderness consideration will be managed in accordance with the NPS Organic Act and all other laws, executive orders, regulations, and policies applicable to nonwilderness areas of the national park system.

6.3 Wilderness Resource Management

6.3.1 General Policy

For the purposes of applying these policies, the term "wilderness" will include the categories of eligible, study, proposed, recommended, and designated wilderness. Potential wilderness may be a subset of any of these five categories. The policies apply regardless of category except as otherwise provided herein.

In addition to managing these areas for the preservation of the physical wilderness resources, planning for these areas must ensure that the wilderness character is likewise preserved. This policy will be applied to all planning documents affecting wilderness.

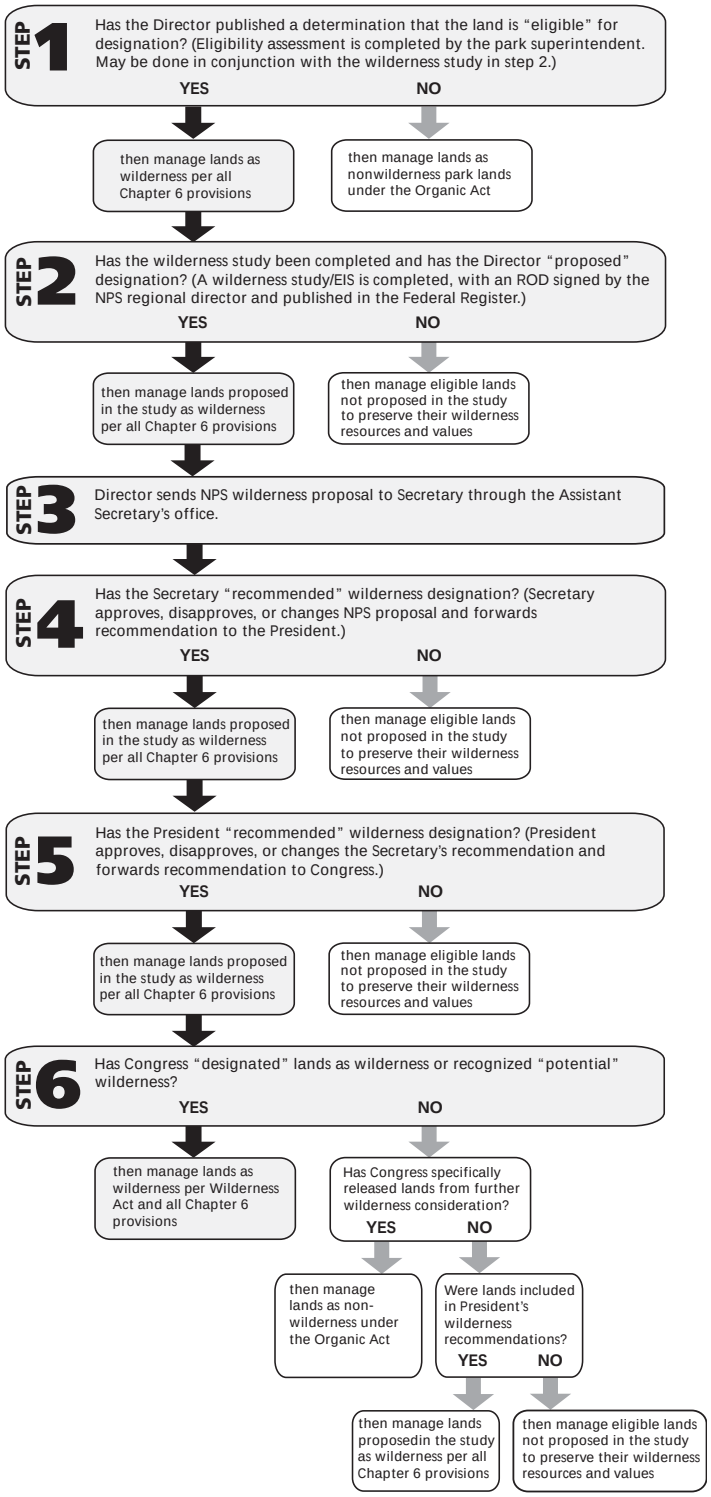
The National Park Service will take no action that would diminish the wilderness eligibility of an area possessing wilderness characteristics until the legislative process of wilderness designation has been completed. Until that time, management decisions will be made in expectation of eventual wilderness designation. This policy also applies to potential wilderness, requiring it to be managed as wilderness to the extent that existing nonconforming conditions allow. The National Park Service will apply the principles of civic engagement and cooperative conservation as it determines the most appropriate means of removing the temporary, nonconforming conditions that preclude wilderness designation from potential wilderness. All management decisions affecting wilderness will further apply the concept of "minimum requirement" for the administration of the area regardless of wilderness category. The only exception is for areas that have been found eligible, but for which, after completion of a wilderness study, the Service has not proposed wilderness designation. However, those lands will still be managed to preserve their eligibility for designation.

(See Minimum Requirement 6.3.5)

6.3.2 Responsibility

NPS responsibility for carrying out wilderness preservation mandates will be shared by the Director, regional directors, and superintendents of parks with eligible, study area, proposed, recommended, and designated wilderness. Interagency cooperation and coordination and training responsibilities will also be carried out at the Washington, D.C., region, and park levels. Specific wilderness management responsibilities will be assigned at each of these administrative levels to carry out these responsibilities effectively and to facilitate efforts for establishing agency and interagency consistency in wilderness management techniques.

WILDERNESS REVIEW AND MANAGEMENT PROCESS



Superintendents will provide the information needed to prepare an annual wilderness report to Congress and to report to the Director on the status of wilderness management in the national park system. Based on this information, the Associate Director for Visitor and Resource Protection will provide the Directorate with recommendations and advice to permanently establish a system of accountability, consistency, and continuity for NPS wilderness management.

6.3.3 Consistency

The National Park Service will seek to achieve consistency in wilderness management objectives, techniques, and practices on both an agency and an interagency basis. Accordingly, the National Park Service will seek to maintain effective intra-agency and interagency communications, and will encourage, sponsor, and participate in intra-agency and interagency training and workshops designed to promote the sharing of ideas, concerns, and techniques related to wilderness management. However, the need for interagency consistency will in no way diminish any established NPS wilderness standards and values.

6.3.4 Wilderness-related Planning and Environmental Compliance

Policies on wilderness planning and compliance include the following.

6.3.4.1 Zoning for Wilderness

When necessary, all categories of wilderness may be zoned for visitor experiences and resource conditions consistent with their wilderness values within the established management zoning system for each park. However, management zoning or other land use classifications cannot and will not diminish or reduce the maximum protection to be afforded lands with wilderness values. Transition zones adjacent to wilderness may be identified to help protect wilderness values, but no transitional or "buffer" zones are appropriate within wilderness boundaries.

6.3.4.2 Wilderness Management Planning

The superintendent of each park containing wilderness resources will develop and maintain a wilderness management plan or equivalent planning document to guide the preservation, management, and use of these resources. The wilderness management plan will identify desired future conditions, as well as establish indicators, standards, conditions, and thresholds beyond which management actions will be taken to reduce human impacts on wilderness resources.

The park's wilderness management plan may be developed as a separate document or as an action component of another planning document. Whether prepared as a stand-alone plan or as part of another planning document, all wilderness management plans must meet the same standards for process and content as specified in this section 6.3.4. Wilderness management plans will be supported by appropriate documentation of compliance with the National Environmental Policy Act and the National Historic Preservation Act. The plan will be developed with public involvement and will contain specific, measurable management objectives that address the preservation and management of natural and cultural resources within wilderness as appropriate to achieve the purposes of the Wilderness Act and other legislative requirements.

(See Visitor Carrying Capacity 8.2.1)

6.3.4.3 Environmental Compliance

Proposals having the potential to impact wilderness resources will be evaluated in accordance with NPS procedures for implementing the National Environmental Policy Act. Those procedures include the use of categorical exclusions, environmental assessments (EAs), or environmental impact statements (EISs). Administrative actions impacting wilderness must be addressed in either the environmental assessment or environmental impact statement accompanying the approved wilderness management plan or as a separate environmental compliance document.

Managers contemplating the use of aircraft or other motorized equipment or mechanical transportation within wilderness must consider impacts to the character, esthetics, and traditions of wilderness before considering the costs and efficiency of the equipment.

In evaluating environmental impacts, the National Park Service will take into account (1) wilderness characteristics and values, including the primeval character and influence of the wilderness; (2) the preservation of natural conditions (including the lack of man-made noise); and (3) assurances that there will be outstanding opportunities for solitude, that the public will be provided with a primitive and unconfined type of recreational experience, and that wilderness will be preserved and used in an unimpaired condition. Managers will be expected to appropriately address cultural resources management considerations in the development and review of environmental compliance documents impacting wilderness resources.

(Also see Director's Order #12: Conservation Planning, Environmental Impact Analysis, and Decision-making)

6.3.5 Minimum Requirement

All management decisions affecting wilderness must be consistent with the minimum requirement concept. This concept is a documented process used to determine if administrative actions, projects, or programs undertaken by the Service or its agents and affecting wilderness character, resources, or the visitor experience are necessary, and if so how to minimize impacts. The minimum requirement concept will be applied as a two-step process that determines

- whether the proposed management action is appropriate or necessary for administration of the area as wilderness and does not cause a significant impact to wilderness resources and character, in accordance with the Wilderness Act; and

- the techniques and types of equipment needed to ensure that impacts on wilderness resources and character are minimized.

In accordance with this policy, superintendents will apply the minimum requirement concept in the context of wilderness stewardship planning, as well as to all other administrative practices, proposed special uses, scientific activities, and equipment use in wilderness. The only exception to the minimum requirement policy is for eligible areas that the Service has not proposed for wilderness designation. However, those lands will still be managed to preserve their eligibility.

When determining minimum requirements, the potential disruption of wilderness character and resources will be considered before, and given significantly more weight than, economic efficiency and convenience. If a compromise of wilderness resources or character is unavoidable, only those actions that preserve wilderness character and/or have localized, short-term adverse impacts will be acceptable.

Although park managers have flexibility in identifying the method used to determine minimum requirement, the method used must clearly weigh the benefits and impacts of the proposal, document the decision-making process, and be supported by an appropriate environmental compliance document. Parks must develop a process to determine minimum requirement until the plan is finally approved. Parks will complete a minimum requirement analysis on those administrative practices and equipment uses that have the potential to impact wilderness resources or values. The minimum requirement concept cannot be used to rationalize permanent roads or inappropriate or unlawful uses in wilderness.

Administrative use of motorized equipment or mechanical transport will be authorized only

- if determined by the superintendent to be the minimum requirement needed by management to achieve the purposes of the area, including the preservation of wilderness character and values, in accordance with the Wilderness Act; or
- in emergency situations (for example, search and rescue, homeland security, law enforcement) involving the health or safety of persons actually within the area.

Such management activities will also be conducted in accordance with all applicable regulations, policies, and guidelines and, where practicable, will be scheduled to avoid creating adverse resource impacts or conflicts with visitor use.

While actions taken to address search and rescue, homeland security and law enforcement issues are subject to the minimum requirement concept, preplanning or programmatic planning should be undertaken whenever possible to facilitate a fast and effective response and reduce paperwork.

For more detailed guidance, see Director's Order #41 and the National Wilderness Steering Committee Guidance Paper #3: "What Constitutes the Minimum Requirements in Wilderness?"

(See Director's Order #12: Conservation Planning, Environmental Impact Analysis, and Decision-making)

6.3.6 Scientific Activities in Wilderness

The statutory purposes of wilderness include scientific activities, and these activities are encouraged and permitted when consistent with the Service's responsibilities to preserve and manage wilderness.

6.3.6.1 General Policy

The National Park Service has a responsibility to support appropriate scientific activities in wilderness and to use science to improve wilderness management. The Service recognizes that wilderness can and should serve as an important resource for long-term research into and study and observation of ecological processes and the impact of humans on these ecosystems. The National Park Service further recognizes that appropriate scientific activities may be critical to the long-term preservation of wilderness.

Scientific activities are to be encouraged in wilderness. Even those scientific activities (including inventory, monitoring, and research) that involve a potential impact to wilderness resources or values (including access, ground disturbance, use of equipment, and animal welfare) should be allowed when the benefits of what can be learned outweigh the impacts on wilderness resources or values. However, all such activities must also be evaluated using the minimum requirement concept and include documented compliance that assesses impacts against benefits to wilderness. This process should ensure that the activity is appropriate and uses the minimum tool required to accomplish project objectives. Scientific activities involving prohibitions identified in section 4(c) of the Wilderness Act (16 USC 1133(c)) may be conducted within wilderness when the following occur:

- The desired information is essential for the understanding health, management, or administration of wilderness, and the project cannot be reasonably modified to eliminate or reduce the nonconforming wilderness use(s); or if it increases scientific knowledge, even when this serves no immediate wilderness management purposes, provided it does not compromise wilderness resources or character. The preservation of wilderness resources and character will be given significantly more weight than economic efficiency and/or convenience.
- Compliance with the National Environmental Policy Act (including completion of documented categorical exclusions, environmental assessments/findings of no significant impact, or environmental impact statements/records of decision) and other regulatory compliance (including compliance with section 106 of the National Historic Preservation Act (16 USC 470f)) are accomplished and documented.

- All scientific activities will be accomplished in accordance with terms and conditions adopted at the time the research permit is approved. Later requests for exceptions to the Wilderness Act will require additional review and approval.
- The project will not significantly interfere with other wilderness purposes (recreational, scenic, educational, conservation, or historical) over a broad area or for a long period of time.
- The minimum requirement concept is applied to implementation of the project.

Research and monitoring devices (e.g., video cameras, data loggers, meteorological stations) may be installed and operated in wilderness if (1) the desired information is essential for the administration and preservation of wilderness and cannot be obtained from a location outside wilderness without significant loss of precision and applicability; and (2) the proposed device is the minimum requirement necessary to accomplish the research objective safely.

Park managers will work with researchers to make NPS wilderness area research a model for the use of low-impact, less intrusive techniques. New technology and techniques will be encouraged if they are less intrusive and cause less impact. The goal will be for studies in NPS wilderness to lead the way in "light on the resource" techniques.

Devices located in wilderness will be removed when determined to be no longer essential. Permanent equipment caches are prohibited within wilderness. Temporary caches must be evaluated using the minimum requirement concept.

All scientific activities, including the installation, servicing, removal, and monitoring of research devices, will apply minimum requirement concepts and be accomplished in compliance with *Management Policies*, director's orders, and procedures specified in the park's wilderness management plan.

(See Studies and Collections 4.2; Social Science Studies 8.11)

6.3.6.2 Monitoring Wilderness Resources

In every park containing wilderness, the conditions and long-term trends of wilderness resources will be monitored to identify the need for or effects of management actions. The purpose of this monitoring will be to ensure that management actions and visitor impacts on wilderness resources and character do not exceed standards and conditions established in an approved park plan.

As appropriate, wilderness monitoring programs may assess physical, biological, and cultural resources and social impacts. Monitoring programs may also need to assess potential problems that may originate outside the wilderness to determine the nature, magnitude, and probable source of those impacts.

6.3.7 Natural Resources Management

The National Park Service recognizes that wilderness is a composite resource with interrelated parts. Without natural resources, especially indigenous and endemic species, a wilderness experience would not be possible. Natural resources are critical, defining elements of the wilderness resource, but they need to be managed within the context of the whole ecosystem. Natural resource management plans will be integrated with and cross-reference wilderness management plans. Pursuing a series of independent component projects in wilderness, such as single-species management, will not necessarily accomplish the overarching goal of wilderness management. Natural resources management in wilderness will include and be guided by a coordinated program of scientific inventory, monitoring, and research.

The principle of nondegradation will be applied to wilderness management, and each wilderness area's condition will be measured and assessed against its own unimpaired standard. Natural processes will be allowed, insofar as possible, to shape and control wilderness ecosystems. Management should seek to sustain the natural distribution, numbers, population composition, and interaction of indigenous species. Management intervention should only be undertaken to the extent necessary to correct past mistakes, the impacts of human use, and influences originating outside of wilderness boundaries.

Management actions, including the restoration of extirpated native species, the alteration of natural fire regimes, the control of invasive alien species, the management of endangered species, and the protection of air and water quality, should be attempted only when the knowledge and tools exist to accomplish clearly articulated goals.

(See Chapter 4: Natural Resource Management. Also see Director's Order #77 series on natural resources management)

6.3.8 Cultural Resources

The Wilderness Act specifies that the designation of any area of the park system as wilderness "shall in no manner lower the standards evolved for the use and preservation of" such unit of the park system under the various laws applicable to that unit (16 USC 1133(a)(3)). Thus, the laws pertaining to historic preservation also remain applicable within wilderness but must generally be administered to preserve the area's wilderness character. The responsible decision-maker will include appropriate consideration of the application of these provisions of the Wilderness Act in analyses and decision-making concerning cultural resources.

Cultural resources that have been included within wilderness will be protected and maintained according to the pertinent laws and policies governing cultural resources using management methods that are consistent with the preservation of wilderness character and values. These laws include the Antiquities Act and the Historic Sites, Buildings and Antiquities Act, as well as subsequent historic

preservation legislation, including the National Historic Preservation Act, the Archaeological Resources Protection Act, and the Native American Graves Protection and Repatriation Act. The *Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation* projects provide direction for protection and maintenance. Cemeteries or commemorative features, such as plaques or memorials, that have been included in wilderness may be retained (including approved access to these sites), but no new cemeteries or additions to existing cemeteries may be made unless specifically authorized by federal statute, existing reservations, or retained rights.

(See Chapter 5: Cultural Resource Management)

6.3.9 Fire Management

All fire management activities conducted in wilderness areas will conform to the basic purposes of wilderness. Actions taken to suppress wildfires must use the minimum requirements concept unless the on-site decision-maker determines in his professional judgment that conditions dictate otherwise. Preplanning is critical to ensure that emergency response incorporates minimum requirements to the greatest extent possible. Fire suppression activities should be managed in ways that protect natural and cultural resources and minimize the lasting impacts of the suppression actions. Information on developing a fire management program in wilderness is contained in Director's Order #18: Wildland Fire Management.

Guidance on the need to suppress wildland fire or to use some wildland fires to achieve desired future conditions should appear in the park's planning documents (for example, in the wilderness management plan and fire management plan). Information in these documents will guide managers in the selection of fire management tactics that protect natural and cultural resources from fire and from fire suppression actions.

The park's fire management plan will provide guidance for responses to natural and human-caused wildland fires based on fuel conditions, climatic conditions, resources at risk, potential for damage to property or loss of life, both within and adjacent to the wilderness, as well as the availability of fire suppression resources.

If a wildland fire use program is implemented, planning documents will also include the prescriptions and procedures under which the program will be conducted within wilderness.

(See Fire Management 4.5)

6.3.10 Management Facilities

Part of the definition of wilderness as provided by the Wilderness Act is "undeveloped federal land retaining its primeval character and influence, without permanent improvements." Accordingly, authorizations of NPS administrative facilities in wilderness will be limited to the types and minimum number essential to meet the minimum requirements for the administration of the wilderness area. A decision to construct, maintain, or remove an administrative facility will be based primarily on whether or not the facility is required to preserve wilderness character or values, not on considerations of administrative convenience, economic effect, or convenience to the public or park staff. Maintenance or the removal of historic structures will also comply with cultural resource protection and preservation policies and directives, and with the concept of minimum requirement management techniques for wilderness.

6.3.10.1 Administrative Facilities

Administrative facilities (for example, ranger stations and/or patrol cabins, fire lookouts, radio and/or cellular telephone antennas, radio repeater sites, associated storage or support structures, drift fences, and facilities supporting trail stock operations) may be allowed in wilderness only if they are determined to be the minimum requirement necessary to carry out wilderness management objectives and are specifically addressed within the park's wilderness management plan or other appropriate planning documents. New roads will not be built in wilderness. Temporary vehicular access may be permitted only to meet the minimum requirements of emergency situations. As rapidly as possible, disturbed resources will be restored according to an approved restoration plan. Where abandoned roads have been included within wilderness, they may be used as trails, restored to natural conditions, or managed as a cultural resource.

No permanent heliports, helipads, or airstrips will be allowed in wilderness unless specifically authorized by statute or legislation. Temporary landing facilities may be used to meet the minimum requirements of emergency situations. Site improvements determined to be essential for safety reasons during individual emergency situations may be authorized, but no site markings or improvements of any kind may be installed to support nonemergency use. In Alaska, any prohibitions or restrictions on the use of fixed-wing aircraft should follow the procedures in 43 CFR 36.11(f).

Permanent storage caches are prohibited in wilderness unless necessary for health and safety purposes or when such caches are determined necessary, justified, documented, and approved through a minimum requirements analysis.

(See Overflights and Aviation Uses 8.4)

6.3.10.2 Trails in Wilderness

Trails will be permitted within wilderness when they are determined to be necessary for resource protection and/or for providing for visitor use for the purposes of wilderness. The identification and inventory of the wilderness trail system will be included as an integral part of the wilderness management plan or other appropriate planning document.

Trails will be maintained at levels and conditions identified within the approved wilderness management plan or other planning document. Trail maintenance structures (such as water bars, gabions) may be provided, under minimum requirement protocols, where they are essential for resource preservation or where significant safety hazards exist during normal use periods. Historic and/or prehistoric trails will be administered in keeping with approved cultural resource and wilderness management plan requirements.

Borrow pits are not permitted in wilderness areas, with the exception of small-quantity use of borrow material for trails, which must be in accordance with an approved minimum requirements analysis.

6.3.10.3 Shelters and Campsites

The construction of new shelters for public use will generally not be allowed, in keeping with the values and character of wilderness. An existing shelter may be maintained or reconstructed only if the facility is necessary to achieve specific wilderness management objectives as identified in the park's wilderness and cultural resources management plans. The construction, use, and occupancy of cabins and other structures in wilderness areas in Alaska are governed by applicable provisions of the Alaska National Interest Lands Conservation Act and by NPS regulations in 36 CFR Part 13; such structures may be permitted only under conditions prescribed in the park's wilderness management plan.

Although the development of facilities to serve visitors will generally be avoided, campsites may be designated when essential for resource protection and preservation or to meet other specific wilderness management objectives. In keeping with the terms of the park's wilderness management plan, campsite facilities may include a site marker, fire rings, tent sites, food storage devices, and toilets if these are determined by the superintendent to be the minimum facilities necessary for the health and safety of wilderness users or for the preservation of wilderness resources and values. Toilets will be placed only in locations where their presence and use will resolve health and sanitation problems or prevent serious resource impacts, especially where reducing or dispersing visitor use is impractical or has failed to alleviate the problems. Picnic tables will not be allowed in wilderness except in those limited circumstances when they are necessary for resource protection and when documented and approved through a minimum requirements analysis.

6.3.10.4 Signs

Signs detract from the wilderness character of an area and make the imprint of man and management more noticeable. Only those signs necessary for visitor safety or to protect wilderness resources, such as those identifying routes and distances, will be permitted. Where signs are used, they should be compatible with their surroundings and the minimum size possible.

6.3.11 Wilderness Boundaries

Policies related to wilderness boundaries include the following.

6.3.11.1 Legal Descriptions and Boundary Maps

Every park with designated wilderness will possess a written legal description of the wilderness area and a map (or maps) that illustrates the legal description of the wilderness. Each park will ensure that the legal description and map(s) are filed in the appropriate locations. Wilderness boundaries have the force of federal law and may only be modified through the legislative process—unless minor adjustments and corrections are specifically authorized within the wilderness designation enabling legislation.

6.3.11.2 Caves

All cave passages located totally within the surface wilderness boundary will be managed as wilderness. Caves that have entrances within wilderness but contain passages that may extend outside the surface wilderness boundary will be managed as wilderness. Caves that may have multiple entrances located both within and exterior to the surface wilderness boundary will be managed consistent with the surface boundary; those portions of the cave within the wilderness boundary will be managed as wilderness.

(See Caves 4.8.2.2)

6.3.11.3 Waters in Wilderness

In keeping with established jurisdictions and authorities, the Service will manage as wilderness all waters included within wilderness boundaries, and the lands beneath these waters (if owned by the United States).

(See Water Resource Management 4.6)

6.3.12 American Indian Access and Associated Sites

American Indian access rights and protection of sites associated with Indian tribes will be protected and maintained according to applicable laws and policies. The American Indian Religious Freedom Act reaffirms the First Amendment rights of Native Americans to access national park system lands for the exercise of their traditional religious practices. Native American human remains that were removed from wilderness areas and are subject to the NAGPRA repatriation may be reinterred at or near the site from which they were removed. American Indian religious areas and other ethnographic and cultural resources will be inventoried and protected. American Indians will be permitted access within wilderness for sacred or religious purposes consistent with the intent of the American Indian Religious Freedom Act, the Wilderness Act, and other applicable authorities provided by federal statues and executive orders.

(See also Executive Order 13007 (Indian Sacred Sites))

The National Park Service will encourage and facilitate those uses of wilderness that are in keeping with the definitions and purposes of wilderness and do not degrade wilderness resources and character. Appropriate restrictions may be imposed on any authorized activity in the interest of preserving wilderness character and resources or to ensure public safety.

When resource impacts or demands for use exceed established thresholds or capacities, superintendents may limit or redirect use. If these actions are determined to be the minimally required level of management, physical alterations, public education, general regulations, special regulations, permit systems, and the local restrictions, public use limits, closures, and designations implemented under the discretionary authority of the superintendent (36 CFR 1.5 and Part 13; 43 CFR Part 36 for Alaska units) may all be used in managing use and protecting wilderness.

6.4.1 General Policy

Park visitors need to accept wilderness on its own unique terms. Accordingly, the National Park Service will promote education programs that encourage wilderness users to understand and be aware of certain risks, including possible dangers arising from wildlife, weather conditions, physical features, and other natural phenomena that are inherent in the various conditions that comprise a wilderness experience and primitive methods of travel. The National Park Service will not modify the wilderness area to eliminate risks that are normally associated with wilderness, but it will strive to provide users with general information concerning possible risks, any recommended precautions, related user responsibilities, and applicable restrictions and regulations, including those associated with ethnographic and cultural resources.

6.4.2 Wilderness Interpretation and Education

In the context of interpretive and educational planning, national park system units with wilderness resources will (1) operate public education programs designed to promote and perpetuate public awareness of and appreciation for wilderness character, resources, and ethics while providing for acceptable use limits; (2) focus on fostering an understanding of the concept of wilderness that includes respect for the resource, willingness to exercise self-restraint in demanding access to it, and an ability to adhere to appropriate, minimum-impact techniques; and (3) encourage the public to use and accept wilderness on its own terms—that is, the acceptance of an undeveloped, primitive environment and the assumption of the potential risks and responsibilities involved in using and enjoying wilderness areas. NPS interpretive plans and programs for wilderness parks will address the primary interpretive themes for wilderness. Education is among the most effective tools for dealing with wilderness use and management problems and should generally be applied before more restrictive management tools.

(See Visitor Safety 8.2.5.1)

6.4.3 Recreational Use Management in Wilderness

Recreational uses of NPS wilderness are generally those traditionally associated with wilderness and identified by Congress in the legislative record for the development of the Wilderness Act and in keeping with the language provided by sections 2(a) and 2(c) of the act itself (16 USC 1131(a) and (c)). These recreational uses of wilderness will be of a type and nature that ensures that its use and enjoyment (1) will leave it unimpaired for future use and enjoyment as wilderness, (2) provides for the protection of the area as wilderness, and (3) provides for the preservation of wilderness character. Recreational uses in NPS wilderness areas will be of a nature that

- enables the areas to retain their primeval character and influence;
- protects and preserves natural conditions;
- leaves the imprint of man's work substantially unnoticeable;
- provides outstanding opportunities for solitude or primitive and unconfined types of recreation; and
- preserves wilderness in an unimpaired condition.

(See Management of Recreational Use 8.2.2.1)

6.4.3.1 Recreation Use Evaluation

Recreational uses—particularly new and emerging activities that compromise the stated purposes and definitions of wilderness or unduly impact the wilderness resource or the visitor experience within wilderness—will be evaluated to determine if these uses are appropriate or should be limited or disallowed through use of the superintendent's compendium in 36 CFR 1.5. Evaluation or reevaluation should be accomplished within wilderness management plans or similar implementation plans. Recreational uses that do not meet the purposes and definitions of wilderness should be prohibited in NPS wilderness.

Significant changes in patterns or increased levels of use will not be authorized by special permit, administrative discretion, or authorities under the superintendents' compendia, except in cases where sufficient information exists to adequately determine there is no significant impact on wilderness resources and values, including visitor experiences. These increased levels of use and changes in patterns of existing use will normally not qualify for a categorical exclusion under the National Environmental Policy Act. Decisions regarding significant changes in patterns and new levels of use will require environmental analysis and review, including opportunity for public comment, in accordance with the NEPA requirements.

(See Appropriate Use of the Parks 1.5; Visitor Carrying Capacity 8.2.1)

6.4.3.2 Outdoor Skills and Ethics

Leave-no-trace principles and practices will be applied to all forms of recreation management within wilderness, including commercial operations. Wilderness users will generally be required to carry out all refuse. Refuse is defined in 36 CFR 1.4.

6.4.3.3 Use of Motorized Equipment

Public use of motorized equipment or any form of mechanical transport will be prohibited in wilderness except as provided for in specific legislation. Operating a motor vehicle or possessing a bicycle in designated wilderness outside Alaska is prohibited (see NPS regulations in 36 CFR 4.30(d)(1)).

However, section 4(d)(1) of the Wilderness Act (16 USC 1133(d)(1)) authorizes the Secretary—where legislation designating the wilderness specifically makes this provision applicable—to allow the continuation of motorboat and aircraft use under certain circumstances in which those activities were established prior to wilderness designation. Section 4(d)(1) gives the Secretary the discretion to manage and regulate the activity in accordance with the Wilderness Act, the NPS Organic Act, and individual park enabling legislation. As authorized, the National Park Service will administer this use to be compatible with the purpose, character, and resource values of the particular wilderness area involved. The use of motorized equipment by the public in wilderness areas in Alaska is governed by applicable provisions of the Alaska National Interest Lands Conservation Act, NPS regulations in 36 CFR Part 13, and Department of the Interior regulations in 43 CFR Part 36. The specific conditions under which motorized equipment may be used by the public will be outlined in each park's wilderness management plan.

(See Soundscape Management 4.9; Use of Motorized Equipment 8.2.3)

6.4.4 Commercial Services

Wilderness-oriented commercial services that contribute to public education and visitor enjoyment of wilderness values or provide opportunities for primitive and unconfined types of recreation may be authorized if they meet the "necessary and appropriate" tests of the National Park Service Concessions Management Improvement Act of 1998 and section 4(d)(6) of the Wilderness Act (16 USC 1133(d)(5)), and if they are consistent with the wilderness management objectives contained in the park's wilderness management plan, including the application of the minimum requirement concept. Activities such as guide services for outfitted horseback, hiking, mountain climbing, or river trips and similar activities may be appropriate and may be authorized if conducted under the terms and conditions outlined in the park's wilderness management plan and/or in legislation authorizing these types of commercial uses.

The only structures or facilities used by commercial services that will be allowed in wilderness will be temporary shelters, such as tents, or other specifically approved facilities that may be required within the wilderness management plan for resource protection and the preservation of wilderness values. Temporary facilities will generally be removed from the wilderness after each trip, unless such removal will cause degradation of the wilderness resources. In Alaska, additional guidance for the management of temporary facilities for hunting and fishing guides is found in the Alaska National Interest Lands Conservation Act section 1316 (16 USC 3204). The use of permanent equipment and supply caches by commercial operators is prohibited within wilderness.

Managers will ensure that commercial operators are in compliance with established leave-no-trace protocols.

(See Visitor Use 8.2; Commercial Use Authorizations 10.3)

6.4.5 Special Events

The National Park Service will not sponsor or issue permits for special events to be conducted in wilderness if those events are inconsistent with wilderness resources and character or if they do not require a wilderness setting to occur. Permits will not be issued in NPS wilderness areas for commercial enterprises or competitive events, including activities involving animal, foot, or watercraft races; the physical endurance of a person or animal; organized survival exercises; war games; or similar exercises.

(See Special Events 8.6.2. Also see 36 CFR 2.50)

6.4.6 Existing Private Rights

Wilderness designation does not extinguish valid existing private rights (for example, fee-simple interest, less-than-fee-simple interest, valid mineral operations, rights-of-way, grazing permits). The validity of private rights within wilderness must be determined on a case-by-case basis. Valid private rights in wilderness must be administered in keeping with the specific conditions and requirements of the valid right.

6.4.7 Grazing and Livestock Driveways

Commercial grazing or driving of livestock in park wilderness will be allowed only as specifically authorized by Congress. Where these activities are authorized, they will be managed under conditions and requirements identified within the approved wilderness management plan and corresponding allotment management plans. The use of motorized vehicles, motorized equipment, or mechanical transport by grazing permittees will not be allowed except as provided for by a specific authority—that is, a valid existing right, the enabling legislation, or an NPS determination of minimum requirement. The construction of livestock management facilities other than those specifically authorized by legislation is prohibited.

Noncommercial grazing of trail stock used as part of an approved livestock management program within wilderness may be authorized in accordance with NPS regulations and conditions outlined in the wilderness management plan or stock use management plan. All approved livestock

use must ensure the preservation of wilderness resources and character. Superintendents will be responsible for monitoring livestock use in wilderness to the same degree as human use, and may use the same management tools and techniques, including the application of the minimum requirement concept to manage livestock use that are available for managing other wilderness uses.

(See 8.6.8 Domestic and Feral Livestock)

6.4.8 Rights-of-Way

Existing rights-of-way that have been included in wilderness should be terminated or phased out where practicable. Rights-of-way subject to NPS administrative control should be administered under conditions outlined in the park's wilderness management plan that protect wilderness character and resources and limit the use of motorized or mechanical equipment. The Service will not issue any new rights-of-way or widen or extend any existing rights-of-way in wilderness. Rights-of-way and access procedures affecting wilderness areas in Alaska are governed by applicable provisions of the Alaska National Interest Lands Conservation Act and regulations in 43 CFR Part 36, and 36 CFR Part 13.

(See Existing Private Rights 6.4.6)

6.4.9 Mineral Development

The National Park Service will seek to remove or extinguish valid mining claims and nonfederal mineral interests in wilderness through authorized processes, including purchasing valid rights. In parks where Congress has authorized the leasing of federal minerals, the Park Service will take appropriate actions to preclude the leasing of lands or minerals within wilderness whenever and wherever it is authorized to do so. Lands included within wilderness will be listed as "excepted areas" under applicable regulations in 43 CFR Parts 3100 and 3500 (see section 3500.8).

Unless and until mineral interests and mining claims within NPS wilderness are eliminated, they must be managed pursuant to existing NPS regulations, policies, and procedures. (See 36 CFR Part 9, Subpart A, for mineral development on mining claims; 36 CFR Part 9, subpart B, for nonfederal oil and gas development; and 43 CFR Parts 3100 and 3500 for federal mineral leasing.). A validity examination of unpatented claims in wilderness affected by a proposed plan of operations must be conducted by a certified mineral examiner before plan approval. Motorized use in wilderness is allowed only with an approved plan of operations on valid mineral claims and where there is no reasonable alternative. Motorized use for access can occur only on existing or approved roads. There will be no new roads or improvement of existing roads unless documented as being necessary for resource protection. Any plan of operations that is approved will include stipulations on operations and reclamation that will ensure that long-term effects on the wilderness area are substantially unnoticeable. For access to mining claims in NPS wilderness in Alaska, see 43 CFR 36.10.

6.4.10 Accessibility for Persons with Disabilities

The National Park Service has legal obligations to make available equal opportunities for people with disabilities in all programs and activities. This requirement includes the opportunity to participate in wilderness experiences. Management decisions responding to requests for special consideration to provide wilderness use by persons with disabilities must be in accord with the Architectural Barriers Act of 1968, the Rehabilitation Act of 1973 (as amended in 1978), and section 507(c) of the Americans with Disabilities Act of 1990 (42 USC 12207(c)). Such decisions should balance the intent of access and wilderness laws and find a way of providing the highest level of protection to the wilderness resource.

Section 17.550 of the Secretary of the Interior's regulations regarding the enforcement of nondiscrimination on the basis of disability in Department of Interior programs (43 CFR Part 17, subpart E) states that agencies are not required to take any actions or provide access that would result in a fundamental alteration in the nature of a program or activity. However, the agency has the burden of proving that compliance would result in a fundamental alteration. This concept is also found in section 507 of the Americans with Disabilities Act.

(See Accessibility for Persons with Disabilities 1.9.3, 8.2.4, and 9.1.2. Also see Director's Order #42: Accessibility for Visitors with Disabilities in National Park Service Programs and Services)

7

Interpretation and Education

National parks are among the most remarkable places in America for recreation, learning, and inspiration. Interpretive programs are the methods the Service uses to connect people to their parks, with opportunities for all visitors to form their own intellectual, emotional, and physical connections to the meanings and values found in the parks' stories. Facilitating those opportunities through effective interpretive and educational programs will encourage the development of a personal stewardship ethic and broaden public support for preserving and protecting park resources so that they may be enjoyed by present and future generations.



The visitor experience is heightened when it progresses from enjoyment to an understanding of the reasons for a park's existence and the significance of its resources.

Introduction

The Organic Act of 1916 created the National Park Service to conserve park resources and "provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for future generations." The purpose of NPS interpretive and educational programs is to advance this mission by providing memorable educational and recreational experiences that will (1) help the public understand the meaning and relevance of park resources, and (2) foster development of a sense of stewardship. The programs do so by forging a connection between park resources, visitors, the community, and the national park system. That connection is made by linking a park's tangible resources to the intangible values and meanings found in those resources. An important outcome of the park experience is that visitors more readily retain information, grasp meanings, and adopt new behaviors and values because they are directly involved with cultural and natural heritage resources and sites.

As a result of technological advances, people can visit a national park "virtually" and connect with park resources at their convenience. Hence, for purposes of this chapter, the terms "visitor" and "park visitor" are defined as anyone who uses a park's interpretive and education services, regardless of where such use occurs.

The Service will maintain the capability to deliver visitor and interpretive services of the highest quality. Those services should provide understandable interpretation of the major features in the parks and the events that occurred there, with an emphasis on experiences that will lead visitors to appreciate the park's authentic qualities. Excellent and effective interpretation and education will be the shared responsibility of everyone, from the Washington and regional directorates, through park superintendents and chief interpreters, to field interpreters, noninterpretive staff, and partners. Excellence in interpretation and education will be achieved through specific visitor activities, interpretive media, ongoing scholarly research, planning, technical excellence in implementation, broad public input, continual reevaluation, sound business practices, and training to professional standards for all who provide interpretive services.

Enjoyment of the parks is a fundamental part of the visitor experience. That experience is heightened when it progresses from enjoyment to an understanding of the reasons for a park's existence and the significance of its resources. To determine the quality and quantity of the visitor experience, levels of visitor satisfaction, safety, understanding, and appreciation will be measured. Director's Order #6 and Reference Manual 6 provide additional guidance for the development of interpretive and educational programs.

7.1 Interpretive and Educational Programs

Since its inception, one of the chief functions of the national parks has been to serve educational purposes. The Service is committed to extend its leadership in education, build on what is in place, and pursue new relationships and opportunities to make national parks even more meaningful in the life of the nation. Within the rich learning environments of national parks and facilitation by NPS interpreters, visitors will be offered authentic experiences and opportunities to immerse themselves in places where events actually happened, experience the thrill of connecting with real objects used by previous generations, enjoy some of the most beautiful and historic places in America, and understand the difficult moments our nation has endured.

Every park will develop an interpretive and educational program that is grounded in (1) park resources, (2) themes related to the park's legislative history and significance, and (3) park and Service-wide mission goals. The intent will be to provide each visitor with an interpretive experience that is enjoyable and inspirational within the context of the park's tangible resources and the meanings they represent. In addition, visitors should be made aware of the purposes and scope of the national park system.

Interpretation will encourage dialogue and accept that visitors have their own individual points of view Factual information presented will be current, accurate, based on current scholarship and science, and delivered to convey park meanings, with the understanding that audience members will draw their own conclusions. Interpretation will also reach out to park neighbors, segments of the population that do not visit national parks, and community decision-makers to stimulate discussions about the park and its meanings in local, regional, and national contexts. In addition, interpretive services will help employees better understand the park's history, resources, processes, and visitors.

An effective park interpretive and educational program will include

- information and orientation programs that provide visitors with easy access to the information they need to have a safe and enjoyable park experience;
- interpretive programs that provide both on- and off-site presentations and are designed to encourage visitors to form their own intellectual or emotional connections with the resource. Interpretive programs facilitate a connection between the interests of visitors and the meanings of the park;
- curriculum-based educational programs that link park themes to national standards and state curricula and involve educators in planning and development. These programs include previsit and postvisit materials, address different learning styles, include an evaluation mechanism, and provide learning experiences that are linked directly to clear objectives. Programs develop

a thorough understanding of a park's resources in individual, regional, national, and global contexts and of the park's place within the national park system; and

- interpretive media that provide visitors with relevant park information and facilitate more in-depth understanding of—and personal connection with—park stories and resources. This media will be continually maintained for both quality of content and condition based upon established standards.

(See Air Quality 4.7.1; Geologic Resource Management 4.8; Wilderness Interpretation and Education 6.4.2; Energy Management 9.1.7; Visitor Facilities 9.3. Also see Director's Order #6: Interpretation and Education)

7.2 Interpretive Planning

General management plans and comprehensive interpretive plans (CIPs) will serve as the backbone of interpretive and educational program planning and direction. The CIP process will guide park staff in defining themes, determining desired visitor experience opportunities, identifying challenges, and recommending which stories to tell, how to tell them, and how to reach specific audiences. All interpretive and educational services, including personal services, interpretive media, and partnerships that work to support the delivery of interpretive and educational programs, will be based on and coordinated with the comprehensive interpretive plan. The resulting parkwide interpretation and education program will thus communicate park significance and meanings in the most effective and efficient way. Recognition that concessioners, cooperating associations, friends groups, and other partners may have an important role in providing interpretive and educational services will be most important in planning for the overall visitor services program, and such entities should be included where appropriate in the planning process.

The CIP process will be initiated by superintendents. The life span of a CIP will be seven to ten years. Superintendents and chiefs of interpretation will be accountable to ensure that their parks have a completed and current comprehensive interpretive plan as defined in Director's Order #6 and Reference Manual 6. Harpers Ferry Center and regional offices will provide support.

(See also Director's Order #75A: Civic Engagement and Public Involvement)

7.3 Personal and Nonpersonal Services

7.3.1 Personal Services

Personal interpretive services feature contacts with visitors. Anyone who works in a park and makes contact with the public can and should provide an enjoyable, appropriate, and valuable visitor service. Superintendents and chiefs of interpretation will demand quality in the delivery of a multidimensional personal services program by park staff, volunteers, contractors, cooperating associations, concessioners, and other partners. In addition to basic information and orientation services, personal interpretive services can include walks, talks, tours, campfire programs, roving contacts, curriculum-based education programs, and Junior Ranger programs. These types of activities and programs will be designed to offer opportunities for greater enjoyment and in-depth understanding and appreciation of the park's resources.

Personal services will provide opportunities for diverse audiences to enjoy and connect to parks and nurture future stewards of America's national heritage. Park staff will help visitors have a safe, meaningful, and satisfying park experience; help them decide how to spend their time in the park, and inform them about the wonders that await their discovery. Personal services programs presented in parks will be recorded annually in the Service-wide interpretive report, which will document the number of programs offered, visitors served, and the costs associated with those programs. Park chiefs of interpretation will be responsible for submitting their park's portion of the report to the Washington Office Division of Interpretation and Education.

7.3.1.1 Curriculum-based Education Programs

Parks will be managed as places to demonstrate the principles of science, to illustrate the national experience as history, to engage learners throughout their lifetimes, and to do these things while challenging visitors in exciting and motivating settings. Schools represent a microcosm of society and present myriad opportunities for the Service to foster stewardship in future generations. Therefore, curriculum-based programs will be designed to link classroom learning with experiences in the parks. Programs will complement school curricula by matching a group's educational objectives with park resources. Curriculum-based programs will focus on the stories and meanings attached to park resources; the threats to the condition of those resources; and conservation or preservation issues relevant to the park, the national park system, and the park's place within that system. To continue to meet the demand from schools for NPS programs, parks will identify, in cooperation with park partners, alternative means for program delivery, such as publications, Internet deliveries, and distance learning.

7.3.2 Nonpersonal Services

Nonpersonal services are interpretive media (publications such as a unigrid brochure or park newspaper, films, exhibits, web-based programs). They do not require the presence of staff. Nonpersonal services, which can reach large audiences, must maintain a consistent quality of presentation over time. Used in conjunction with personal services, they will provide opportunities for visitor information, orientation, and personal connections to park resources. The Center for Media Services will establish Service-wide standards for all NPS informational media.

Harpers Ferry Center will also provide guidance and assistance to parks for interpretive media planning, design and production for museum and visitor center exhibits,

wayside exhibits, audiovisual productions, publications, and directional signs. Plans or proposals to be accomplished by parks and regions, including privately funded projects, may be reviewed by the Center for Media Services for appropriateness and quality of design and execution. Proposals from concessioners, cooperating associations, and others may also be reviewed. To provide data for parks to maintain these assets, the condition of the NPS inventory of exhibits and interpretive trails (currently recorded in the Media Inventory Database System or MIDS) will be tracked through the Facilities Maintenance Management System.

Parks will be responsible for the conservation of historic furnishings and artifacts on exhibit in parks. They may obtain conservation services from the Center for Media Services or from outside contractors.

7.3.2.1 Park Brochures

Official park brochures are an important part of the NPS identity and a valuable and desired part of the park experience. Each brochure should provide a map of the park, address critical safety and resource protection issues, introduce park interpretive themes, and describe significant park resources. The Service's goal will be that 100% of parks have an adequate allotment of park brochures to meet demands and ensure that adequate numbers of brochures are available in other languages as needed.

7.3.3 Technology and Interpretation

Innovative use of existing and emerging technology can maximize both the visitor experience and employee effectiveness. Parks should use technological communications, such as the Internet and distance learning, to enhance their informational, orientation, interpretive, and educational programs. The National Park Service will maintain a site on the World Wide Web (nps.gov) to provide an opportunity for all parks and programs to reach beyond their borders to a worldwide audience. Each park will maintain a home page for the purpose of reaching this audience. Parks should link from their home pages to web pages of entities that support the NPS mission. Park home pages will comply with Director's Order #11C: Web Publishing and Department of the Interior policy, particularly as relates to security.

(See Managing Information 1.9.2)

7.3.4 Interpretive and Educational Services Beyond Park Boundaries

The Service will continually adjust to changing patterns of visitation and an increasingly multiracial, multiethnic, and multicultural society to ensure that the national park system remains high among societal concerns and relevant to future generations. Each park's interpretation and education program will reach out to park neighbors, those who are not visiting national parks, and community decision-makers to stimulate discussions about the park and its values in local, regional, and national contexts. Parks will use community programs and special events such as pageants, anniversaries, dedications, festivals, and other observances as opportunities to highlight meaningful connections between the park, its resources, the event, and the public. These activities, as well as other interpretive and educational services, support civic engagement and contribute to public understanding of the park's significance and the significance of the national park system.

National Park Service interpretive and educational programs must explore new and innovative approaches to inform a diverse constituency, many of whom may never set foot inside a park's boundaries. A planned outreach program will be employed to firmly establish each park as part of the local, national, and global community. Outreach will be used to disseminate park information and interpretive and educational programs beyond park boundaries. Everyone should have the opportunity to connect to the parks through NPS outreach services.

7.4 Interpretive Competencies and Skills

All interpretive services should be provided by highly trained personnel who have access to a continual supply of current information from research programs and other sources. All employees who provide interpretive services will be required to meet the Service's national standards of interpretation and education. To support that effort, the Service will develop a web-based distance learning and credentialing platform based on the interpretive development program (IDP) to teach interpretive and educational skills and competencies and test for knowledge of those skills and competencies.

NPS interpretation and education employees will be held to the most comprehensive standards and act as models and coaches for other NPS staff, especially law enforcement, volunteers, and other partners. Partners (including cooperating associations, contractors, and concessioners) will have access to and will be required to meet NPS national standards in the competency areas in which they work. Those who give formal programs will meet the appropriate national standards for such competencies. The cooperating association standard agreement, concession contracts, and other contracts that include interpretive services will require the demonstration of standards. Similarly, contractors for media projects will use the web-based distance learning and credentialing platform to both learn about NPS requirements and demonstrate their mastery of required standards. Permanent interpreters and seasonal interpreters will be required to certify in relevant and park-appropriate interpretive competencies of the interpretive development program. The certification will be designed to establish a consistent Service-wide professional standard and to fortify the full-performance interpretive ranger as a provider of interpretive services while also serving as standard bearer, coach, mentor, and facilitator for all others who provide those services.

7.5 Requirements for All Interpretive and Educational Services

The following factors must be considered in the development and review of all personal and nonpersonal services.

7.5.1 Interpretation and 21st Century Relevancy

Demographic trends in the United States indicate an ever increasing array of diversity within the population. The National Park Service must change its traditional approach of interpretation to improve relevancy in the 21st century to our visitors. To enact this change the National Park Service will implement new and innovative ways to reach out, engage, and cultivate the support of the increasingly diverse array of visitors. The unique qualities of the national parks—qualities that highlight, for example, America's diverse heritage and the principles of democracy—are what make them relevant. These qualities will be used to advantage in educating Americans and visitors to America about topics such as the civic experience of our country; the complex, diverse ecology of our nation and the world; and the influence of global climate change. Interpretation and education will seek to provide opportunities for more NPS audiences to have experiences that connect them to parks, so that they will come to value and enjoy these special places. The national park system and the Interpretation and Education program provide opportunities for facilitation of civic dialogue to engage Americans in understanding past and current issues of importance on a local-to-global basis. These opportunities should be pursued.

7.5.2 Access to Interpretive and Educational Opportunities

National parks belong to all of the nation's people and should have opportunities to enjoy them. Efforts will be made to ensure that interpretive and educational programs are available to all people and consider the special needs of children, senior citizens, non-English speaking visitors, and the economically disadvantaged. Foreign-language translations of park publications will be provided as needed in those parks visited by substantial numbers of non-English-speaking visitors.

The National Park Service will also ensure that persons with disabilities receive the same interpretive opportunities as those without disabilities. Interpretive and educational programs, exhibits, publications, and all other interpretive media will comply with Department of the Interior regulations at 43 CFR Part 17, subpart E, and with standards required by the Architectural Barriers Act. Accordingly, the Park Service will ensure that persons with disabilities have the opportunity to participate in all programs and activities in the most integrated setting appropriate. Additionally, the Service will take all feasible steps to ensure effective communication with individuals with hearing, visual, and cognitive disabilities. These steps should include but not be limited to providing sign language interpreters, audio/visual presentations, Braille, and large-print versions of printed materials.

(See Physical Access for Persons with Disabilities 5.3.2; Accessibility for Persons with Disabilities 8.2.4; Accessibility for Persons with Disabilities 9.1.2; Accessibility of Commercial Services 10.2.6.2. Also see Director's Order #42; Reference Manual 41; 43 CFR 17.550)

7.5.3 Resource Issue Interpretation and Education

Park managers are increasingly called upon to make difficult resource decisions, some of which may be highly controversial. Interpretation and education programs can provide opportunities for civic engagement with Indian tribes and residents and officials of gateway and neighboring communities, the region, and the state(s) surrounding a park and beyond. Such opportunities for civic dialogue about resource issues and broad initiatives are often the most effective means for eliminating resource threats and gaining input and feedback from stakeholder constituents. Therefore, parks should, in balanced and appropriate ways, thoroughly integrate resource issues and initiatives of local and Service-wide importance into their interpretive and educational programs. Whenever possible, the appropriate interpretive managers at the national, regional, or park level should be involved in the process.

In instances in which programming affects resources managed by other agencies, such agencies should be consulted during program planning. For interpretation of resource issues to be effective, frontline interpretive staff must be informed about the reasoning that guided the decision-making process, and interpreters must present balanced views. Acknowledging multiple points of view does not require interpretive and educational programs to provide equal time or disregard the weight of scientific or historical evidence. Resource issue interpretation should be integrated into both on- and off-site programs, as well as into printed and electronic media whenever deemed appropriate by the park manager.

7.5.4 Research and Scholarship

Interpretive and educational programs will be based on current scholarship and research about the history, science, and condition of park resources, and on research about the needs, expectations, and behavior of visitors. To accomplish this, a dialogue must be established and maintained among interpreters, education specialists, resource managers, scientists, archeologists, sociologists, ethnographers, historians, and other experts for the purpose of offering the most current and accurate programs to the public. When appropriate, parks are encouraged to use a master interpreter to foster, facilitate, and maintain this dialogue.

(See Levels of Park Planning 2.3)

7.5.5 Evaluation of Interpretation and Education Effectiveness

Evaluation is also critically important for continuous improvement of educational and interpretive programs that lead to achievement of the NPS mission. Evaluation, systematically applied, is necessary to ensure that the NPS interpretation and education program is cost-effective

and financially accountable. The Service will maintain an evaluation strategy that fosters a Service-wide commitment to program planning and reflection, information sharing, and application of research-based results.

7.5.6 Consultation

The National Park Service will present factual and balanced presentations of the many American cultures, heritages, and histories. Diverse constituencies will be consulted to (1) ensure appropriate content and accuracy, and (2) identify multiple points of view and potentially sensitive issues. When appropriate, state and local agencies involved in heritage tourism and history (such as state historic preservation officers) should be included in consultations to foster coordination and partnerships. Acknowledging multiple points of view does not require interpretive and educational programs to provide equal time or disregard the weight of scientific or historical evidence.

Park managers will take culturally sensitive steps to preserve the knowledge of American Indian tribes and other traditionally associated peoples and secure the benefit of their deep understanding of the nature and spirit of places within the parks by encouraging their participation in park activities. A related goal will be to ensure that irreplaceable connections such as place names, migration routes, harvesting practices, prayers, and songs are cataloged for use in current and future activities.

The Service will respectfully consult traditionally associated peoples and other cultural and community groups in the planning, development, presentation, and operation of park interpretive programs and media relating to their cultures and histories. Cooperative programs will be developed with tribal governments and cultural groups to help the Service present accurate perspectives on their cultures. Ethnographic or cultural anthropological data and concepts will also be used in interpretive programs.

The Service will not display Native American human remains or photographs of those remains. Drawings, renderings, or casts of such remains will not be displayed without the consent of culturally affiliated Indian tribes, Alaska Natives, and Native Hawaiian organizations. The Service may exhibit non-Native American remains, photographs, drawings, renderings, or casts thereof, in consultation with appropriate traditionally associated peoples. The Service will consult with culturally affiliated or traditionally associated peoples to determine the religious status of any object whose sacred nature is suspected but not confirmed. These consultations will occur before an object is exhibited or any action is taken that may have an adverse effect on its religious qualities.

(See Relationship with American Indian Tribes 1.11; Evaluation and Categorization 5.1.3.2; Stewardship of Human Remains and Burials 5.3.4; Ethnographic Resources 5.3.5.3; Museum Collections 5.3.5.5)

7.5.7 Cultural Demonstrators

Cultural demonstrators can provide unique insights into their cultures. To facilitate their successful interaction with the public, parks may provide cultural demonstrators with training and direction. Cultural demonstrators (in parks outside the National Capital Region) who are not NPS employees may be permitted to sell self-made handcrafted items to park visitors, keeping the proceeds for themselves, where such handicrafts are related to the park's interpretive themes. This is allowed under 16 USC 1a-2(g), which authorizes the sale of products produced in the conduct of living exhibits, interpretive demonstrations, or park programs. When this practice is permitted, all materials used in creating such items must be the private property of the demonstrator, collected from outside the park. The superintendent may permit this practice through a cooperative agreement, special use permit, concession contract, or other legal instrument.

Titles 8 and 13 of the Alaska National Interest Lands Conservation Act regulate the taking of fish, wildlife, and other natural resources for subsistence and other purposes in the Alaska parks.

(See Reenactments 7.5.9; Special Events 8.6.2; Collecting Natural Products 8.8; Merchandise 10.2.4.5. Also see 36 CFR 5.3; 60 FR 17639)

7.5.8 Historic Weapons

All uses of historic weapons in parks will strictly comply with the Historic Weapons Demonstrations Safety Standards contained in Reference Manual 6, and will follow the procedures specified therein for the particular weapon(s) being used.

Weapons firing demonstrations conducted in NPS-administered areas are restricted to reproduction black powder weapons only. Original NPS museum weapons will not be used. Requests by outside groups or individuals to use non-NPS original weapons will follow the exemption request procedure prescribed in Reference Manual 6, and will be granted or denied in writing by the superintendent.

7.5.9 Reenactments

Battle reenactments and demonstrations of battle tactics that involve exchanges of fire between opposing lines, the taking of casualties, hand-to-hand combat, or any other form of simulated warfare are prohibited in all parks. Even the best-researched and most well-intentioned representation of combat cannot replicate the tragic complexity of real warfare. Respect for the memory of those whose lives were lost at these sites and whose unrecovered remains are often still interred in these grounds precludes the staging of inherently artificial battles at these memorial sites. Battle reenactments create an atmosphere that is inconsistent with the memorial qualities of the battlefields and other military sites placed in the Service's trust. The safety risks to participants and visitors, and the inevitable

damage to the physical resource that occurs during such events are also unacceptably high when seen in light of the NPS mandate to preserve and protect park resources and values.

7.6 Interpretive and Educational Partnerships

The National Park Service will increase the effectiveness and accountability of park interpretation and education activities by collaborating with volunteers, cooperating associations, concessioners, and other partners to provide interpretive and educational services that adhere to Service-wide standards. To be successful, this will require all NPS interpretation and education practitioners, employees and partners, personal service providers, and media professionals to have access to training, coaching, and program evaluation results that meet national standards. NPS interpreters and educators will provide the leadership, example, and standards for all partners to deliver effective interpretation and education services.

Interpretation and education operational capacity will be improved in parks by actively pursuing additional partnerships. Partnerships for this purpose will be sought with willing and able organizations with compatible purposes, such as historical societies, museums, colleges and universities, school districts, tourism commissions, conservation groups, health organizations, libraries, and others.

7.6.1 Volunteers in Parks (VIPs)

Interpretation and education operational capacity will be increased in parks by actively pursuing volunteers and dedicating NPS staff time to coordinate volunteer programs in parks. Although the bulk of volunteer hours support interpretation and education, volunteer services may be used in various aspects of park operation under the authority of the Volunteers in the Parks Act of 1969. Pursuant to this legislation, volunteers may be recruited without regard to civil service regulations, are covered for tort liability and work-injury compensation, and may be reimbursed for out-of-pocket expenses while participating in the program. Volunteers will be accepted without regard to race, creed, religion, age, sex, color, national origin, disability, or sexual orientation. Volunteers will not displace NPS employees. NPS housing may be used for volunteers. Director's Order #7 and Reference Manual 7 provide additional guidance for the volunteer program.

(See Protection 5.3.5.1.4; Housing Management Plan 9.4.3.1. Also see Handbook 36 on Housing)

7.6.2 Cooperating Associations

The National Park Service will continue to nurture its relationship with nonprofit organizations that support park programs. Cooperating associations may provide publications and other items that enhance the interpretive story, allow visitors to explore particular interests, and enable them to take the park story home through their purchases.

When appropriate, cooperating associations will join the National Park Service in presenting interpretive and educational programs and supporting research efforts as authorized in 16 USC 1-3, 6, and 17j-(2)e. In accordance with the standard, nonnegotiable cooperating association agreement, cooperating associations may, consistent with a park's scope-of-sales statement, purchase for resale, or produce for sale, interpretive and educational items that are directly related to the understanding and interpretation of the park or the national park system. Associations may offer appropriate and approved interpretive services that support but do not supplant interpretive and educational services offered by the Park Service. Associations may accept donations on behalf of the Service when appropriate and when conducted through approved fund-raising efforts. Service housing may be used for cooperating association employees only if available and not needed for NPS employees. Guidance for managing NPS partnerships with cooperating associations is included in Director's Order #32 and Reference Manual 32.

(See Housing Management Plan 9.4.3.1. Also see Director's Order #21: Donations and Fundraising; Handbook 36 on Housing)

8

Use of the Parks



Many different types of uses take place in the hundreds of park units that make up the national park system. The Service must ensure that these uses are appropriate to the park in which they occur.

National parks belong to all Americans, and the National Park Service will welcome all Americans to experience their parks. The Service will focus special attention on visitor enjoyment of the parks while recognizing that the NPS mission is to conserve unimpaired each park's natural and cultural resources and values for the enjoyment, education, and inspiration of present and future generations. The Service will also welcome international visitors, in keeping with its commitment to extend the benefits of natural and cultural resource conservation and outdoor recreation throughout the world.

Many different types of uses take place in the hundreds of park units that make up the national park system. Some of those uses are carried out by the National Park Service, but many more are carried out by park visitors, permittees, lessees, and licensees. The 1916 Organic Act, which created the National Park Service, directs the Service to conserve park resources "unimpaired" for the enjoyment of future generations. The 1970 National Park System General Authorities Act, as amended in 1978, prohibits the Service from allowing any activities that would cause derogation of the values and purposes for which the parks have been established (except as directly and specifically provided by Congress). Taken together, these two laws establish for NPS managers (1) a strict mandate to protect park resources and values; (2) a responsibility to actively manage all park uses; and (3) when necessary, an obligation to regulate their amount, kind, time, and place in such a way that future generations can enjoy, learn, and be inspired by park resources and values and appreciate their national significance in as good or better condition than the generation that preceded them. (Throughout these *Management Policies*, the term "impairment" is construed to also encompass "derogation.")

8.1.1 Appropriate Use

The concept of appropriate use is especially important with regard to visitor enjoyment because, in accordance with the Organic Act, the fundamental purpose of all parks also includes providing for the enjoyment of park resources and values by present and future generations. The scope of enjoyment contemplated by the Organic Act is described in section 1.4.3. Appropriate forms of visitor enjoyment emphasize appropriate recreation consistent with the protection of the park. This includes interpretation of park resources and contemplation and understanding of the purposes for which a park unit's resources are being preserved. Many of these forms of enjoyment support the federal policy of promoting the health and personal fitness of the general public, as set forth in Executive Order 13266 (Activities to Promote Personal Fitness).

While providing opportunities for appropriate public enjoyment is an important part of the Service's mission, other park uses—unrelated to public enjoyment—may sometimes be allowed as a right or a privilege if they are not otherwise prohibited by law or regulation. In exercising its discretionary authority, the Service will allow only uses that are (1) appropriate to the purpose for which the park was established, and (2) can be sustained without causing unacceptable impacts. Recreational activities and other uses that would impair a park's resources, values, or purposes cannot be allowed. The only exception is when an activity that would cause impairment is directly and specifically mandated by Congress.

The fact that a park use may have an impact does not necessarily mean it will be unacceptable or impair park resources or values for the enjoyment of future generations. Impacts may affect park resources or values and still be within the limits of the discretionary authority conferred by the Organic Act. In these situations, the Service will ensure that the impacts are unavoidable and cannot be further mitigated. Even when they fall far short of impairment, unacceptable impacts can rapidly lead to impairment and must be avoided. For this reason, the Service will not knowingly authorize a park use that would cause unacceptable impacts.

When a use is mandated by law but causes unacceptable impacts on park resources or values, the Service will take appropriate management actions to avoid or mitigate the adverse effects. When a use is authorized by law but not mandated, and when the use may cause unacceptable impacts on park resources or values, the Service will avoid or mitigate the impacts to the point where there will be no unacceptable impacts; or, if necessary, the Service will deny a proposed activity or eliminate an existing activity.

(See Park Management 1.4; Unacceptable Impacts 1.4.7.1; Consumptive Uses 8.9. Also see Director's Order #12; 36 CFR 1.5; 36 CFR 2.1)

8.1.2 Process for Determining Appropriate Uses

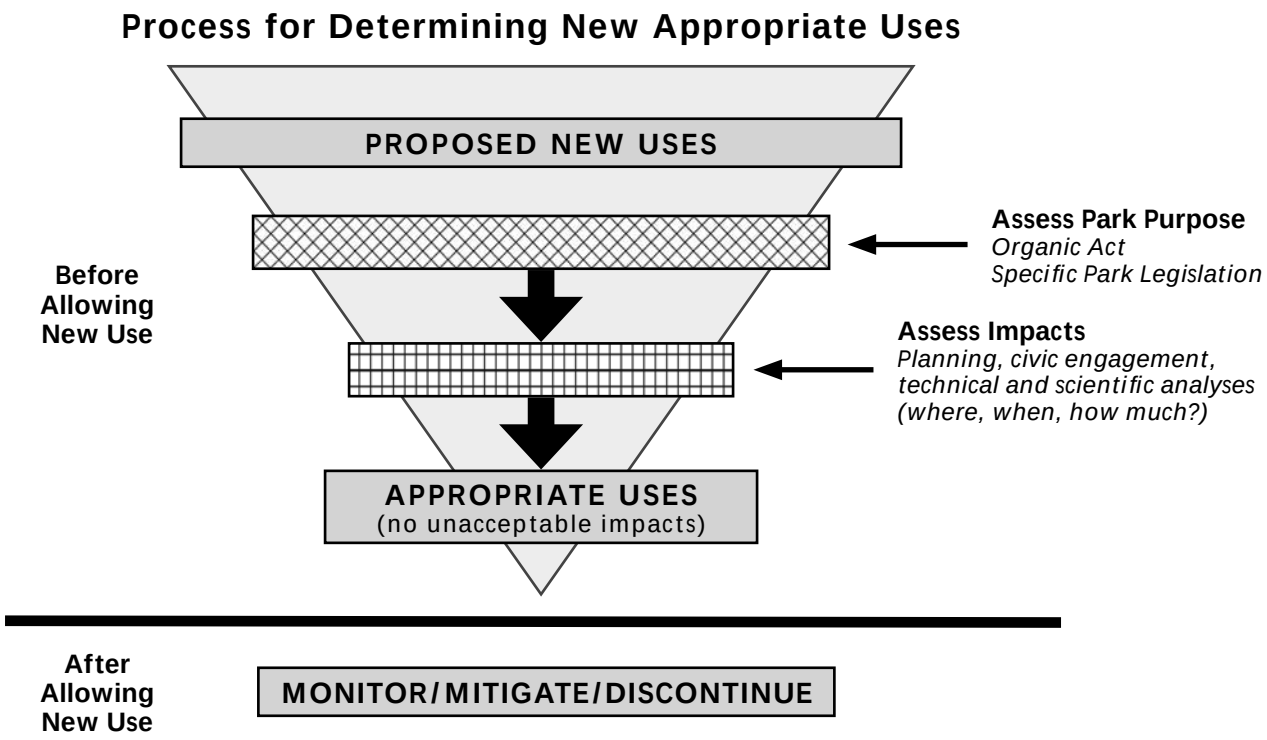
All proposals for park uses will be evaluated for

- consistency with applicable laws, executive orders, regulations, and policies;
- consistency with existing plans for public use and resource management;
- actual and potential effects on park resources and values;
- total costs to the Service; and
- whether the public interest will be served.

Superintendents must continually monitor and examine all park uses to ensure that unanticipated and unacceptable impacts do not occur. Superintendents should also be attentive to existing and emerging technologies that might further reduce or eliminate impacts from existing uses allowed in parks. Unless otherwise mandated by statute, only uses that meet the criteria listed in section 8.2 may be allowed.

Specific park uses will be guided by the following subsections of this chapter, and must comply also with the other chapters of these *Management Policies*. The Service will coordinate with appropriate state authorities regarding activities that are subject to state regulation or to joint federal/state regulation. The regulatory framework for implementing NPS policies governing use of the parks, and for determining when and where activities may be allowed, is found in 36 CFR Parts 2, 3, 4, 5, 7, 12, and 13. Procedures for implementing or terminating a restriction, condition, public use limit, or closure within a park area are found in 36 CFR 1.5 (but see also 36 CFR 13.30 and 43 CFR 36.11(h) for procedures specific to park areas in Alaska). Some activities may be allowed in parks only after park-specific regulations have been published, which requires extensive analysis and opportunities for civic engagement.

The following illustration shows the process by which potential uses are evaluated for appropriateness.



The National Park Service will always consider allowing activities that are appropriate to the parks, although conditions may preclude certain activities or require that limitations be placed on them. In all cases, impacts from park uses must be avoided, minimized, or mitigated through one or more of the following methods:

- visitor education and civic engagement
- temporal, spatial, or numerical limitations on the use
- the application of best available technology
- the application of adaptive management techniques

If, in monitoring a park use, unanticipated impacts become apparent, the superintendent must further manage or constrain the use to minimize the impacts, or discontinue the use if the impacts are unacceptable.

(See Park Purposes and Legislatively Authorized Uses 1.4.3.1; Park System Planning Chapter 2; Use of the Parks Chapter 8. Also see 36 CFR 1.5)

8.2 Visitor Use

Enjoyment of park resources and values by the people of the United States is part of the fundamental purpose of all parks. The Service is committed to providing appropriate, high-quality opportunities for visitors to enjoy the parks, and the Service will maintain within the parks an atmosphere that is open, inviting, and accessible to every segment of American society. However, many forms of recreation enjoyed by the public do not require a national park setting and are more appropriate to other venues. The Service will therefore

- provide opportunities for forms of enjoyment that are uniquely suited and appropriate to the superlative natural and cultural resources found in the parks;
- defer to local, state, tribal, and other federal agencies; private industry; and nongovernmental organizations to meet the broader spectrum of recreational needs and demands.

To provide for enjoyment of the parks, the National Park Service will encourage visitor activities that

- are appropriate to the purpose for which the park was established; and
- are inspirational, educational, or healthful, and otherwise appropriate to the park environment; and
- will foster an understanding of and appreciation for park resources and values, or will promote enjoyment through a direct association with, interaction with, or relation to park resources; and
- can be sustained without causing unacceptable impacts to park resources or values.

The primary means by which the Service will actively foster and provide activities that meet these criteria will be through its interpretive and educational programs, which are described in detail in chapter 7. The Service will also welcome the efforts of nongovernmental organizations, tour companies, guides, outfitters, and other private sector entities to provide structured activities that meet these

criteria. In addition to structured activities, the Service will, to the extent practicable, afford visitors ample opportunity for inspiration, appreciation, and enjoyment through their own personalized experiences—without the formality of program or structure.

The Service may allow other visitor uses that do not meet all the above criteria if they are appropriate to the purpose for which the park was established and they can be sustained without causing unacceptable impacts to park resources or values. For the purposes of these policies, unacceptable impacts are impacts that, individually or cumulatively, would

- be inconsistent with a park's purposes or values, or
- impede the attainment of a park's desired conditions for natural and cultural resources as identified through the park's planning process, or
- create an unsafe or unhealthy environment for visitors or employees, or
- diminish opportunities for current or future generations to enjoy, learn about, or be inspired by park resources or values, or
- unreasonably interfere with
  - ◇ park programs or activities, or
  - ◇ an appropriate use, or
  - ◇ the atmosphere of peace and tranquility, or the natural soundscape maintained in wilderness and natural, historic, or commemorative locations within the park, or
  - ◇ NPS concessioner or contractor operations or services.

Management controls and conditions must be established for all park uses to ensure that park resources and values are preserved and protected for the future. If and when a superintendent has a reasonable basis for believing that an ongoing or proposed public use would cause unacceptable impacts to park resources or values, the superintendent must make adjustments to the way the activity is conducted to eliminate the unacceptable impacts. If the adjustments do not succeed in eliminating the unacceptable impacts, the superintendent may (1) temporarily or permanently close a specific area, or (2) place limitations on the use, or (3) prohibit the use. Restrictions placed on recreational uses that have otherwise been found to be appropriate will be limited to the minimum necessary to protect park resources and values and promote visitor safety and enjoyment.

Any closures or restrictions—other than those imposed by law—must be consistent with applicable laws, regulations, and policies, and (except in emergency situations) require a written determination by the superintendent that such measures are needed to

- protect public health and safety;
- prevent unacceptable impacts to park resources or values;
- carry out scientific research;
- minimize visitor use conflicts; or
- otherwise implement management responsibilities.

When practicable, restrictions will be based on the results of study or research, including (when appropriate) research in the social sciences. Any restrictions imposed will be fully explained to visitors and the public. Visitors will be given appropriate information on how to keep adverse impacts to a minimum, and how to enjoy the safe and lawful use of the parks.

(See Park Management 1.4; Management of Recreational Use 8.2.2.1. Also see 36 CFR 1.5: "Closures and Public Use Limits"; Director's Order #17: National Park Service Tourism)

8.2.1 Visitor Carrying Capacity

Visitor carrying capacity is the type and level of visitor use that can be accommodated while sustaining the desired resource and visitor experience conditions in the park. By identifying and staying within carrying capacities, superintendents can manage park uses that may unacceptably impact the resources and values for which the parks were established. Superintendents will identify visitor carrying capacities for managing public use. Superintendents will also identify ways to monitor for and address unacceptable impacts on park resources and visitor experiences.

When making decisions about carrying capacity, superintendents must use the best available natural and social science and other information, and maintain a comprehensive administrative record relating to their decisions. The decision-making process should be based on desired resource conditions and visitor experiences for the area, quality indicators and standards that define the desired resource conditions and visitor experiences, and other factors that will lead to logical conclusions and the protection of park resources and values. The level of analysis necessary to make decisions about carrying capacities is commensurate with the potential impacts or consequences of the decisions. The greater the potential for significant impacts or consequences on park resources and values or the opportunities to enjoy them, the greater the level of study and analysis and civic engagement needed to support the decisions.

The planning process will determine the desired resource and visitor experience conditions that are the foundation for carrying capacity analysis and decision-making. If the time frame for making decisions is insufficient to allow the application of a carrying capacity planning process, superintendents must make decisions based on the best available science, public input, and other information. In either case, such planning must be accompanied by appropriate environmental impact analysis, in accordance with Director's Order #12.

As park use changes over time, superintendents must continue to decide if management actions are needed to

keep use at sustainable levels and prevent unacceptable impacts. If indicators and standards have been prescribed for an impact, the acceptable level is the prescribed standard. If indicators and standards do not exist, the superintendent must determine how much impact is acceptable before management intervention is required.

If and when park uses reach a level at which they must be limited or curtailed, the preferred choice will be to continue uses that are encouraged under the criteria listed in section 8.2, and to limit or curtail those that least meet those criteria. The Service will consult with tourism organizations and other affected service providers in seeking ways to provide appropriate types and levels of visitor use while sustaining the desired resource and visitor experience conditions.

(See Decision-making Requirements to Identify and Avoid Impairments 1.4.7; General Management Planning 2.3.1; Visitor Carrying Capacity 5.3.1.6; Management of Recreational Use 8.2.2.1. Also see Director's Order #2: Park Planning; 36 CFR 1.5)

8.2.2 Recreational Activities

The National Park Service will manage recreational activities according to the criteria listed in sections 8.1 and 8.2 (and 6.4 in wilderness areas). Examples of the broad range of recreational activities that take place in parks include, but are not limited to, boating, camping, bicycling, fishing, hiking, horseback riding and packing, outdoor sports, picnicking, scuba diving, cross-country skiing, caving, mountain and rock climbing, earth caching, and swimming. Many of these activities support the federal policy of promoting the health and personal fitness of the general public, as set forth in Executive Order 13266. However, not all of these activities will be appropriate or allowable in all parks; that determination must be made on the basis of park-specific planning.

Service-wide regulations addressing aircraft use, off-road bicycling, hang gliding, off-road vehicle use, personal watercraft, and snowmobiling require that special, park-specific regulations be developed before these uses may be allowed in parks. (The Alaska National Interest Lands Conservation Act statutory provisions (e.g., section 1110(a)) and regulatory provisions in 36 CFR Part 13 and 43 CFR 36.11(h) apply to snowmobile, motorboat, aircraft, and other means of access in units of the national park system in Alaska.)

The Service will monitor new or changing patterns of use or trends in recreational activities and assess their potential impacts on park resources. A new form of recreational activity will not be allowed within a park until a superintendent has made a determination that it will be appropriate and not cause unacceptable impacts. Restrictions placed on recreational uses that have been found to be appropriate will be limited to the minimum necessary to protect park resources and values and promote visitor safety and enjoyment.

Sounds that visitors encounter affect their recreational and/or educational experience. Many park visitors have certain expectations regarding the sounds they will hear as part of their experience. The type of park unit (for example, national battlefield, national seashore, national recreation area, national park) and its specific features often help shape those expectations. In addition to expectations of muted to loud sounds associated with nature (such as wind rustling leaves, elk bugling, waves crashing on a beach), park visitors also expect sounds reflecting our cultural heritage (such as cannons firing, native drumming, music) and sounds associated with people visiting their parks (such as children laughing, park interpretive talks, motors in cars and motorboats).

Park managers will (1) identify what levels and types of sounds contribute to or hinder visitor enjoyment, and (2) monitor, in and adjacent to parks, noise-generating human activities—including noise caused by mechanical or electronic devices—that adversely affect visitor opportunities to enjoy park soundscapes. Based on this information, the Service will take action to prevent or minimize those noises that adversely affect the visitor experience or that exceed levels that are acceptable to or appropriate for visitor uses of parks.

(See Soundscape Management 4.9; Cultural Soundscape Management 5.3.1.7. Also see 36 CFR 2.12: Audio Disturbances)

8.2.2.1 Management of Recreational Use

Superintendents will develop and implement visitor use management plans and take action, as appropriate, to ensure that recreational uses and activities in the park are consistent with its authorizing legislation or proclamation and do not cause unacceptable impacts on park resources or values. Depending on local park needs and circumstances, these plans may be prepared (1) as coordinated, activity-specific documents (such as a river use plan, a backcountry use plan, a wilderness management plan, an off-road vehicle use plan, a winter use plan); (2) as action-plan components of a resource management plan or general management plan; or (3) as a single integrated plan that addresses a broad spectrum of recreational activities. Regardless of their format or complexity, visitor use management plans will (1) contain specific, measurable management objectives related to the activity or activities being addressed; (2) be periodically reviewed and updated; and (3) be consistent with the carrying capacity decisions made in the general management plan.

The Service will seek consistency in recreation management policies and procedures on both a Service-wide and interagency basis to the extent practicable. However, because of differences in the enabling legislation and resources of individual parks, and differences in the missions of the Service and other federal agencies, an activity that is entirely appropriate when conducted in one location may be inappropriate when conducted in another. The Service will consider a park's purposes and the effects

on park resources and visitors when determining the appropriateness of a specific recreational activity.

Superintendents will consider a wide range of techniques in managing recreational use to avoid adverse impacts on park resources and values or desired visitor experiences. Examples of appropriate techniques include visitor information and education programs, separation of conflicting uses by time or location, "hardening" sites, modifying maintenance practices, and permit and reservation systems. Superintendents may also use their discretionary authority to impose local restrictions, public use limits, and closures and designate areas for a specific use or activity (see 36 CFR 1.5). Any restriction of appropriate recreational uses will be limited to what is necessary to protect park resources and values, to promote visitor safety and enjoyment, or to meet park management needs. To the extent practicable, public use limits established by the Service will be based on the results of scientific research and other available support data. However, an activity will be restricted or prohibited when, in the judgment of the superintendent, its occurrence, continuation, or expansion would (1) violate the criteria listed in section 8.2, or (2) conflict with the findings of a carrying capacity analysis with no reasonable alternative that would avoid or satisfactorily mitigate the violation or conflict.

Recreational activities that are proposed as organized events or that involve commercialization, advertising, or publicity on the part of participants or organizers are defined as special events; these events are managed in accordance with the policies in section 8.6.2, regulations in 36 CFR 2.50, and criteria and procedures in Director's Order #53: Special Park Uses.

(See Levels of Park Planning 2.3; Wilderness Management Planning 6.3.4.2; General Policy 6.4.1; Visitor Carrying Capacity 8.2.1; Commercial Visitor Services 8.2.2.2; River Use 8.2.2.3, Backcountry Use 8.2.2.4; Fishing 8.2.2.5; Hunting and Trapping 8.2.2.6; Motorized Off-road Vehicle Use 8.2.3.1; Snowmobiles 8.2.3.2; Visitor Safety 8.2.5.1; Use by American Indians and Other Traditionally Associated Groups 8.5; Special Park Uses 8.6; Collecting Natural Products 8.8. Also see Director's Order #2: Park Planning, and #12: Conservation Planning, Environmental Impact Analysis, and Decision-making)

8.2.2.2 Commercial Visitor Services

For information on commercial visitor services, see Commercial Services 6.4.4, Commercial Visitor Services Planning 10.2.2, and Commercial Use Authorizations 10.3.

8.2.2.3 River Use

A river use management plan will be developed for each park having significant levels of river use unless the planning is accomplished through some other planning document. Appropriate types and levels of public uses will be identified and managed to prevent unacceptable impacts, particularly adverse impacts on aquatic resources, the riparian environment, and visitor enjoyment. Each river use management plan will include specific procedures for disposing of refuse and human waste. Using cooperating agency status where appropriate, plans should be coordinated with interested tribal, state and/or local governments and will include public participation.

(See Implementation Planning 2.3.4; National Wild and Scenic Rivers System 4.3.4; Water Resource Management 4.6; Floodplains 4.6.4; Wetlands 4.6.5; Domestic and Feral Livestock 8.6.8)

8.2.2.4 Backcountry Use

The Park Service uses the term backcountry to refer to primitive, undeveloped portions of parks. This is not a specific management zone, but rather refers to a general condition of land that may occur anywhere within a park. Backcountry use will be managed in accordance with a backcountry management plan (or other plan addressing backcountry uses) designed to avoid unacceptable impacts on park resources or adverse effects on the visitor enjoyment of appropriate recreational experiences. The Service will seek to identify acceptable limits of impacts, monitor backcountry use levels and resource conditions, and take prompt corrective action when unacceptable impacts occur. Strategies designed to guide the preservation, management, and use of the backcountry and to achieve the park's management objectives will be integrated into the park's backcountry management plan. Backcountry under study, proposed, or recommended for wilderness designation will be managed consistent with the wilderness stewardship policies in chapter 6.

The number and types of facilities to support visitor use in backcountry areas, including sanitary facilities, will be maintained at the minimum necessary to achieve a park's backcountry management objectives and to provide for the health and safety of park visitors. To avoid the need for sanitary facilities, public use levels will be managed, where practicable, in accordance with the natural system's ability to absorb human waste. The Service will not provide refuse containers in backcountry areas. All refuse must be carried out, except that combustible materials may be burned when authorized by the superintendent.

(See Water Resource Management 4.6, Management Facilities 6.3.10; Wilderness Use Management 6.4; Visitor Carrying Capacity 8.2.1; Waste Management 9.1.6.1; Comfort Stations 9.3.3. Also see Director's Order #83: Public Health).

8.2.2.5 Fishing

Recreational fishing will be allowed in parks when it is authorized or not specifically prohibited by federal law provided that it has been determined to be an appropriate use per section 8.1 of these policies. When fishing is allowed, it will be conducted in accordance with applicable federal laws and treaty rights, and nonconflicting state laws and regulations. The Service will manage fishing activities to achieve management objectives. Before the Service issues regulations or other restrictions, representatives of appropriate tribes and state and federal agencies will be consulted to ensure that all available scientific data are considered in the decision-making process. Any such

regulations or other restrictions will be developed with public involvement and in consultation with fish and wildlife management agencies as appropriate, consistent with departmental policy at 43 CFR Part 24, and as described in section 4.4.3

For NPS units in Alaska, fishing will additionally be managed in accordance with the Alaska National Interest Lands Conservation Act.

Commercial fishing will be allowed only when specifically authorized by federal law or treaty right.

(See Implementation Planning 2.3.4; Planning for Natural Resource Management 4.1.1; Harvest of Plants and Animals by the Public 4.4.3; Facilities for Water Recreation 9.3.4.2)

8.2.2.6 Hunting and Trapping

Hunting, trapping, or any other methods of harvesting wildlife by the public will be allowed where it is specifically mandated by federal law. Where hunting activity is not mandated but is authorized on a discretionary basis under federal law, it may take place only after the Service has determined that the activity is an appropriate use and can be managed consistent with sound resource management principles.

Hunting and trapping, whether taking place as a mandated or a discretionary activity, will be conducted in accordance with federal law and applicable laws of the state or states in which a park is located. However, except for Alaska park units (which are subject to the Alaska National Interest Lands Conservation Act and regulations published at 36 CFR Part 13), the park in which hunting and trapping occur must also publish special regulations to govern the activity. Those regulations may be more restrictive than applicable state laws when necessary to prevent unacceptable impacts. Before the Service issues regulations or other restrictions, representatives of appropriate tribes and state and federal agencies will be consulted to ensure that all available scientific data are considered in the decision-making process. Any such regulations or other restrictions will be developed with public involvement.

The Service's cooperative consultation concerning fish and wildlife management will be consistent with departmental policy at 43 CFR Part 24. This policy recognizes the broad authorities and responsibilities of federal and state agencies with regard to the management of the nation's fish and wildlife resources, and promotes cooperative management relationships among these agencies. In particular, the policy calls on the Service to consult with state agencies on certain fish and wildlife management actions, and encourages the execution of memoranda of understanding as appropriate to ensure the conduct of programs that meet mutual objectives as long as they do not conflict with federal law or regulation.

(See Harvest of Plants and Animals by the Public 4.4.3; Genetic Resource Management Principles 4.4.1.2. Also see Director's Order #75A: Civic Engagement and Public Involvement)

8.2.2.7 Parachuting

Parachuting (or BASE jumping), whether from an aircraft, structure, or natural feature, is generally prohibited by 36 CFR 2.17(a)(3). However, if determined through a park planning process to be an appropriate activity, it may be allowed pursuant to the terms and conditions of a permit.

(See Appropriate Use 8.1.1)

8.2.2.8 Recreational Pack and Saddle Stock Use

Equine species such as horses, mules, donkeys and burros, and other types of animals (including llamas, alpacas, goats, oxen, dogs and reindeer) may be employed when it is an appropriate use to support backcountry transport of people and materials and will not result in unacceptable impacts. NPS regulations at 36 CFR 2.16 prohibit the use of animals other than those designated as "pack animals" for transporting equipment.

Planning for recreational stock use should be conducted in the context of visitor use planning to address social, biological, and physical carrying capacity considerations, and to make allocation decisions that minimize potential conflicts between and among user groups. The plan should (1) establish routes, trails, and areas of travel; and (2) identify the need for supporting infrastructure such as designated horse camps, hitch rails, corrals, and appropriate trailhead facilities designed for vehicles towing horse trailers. The plan should also identify sensitive natural and cultural resource areas and develop management strategies to protect these resources.

In areas where demand for available grazing for recreational and administrative stock exceeds allowable limits, alternative strategies must be developed. If available, and to prevent the spread of invasive exotic plant species, certified weed seed free hay or pellet rations should be considered as alternative feeding strategy to supplement grazing. Administrative stock use should generally follow the same rules and guidelines that are established for recreational stock use.

(See Domestic and Feral Livestock 8.6.8)

8.2.3 Use of Motorized Equipment

The variety of motorized equipment—including visitor vehicles, concessioner equipment, and NPS administrative or staff vehicles and equipment—that operates in national parks could adversely impact park resources, including the park's natural soundscape and the flow of natural chemical information and odors that are important to many living organisms. In addition to their natural values, natural sounds (such as waves breaking on the shore, the roar of a river, and the call of a loon), form a valued part of the visitor experience. Conversely, the sounds of motor vehicle traffic, an electric generator, or loud music can greatly diminish the solemnity of a visit to a national memorial, the effectiveness of a park interpretive program, or the ability of a visitor to hear a bird singing its territorial song. Many parks that

appear as they did in historical context no longer sound the way they once did.

The Service will strive to preserve or restore the natural quiet and natural sounds associated with the physical and biological resources of parks. To do this, superintendents will carefully evaluate and manage how, when, and where motorized equipment is used by all who operate equipment in the parks, including park staff. Uses and impacts associated with the use of motorized equipment will be addressed in park planning processes. Where such use is necessary and appropriate, the least impacting equipment, vehicles, and transportation systems should be used, consistent with public and employee safety. The natural ambient sound level—that is, the environment of sound that exists in the absence of human-caused noise—is the baseline condition, and the standard against which current conditions in a soundscape will be measured and evaluated.

To meet its responsibilities under Executive Order 13149 (Greening the Government through Federal Fleet and Transportation Efficiency), the Service will develop and implement a strategy to reduce its vehicle fleet's annual petroleum consumption.

(See Soundscape Management 4.9; Chemical Information and Odors 4.11)

8.2.3.1 Motorized Off-road Vehicle Use

Off-road motor vehicle use in national park units is governed by Executive Order 11644 (Use of Off-road Vehicles on Public Lands, as amended by Executive Order 11989), which defines off-road vehicles as "any motorized vehicle designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, marsh, swampland, or other natural terrain" (except any registered motorboat or any vehicle used for emergency purposes). Unless otherwise provided by statute, any time there is a proposal to allow a motor vehicle meeting this description to be used in a park, the provisions of the executive order must be applied.

In accordance with 36 CFR 4.10(b), routes and areas may be designated only in national recreation areas, national seashores, national lakeshores, and national preserves, and only by special regulation. In accordance with the executive order, they may be allowed only in locations where there will be no adverse impacts on the area's natural, cultural, scenic, and esthetic values, and in consideration of other existing or proposed recreational uses. The criteria for new uses, appropriate uses, and unacceptable impacts listed in sections 8.1 and 8.2 must also be applied to determine whether off-road vehicle use may be allowed. As required by the executive order and the Organic Act, superintendents must immediately close a designated off-road vehicle route whenever the use is causing or will cause unacceptable impacts on the soil, vegetation, wildlife, wildlife habitat, or cultural and historic resources.

NPS administrative off-road motor vehicle use will be limited to what is necessary to manage the public use of designated off-road vehicle routes and areas; to conduct emergency operations; and to accomplish essential maintenance, construction, and resource protection activities that cannot be accomplished reasonably by other means.

(See Park Management 1.4; Minimum Requirement 6.3.5. Also see 36 CFR 4.10)

8.2.3.2 Snowmobiles

Snowmobile use is a form of off-road vehicle use governed by Executive Order 11644 (Use of Off-road Vehicles on Public Lands, as amended by Executive Order 11989), and in Alaska also by provisions of the Alaska National Interest Lands Conservation Act (16 USC 3121 and 3170). Implementing regulations are published at 36 CFR 2.18, 36 CFR Part 13, and 43 CFR Part 36. Outside Alaska, routes and areas may be designated for snowmobile and oversnow vehicle use only by special regulation after it has first been determined through park planning to be an appropriate use that will meet the requirements of 36 CFR 2.18 and not otherwise result in unacceptable impacts. Such designations can occur only on routes and water surfaces that are used by motor vehicles or motorboats during other seasons. In Alaska, the Alaska National Interest Lands Conservation Act provides additional authorities and requirements governing snowmobile use.

NPS administrative use of snowmobiles will be limited to what is necessary (1) to manage public use of snowmobile or oversnow vehicles routes and areas; (2) to conduct emergency operations; and (3) to accomplish essential maintenance, construction, and resource protection activities that cannot be accomplished reasonably by other means.

(See Unacceptable Impacts 1.4.7.1; Minimum Requirement 6.3.5; Management Facilities 6.3.10; General Policy 6.4.1; Process for Determining New Appropriate Uses 8.1.2; Visitor Use 8.2; Recreational Activities 8.2.2)

8.2.3.3 Personal Watercraft Use

Personal watercraft use is generally prohibited by 36 CFR 3.24. However, it may be allowed within a park by special regulation if it has first been determined through park planning to be an appropriate use that will not result in unacceptable impacts.

(See Unacceptable Impacts 1.4.7.1; Process for Determining New Appropriate Uses 8.1.2; Visitor Use 8.2; Recreational Activities 8.2.2. Also see 36 CFR Part 3: Boating and Water Use)

8.2.4 Accessibility for Persons with Disabilities

All reasonable efforts will be undertaken to make NPS facilities, programs, and services accessible to and usable by all people, including those with disabilities. This policy reflects the commitment to provide access to the widest cross section of the public, and to ensure compliance with the intent of the Architectural Barriers Act of 1968 and the Rehabilitation Act of 1973. The Service will also comply with section 507 of the Americans with Disabilities Act

(42 USC 12207), which relates specifically to the operation and management of federal wilderness areas. Specific guidance for implementing these laws is found in the Secretary of the Interior's regulations regarding enforcement of nondiscrimination on the basis of disability in Department of the Interior programs (43 CFR Part 17, Subpart E), and General Service Administration regulations adopting accessibility standards for the Architectural Barriers Act (41 CFR Part 102-76, Subpart C).

One primary tenet of accessibility is that, to the highest degree reasonable, people with disabilities should be able to participate in the same programs and activities available to everyone else. In choosing among methods for providing accessibility, higher priority will be given to those methods that offer programs and activities in the most integrated setting appropriate. Special, separate, or alternative facilities, programs, or services will be provided only when existing ones cannot reasonably be made accessible. The determination of what is reasonable will be made only after careful consultation with persons with disabilities or their representatives. Any decision that would result in less than equal opportunity is subject to the filing of an official disability rights complaint under the departmental regulations cited above.

(See Accessibility for Persons with Disabilities 1.9.4; Physical Access for Persons with Disabilities 5.3.2; Accessibility for Persons with Disabilities 6.4.10; Accessibility for Persons with Disabilities 9.1.2. Also see Director's Order #16A: Reasonable Accommodation for Applicants and Employees with Disabilities; Director's Order #42: Accessibility for Visitors with Disabilities in National Park Service Programs and Services; Americans with Disabilities Act and Architectural Barriers Act Accessibility Standards)

8.2.5 Visitor Safety and Emergency Response

8.2.5.1 Visitor Safety

The saving of human life will take precedence over all other management actions as the Park Service strives to protect human life and provide for injury-free visits. The Service will do this within the constraints of the 1916 Organic Act. The primary—and very substantial—constraint imposed by the Organic Act is that discretionary management activities may be undertaken only to the extent that they will not impair park resources and values.

While recognizing that there are limitations on its capability to totally eliminate all hazards, the Service and its concessioners, contractors, and cooperators will seek to provide a safe and healthful environment for visitors and employees. The Service will work cooperatively with other federal, tribal, state, and local agencies; organizations; and individuals to carry out this responsibility. The Service will strive to identify and prevent injuries from recognizable threats to the safety and health of persons and to the protection of property by applying nationally accepted codes, standards, engineering principles, and the guidance contained in Director's Orders #50B, #50C, #58, and #83 and their associated reference manuals. When practicable and consistent with congressionally designated purposes and mandates, the Service will reduce or remove known hazards and apply other appropriate measures, including closures, guarding, signing, or other forms of education. In doing so, the Service's preferred actions will be those that have the least impact on park resources and values.

The Service recognizes that the park resources it protects are not only visitor attractions, but that they may also be potentially hazardous. In addition, the recreational activities of some visitors may be of especially high-risk, high-adventure types, which pose a significant personal risk to participants and which the Service cannot totally control. Park visitors must assume a substantial degree of risk and responsibility for their own safety when visiting areas that are managed and maintained as natural, cultural, or recreational environments.

These management policies do not impose park-specific visitor safety prescriptions. The means by which public safety concerns are to be addressed is left to the discretion of superintendents and other decision-makers at the park level who must work within the limits of funding and staffing. Examples include decisions about whether to install warning signs or artificial lighting, distribute weather warnings or advisories, initiate search-and-rescue operations or render emergency aid, eliminate potentially dangerous animals, close roads and trails or install guardrails and fences, and grant or deny backcountry or climbing permits. Some forms of visitor safeguards typically found in other public venues—such as fences, railings, and paved walking surfaces—may not be appropriate or practicable in a national park setting.

(See Air Quality 4.7.1; Lightscape Management 4.10; General Policy 6.4.1; Siting Facilities to Avoid Natural Hazards 9.1.1.5; Waste Management and Contaminant Issues 9.1.6; Risk Management Program 10.2.4.8; Food Service Sanitation Inspections 10.2.4.14)

8.2.5.2 Emergency Preparedness and Emergency Operations

The National Park Service will develop a program of emergency preparedness in accordance with title VI of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 USC 5195-5197g); National Security Decision Directive 259 (February 4, 1987); Department of the Interior policy; and other considerations at the Washington headquarters, regional, and park levels. The program will (1) provide guidance for incident management at the park level and management and relief for emergency incidents and events beyond park capabilities; (2) ensure the agency complies with the Presidential Homeland Security Directives, the National Emergency Response Plan, and the National Incident Management System standards; and (3) support interagency and national response to major incidents. The purpose of the program will be to provide for visitor and employee safety and the protection of resources and property to the extent possible. This program will include a systematic method for alerting visitors about potential disasters and evacuation procedures.

Superintendents may assist other agencies with emergencies outside of parks, as authorized by 16 USC 1b(1). To the extent practicable and in accordance with Director's Order #20, written agreements with other agencies must first be in effect. NPS employees who are outside the area of their jurisdiction and who are directed by their supervisors to provide emergency assistance to other agencies will be considered to be acting within the scope of their employment.

NPS emergency operations will be conducted using the Incident Command System of the National Interagency Incident Management System (NIIMS). The Unified Command System (within the Incident Command System) will be used when other agencies are involved. Each park superintendent will develop and maintain an emergency operations plan to ensure an effective response to all types of emergencies that can be reasonably anticipated.

As one element of the emergency operations plan, or as a separate document, each park must have an oil and chemical spill response management plan for spills that result from NPS activities or from activities that are beyond NPS control (such as commercial through-traffic on roads that pass through a park). The plans will place first priority on responder and public safety.

Employees will not be permitted to respond to hazardous material spills unless they are properly qualified and certified in accordance with Director's Order #30B: Hazardous Spill Response. The Service will seek to recover all allowable direct and indirect costs for responding to oil or hazardous materials spills.

Parks that have their own aircraft or contract for the use of aircraft must have an aircraft crash rescue response plan or other planning document in place.

(See Compensation for Injuries to Natural Resources 4.1.6; Emergency Management 5.3.1.1. Also see Director's Order #55: Incident Management Program; Director's Order #60: Aviation Management)

8.2.5.3 Search and Rescue

To provide for the protection and safety of park visitors, the Service will make reasonable efforts to search for lost persons and rescue sick, injured, or stranded persons. This responsibility may be fulfilled by NPS staff or by qualified search-and-rescue organizations or agencies that are capable of responding to life-threatening emergencies pursuant to the terms of a formal agreement. Deceased persons will be evacuated unless the level of risk to the rescue party is found to be unacceptably high. Search managers and superintendents will jointly determine when to terminate a search. The Service will not charge visitors for search-and-rescue operations. Search-and-rescue operations will be conducted using the Incident Command System.

(See Management Facilities 6.3.10; General Policy 6.4.1. Also see Director's Order #59: Search and Rescue)

8.2.5.4 Dive Operations

NPS dive operations in rivers, lakes, reservoirs, and oceans will be used to support other park operations, including scientific inquiry, search and rescue, law enforcement, public education, and resource and facility management. The level of service provided within a park will be determined through a dive program needs assessment. Personal safety of those engaged in diving activities is of primary importance and will not be compromised for any reason. NPS diving activities will not be permitted in any park that does not have an approved safe practices manual (dive safety plan).

(See Director's Order #4: Diving Management. Also see 29 CFR 1910, subpart T, 485 DM 28)

8.2.5.5 Public Health Program

The Service will work to identify public health issues and disease transmission potential in the parks and to conduct park operations in ways that reduce or eliminate these hazards. Park managers will pursue these goals with technical assistance provided under the auspices of a Service-wide public health program. The public health program will use the consultation services of commissioned officers of the U.S. Public Health Service.

(See Pest Management 4.4.5. Also see Director's Order #83: Public Health)

8.2.5.6 Emergency Medical Services

The Service will make reasonable efforts to provide appropriate emergency medical services for persons who become ill or injured. An emergency medical services program will be maintained, where appropriate, to provide transportation and prehospital care of the sick and injured, which may range from minor first aid to advanced life support in various environmental settings. Transportation may include everything from patrol cars and ambulances to fixed-wing planes and helicopter air ambulances, consistent with departmental policies regarding aircraft use.

Qualified emergency medical services in local communities may be used if such services can respond rapidly enough in life-threatening emergencies. When such services are not available, the Park Service will make a reasonable effort to provide a level of emergency medical service commensurate with park needs and in response to an emergency medical needs assessment. Each superintendent will develop and implement a program to meet those needs in accordance with Director's Order #51: Emergency Medical Services. Extended emergency medical services operations will be conducted using the Incident Command System.

(Also see Director's Order #55: Incident Management Program)

8.2.6 Recreation Fees and Reservations

The National Park Service may charge a recreation entrance or expanded amenity recreation (use) fee at parks when authorized by law. Although these fees may provide for the support of the overall management and operation

of parks, as set forth in the Federal Lands Recreation Enhancement Act and other relevant statutes, they are not intended to offset the operational costs associated with a park. Such services include protection; resource management; information and orientation; maintenance of park facilities; and interpretation to foster an understanding and appreciation of each park's resources, management procedures, regulations, and programs. Fees may be instituted for secondary or special services that the Service cannot or elects not to offer because of economic constraints or the need for special skills or equipment or because they are purely supplemental programs. The Service may also contract or enter into an agreement for the collection of recreational fees if there is a demonstrated benefit to the collecting park unit. In all cases, fee programs will support park purposes and comply with appropriate Service policies and standards and federal law.

(See Commercial Use Authorizations 10.3. Also see Director's Order #22: Fee Program)

8.2.6.1 Recreation Fees

Visitors who use federal facilities and services for recreation may be required to pay a greater share of the cost of providing those opportunities than the population as a whole. Under the guidelines and criteria established by law and regulation, the Service will collect recreation fees of the appropriate type for its parks, facilities, and programs. No fees will be collected in circumstances in which the costs of collection would exceed revenue or where fee collection is prohibited by law or regulation. Fees charged for recreational activities will be collected only in accordance with the applicable authority, and recreation fee revenues will be managed according to law and policy. Fee rates will be reasonable and equitable and consistent with criteria and procedures contained in law and NPS guidance documents. Those who lawfully enter or use a park for activities not related to recreation will not be charged an entrance fee, expanded amenity recreation use fee, or special recreation permit fee. Examples of nonrecreation exemptions include persons entering parks for

- First Amendment activities, which are exempt from all fees;
- special park uses such as agricultural, grazing, and commercial filming activities (all of which are subject to special park use fees);
- NPS-authorized research activities;
- federal, state, tribal, and local government business;
- hospital in-patients involved in medical treatment or therapy;
- a leaseholder or property owner accessing their property;
- outings conducted for noncommercial educational purposes by schools and other bona fide academic institutions.

Current law (the Federal Lands Recreation Enhancement Act) prohibits charging entrance fees to persons 15 years of age and younger. In Alaska, the Alaska National Interest Lands Conservation Act prohibits charging entrance fees to all national parks except Denali National Park.

(See Fees 8.6.1.2; First Amendment Activities 8.6.3)

8.2.6.2 National Recreation Reservation Service

Superintendents are encouraged to participate in a reservation service for campgrounds and other facilities, and for tours or other services operated or provided by the Park Service for visitors when doing so will

- better serve park visitors, or
- ensure the protection of park resources, or
- increase public awareness of lesser-known parks, or
- improve the efficiency of park operations or administration.

To avoid duplicative costs and confusion, if a reservation service will be employed in a park, the Service-wide recreation reservation vendor will be the preferred provider of that service. The vendor's services may be expanded or new services may be developed based on NPS needs and the vendor's capacity to accommodate the needs. If a superintendent wishes to participate in a different reservation system, a determination must first be made that the Service-wide vendor will not accommodate the park's reservation needs. Authorization must be obtained from the Director before participating in a different reservation system. Concessioners who manage lodging and camping services are not required to transfer their existing reservation services to the NPS reservation system. However, they are encouraged to do so when it is administratively, operationally, and financially feasible, in order to provide more seamless reservation services to the public.

(See Chapter 7: Interpretation and Education)

8.2.7 Tourism

The Service will support and promote appropriate visitor use through cooperation and coordination with the tourism industry. As part of this effort, the Service will

- develop and maintain a constructive dialogue and outreach effort with public and private organizations and businesses, including state and local tourism and travel offices;
- establish positive and effective working relationships with park concessioners and others in the tourism industry to ensure a high quality of service to park visitors;
- collaborate with industry professionals to promote sustainable and informed tourism that incorporates socioeconomic and ecological concerns and supports long-term preservation of park resources and quality visitor experiences; and
- use this collaboration as an opportunity to encourage and showcase environmental leadership by the Service and by the tourism industry, including park concessioners.

(Also see Director's Order #17: National Park Service Tourism)

8.3.1 General

The law enforcement program is an important tool in carrying out the NPS mission. The objectives of the NPS law enforcement program are (1) the prevention of criminal activities through resource education, public safety efforts, and deterrence; and (2) the detection and investigation of criminal activity and the apprehension and successful prosecution of criminal violators. In carrying out the law enforcement program, the Service will make reasonable efforts to protect the natural and cultural resources entrusted to its care and to provide for the protection, safety, and security of park visitors, employees, concessioners, and public and private property.

Law enforcement is characterized by high risks and inherent dangers to enforcement officers, and by high public expectations that law enforcement activities will be performed in a lawful and professional manner. It is therefore essential that the Service issue clear policies and procedures to guide the law enforcement program, and that commissioned employees receive the training and equipment necessary to perform their duties successfully. The NPS law enforcement program will be managed and supervised in accordance with all applicable laws and regulations; Part 446 of the *Department of the Interior Manual*; all applicable Secretarial directives, these Management Policies; and Director's Order #9: Law Enforcement Program and Reference Manual #9 (or U. S. Park Police General Orders, as appropriate). To help sustain the high level of public trust necessary for an effective law enforcement program, commissioned employees will adhere to the Department of the Interior's law enforcement code of conduct and the standards of ethical conduct found in Reference Manual 9.

All necessary and appropriate steps will be taken to ensure that the Park Service maintains a professional law enforcement program. The authority and responsibility to manage the NPS Commissioned Park Ranger program and U.S. Park Police operations will flow in a logical order from the Director and in accordance with departmental policy.

8.3.2 The Context for Law Enforcement

Park law enforcement activities will be managed by superintendents as part of a comprehensive, interdisciplinary effort to protect resources, manage public use, and promote public safety and appropriate enjoyment. This is in keeping with guidance provided by Congress in 1976 when it amended the General Authorities Act (16 USC 1a-6):

> The Committee intends that the clear and specific enforcement authority contained in this subsection, while necessary for the protection of the Federal employees so involved, will be implemented by the Secretary to ensure that law enforcement activities in our National Park System will continue to be viewed as one function of a broad program of visitor and resource protection. (House Report No. 94-1569, September 16, 1976)

8.3.3 Shared Responsibilities

Congress has authorized the designation of certain employees as law enforcement officers, with the responsibility to "maintain law and order and protect persons and property within areas of the National Park System" (16 USC 1a 6(b)). Only employees who meet the standards prescribed by and who are designated by the Secretary of the Interior may perform law enforcement duties. The duties of these commissioned employees will not be limited to just law enforcement; they will also continue to incorporate a diversity of other protection concerns, as stipulated in House Report No. 94-1569.

The Service recognizes that effective enforcement requires a cooperative community effort. Therefore, employees without law enforcement commissions will continue to share responsibility for the protection of park resources and visitors, and they will be expected to report any apparent violations or suspicious activities. All park employees will be trained to recognize, observe, and record criminal acts and illegal activities. The Service will also encourage and assist park neighbors in the development of cooperative crime prevention and detection programs.

Extended law enforcement operations will be conducted using the Incident Command System of the National Interagency Incident Management System.

8.3.4 Enforcement Authority

Within national park system boundaries, the Service will fulfill its law enforcement responsibilities using NPS employees. However, the Park Service is authorized by 16 USC 1a-6(c) to appoint (deputize) another agency's qualified law enforcement personnel as special police when it will benefit the administration of a park area. Deputations may be issued for the purpose of obtaining supplemental law enforcement assistance when deemed economical and in the public interest, and with the concurrence of the other agency. All such appointments must be approved by the senior NPS law enforcement official or his/her designee and supported by a written agreement with the other agency at the park or national level, except when there is insufficient time because of an emergency law enforcement situation. While deputations may be used to supplement NPS law enforcement capabilities, they may not be used to transfer NPS law enforcement responsibilities to state or local governments.

The Service is authorized to use appropriated funds for "rendering of emergency rescue, fire fighting, and [other] cooperative assistance to nearby law enforcement and fire prevention agencies and for related purposes outside of the National Park System"(16 USC 1b(1)). Further, insofar as 16 USC 1b(1) does not confer arrest authority to NPS personnel who act outside park boundaries, state arrest authority is first needed before NPS personnel can enforce state law or engage in law enforcement activity outside national park system boundaries.

This authority will be used in emergency situations, only after first determining that such actions will facilitate the

administration of the park or be an effective management tool for obtaining mutual assistance from other agencies. Furthermore, the authority is intended for use only in response to an unexpected occurrence that requires immediate action, which may include one or more of the following:

- emergency responses such as life-or-death incidents, serious injury/fatality accident/incident scenes, crime scenes involving the protection of human life, officer needs assistance, threats to health or safety of the public;
- emergency or law enforcement incidents directly affecting visitor safety or resource protection;
- probable-cause felonies and felonies committed in the presence of and observed by U.S. Park Rangers, Special Agents, or U.S. Park Police;
- misdemeanors committed in the presence of U.S. Park Rangers, Special Agents, or U.S. Park Police that present an immediate threat to the health and safety of the public.

Except where specifically provided by acts of Congress codified in the District of Columbia Code, sections 5-201 to 5-208 (2001), the Service may not assume law enforcement responsibility outside of a park in lieu of the legitimate responsibilities of nearby agencies. Cooperative assistance rendered to nearby law enforcement agencies outside park boundaries should be limited to only those actions or efforts that support or assist those agencies.

8.3.5 Jurisdiction

The term jurisdiction defines the sphere of authority and outlines the boundaries or territorial limits within which any particular authority may be exercised. Jurisdiction may be either exclusive, partial, concurrent, or proprietary. Insofar as is practicable, the Service will seek to acquire concurrent legislative jurisdiction for all units of the national park system, as required by the 1976 amendment to the General Authorities Act. Concurrent jurisdiction allows the Service to enforce federal criminal statutes and also to assimilate state law under 18 USC 13 when no applicable federal law or regulation exists. Concurrent jurisdiction will allow for the more efficient conduct of both state and federal law enforcement functions within the parks.

8.3.6 Use of Force

Commissioned employees may use a wide variety of defensive equipment and force options in response to various threats and other enforcement situations. The primary consideration is the timely and effective application of the appropriate level of force required to establish and maintain lawful control.

8.3.7 Law Enforcement Public Information and Media Relations

The National Park Service will provide information to the public and the news media in accordance with applicable laws, departmental policy, and Director's Order #75B: Media Relations. Superintendents should identify appropriate opportunities to (1) enhance deterrence by publicizing arrests, weapons seizures, and successful prosecutions; (2) highlight cooperation and assistance activities (e.g., Park Watch); and (3) educate the public about the full range of threats to and the difficulty in protecting park resources.

The right of the public to obtain information about government operations and activities is subject to the requirements of the Freedom of Information Act and the Privacy Act.

(See Civic Engagement 1.7. Also see Director's Order #66: FOIA and Protected Resource Information; Director's Order #75A: Civic Engagement and Public Involvement)

8.3.8 Homeland Security

The Park Service will work cooperatively with the Department of the Interior; Department of Homeland Security; and other federal, state, and local agencies to prevent and respond to foreign and domestic attacks on American soil. The Park Service will maintain a capacity to rapidly move law enforcement personnel to critical asset and infrastructure or other identified areas in the event of a terrorist attack, elevated threat level, or other major emergency incident.

(See National Emergency Response Plan)

8.4 Overflights and Aviation Uses

A variety of aircraft, including military, commercial, general aviation, and aircraft used for NPS administrative purposes, fly in the airspace over national parks. Although there are many legitimate aviation uses, overflights can adversely affect park resources and values and interfere with visitor enjoyment. The Service will take all necessary steps to avoid or mitigate unacceptable impacts from aircraft overflights.

Because the nation's airspace is managed by the Federal Aviation Administration (FAA), the Service will work constructively and cooperatively with the Federal Aviation Administration and national defense and other agencies to ensure that authorized aviation activities affecting units of the national park system occur in a safe manner and do not cause unacceptable impacts on park resources and values and visitor experiences. The Service will build and maintain a cooperative and problem-solving relationship with national defense agencies to address the congressionally mandated mission of each agency and prevent or mitigate unacceptable impacts of military training or operational flights on park resources, values and the visitor experience. Cooperation is essential because the other agencies involved have statutory authorities and responsibilities that must be recognized by the Service.

(See Soundscape Management 4.9. Also see Director's Orders #47: Soundscape Preservation and Noise Management; #60: Aviation Management)

8.4.1 Alaska and Remote Areas

Aviation can provide an important, and in some cases the preferred, means of access to remote areas in certain parks, especially in Alaska. In such cases, access by aircraft may make an important contribution to the protection and enjoyment of those areas. Dependence on aviation will be fully considered and addressed in the planning process for those parks. Alaska parks have specific regulations concerning fixed-wing aircraft, published at 36 CFR Part 13 and 43 CFR 36.11(f).

8.4.2 Education

For the general public and for aviation interests, the Service will develop educational materials describing the importance of the natural soundscape and tranquility to park visitors, as well as the need for cooperation from the aviation community.

(See Chapter 7: Interpretation and Education; Soundscape Management 4.9)

8.4.3 General Aviation

The Service will work closely with the Federal Aviation Administration and with general aviation organizations to ensure that general aviation operations over units of the national park system are conducted in accordance with applicable FAA advisories and "fly-friendly" techniques and procedures designed to help pilots minimize impacts on national parks. The Service will seek the assistance of these organizations in problem resolution if general aviation concerns arise over national parks.

8.4.4 Administrative Use

Aviation is a necessary and acceptable management tool in some parks when used in a manner consistent with the NPS mission. Aviation activities will comply with all applicable policies and regulations issued by the Department of the Interior, the Federal Aviation Administration, and the National Park Service. In its administrative use of aircraft, the Service will

- use, to the maximum extent practicable, the quietest aircraft available for its aviation operations;
- limit official use of flights over parks to those needed to support or carry out emergency operations or essential management activities in cases where there are no practical alternatives or when alternative methods would be unreasonable;
- give full consideration to safety; wilderness management implications; impacts on resources, values, and opportunity for visitor enjoyment; impacts on other administrative activities; and overall cost-effectiveness;
- plan, schedule, and consolidate flights so as to avoid or minimize unacceptable impacts on park resources and values and visitor enjoyment;
- work cooperatively with other agencies using aircraft and airspace over parks to adhere to the above standards.

(Also see Director's Order #60: Aviation Management)

8.4.5 Military Aviation

The Service will work cooperatively with agencies of the Department of Defense to address the congressionally mandated missions of all agencies. In addition, the Service will prevent or strive to mitigate any unacceptable impacts of overflights related to military training or operational low-level overflights. Superintendents are responsible for opening lines of communication with base commanders controlling military training routes or military operations areas that may affect their parks, and for developing formal agreements that mitigate identified impacts.

8.4.6 Commercial Air Tour Management

The National Parks Air Tour Management Act of 2000 and implementing FAA regulations provide for a joint FAA/NPS planning process that will lead to the management by the Federal Aviation Administration of commercial air tours over national parks (with the exception of parks in Alaska and Rocky Mountain National Park, which are specifically excluded from the process). The Service, as a cooperating agency, will assist the Federal Aviation Administration in developing an air tour management plan (ATMP) for each park with existing or proposed air tours. Superintendents will work cooperatively with the Federal Aviation Administration, air tour operators, and other stakeholders in the development of these plans and will determine the nature and extent of impacts on natural and cultural resources and visitor experience opportunities inside park boundaries. The Federal Aviation Administration, with responsibility for ensuring the safe and efficient use of the nation's airspace and protecting the public health and welfare from aircraft noise, will implement the air tour management plans and regulate commercial air tours in accordance with it.

8.4.7 Permitted Overflights

When issuing permits for activities such as filming or research in which the use of aircraft is proposed, the superintendent will determine whether use is appropriate and apply conditions to protect park resources and values from unacceptable impacts. Permit requests will be denied if the activity will have unacceptable impacts on a park's resources, values, or desired visitor experiences.

8.4.8 Airports and Landing Sites

Private or commercial aircraft may be operated in parks only on lands or water surfaces designated by the Park Service as landing sites through special regulation. (See section 8.4.1 regarding Alaska and some remote areas.) The Service will evaluate and manage aircraft landing sites under its jurisdiction to ensure that the use of the sites will have no unacceptable impacts on park resources and values, public safety, or visitor enjoyment. Existing sites that meet these criteria and that have been designated as a result of previously established use may be retained as long as the administrative need for them continues. New sites will be designated only where essential to provide administrative access to remote areas (other than wilderness), and only where the site can be established, used, and maintained without the need for new construction or major site improvements.

The National Park Service will also work with entities having jurisdiction over landing sites and airports adjacent to parks for the purpose of preventing, reducing, or otherwise mitigating the effects of aircraft operations. Whether landing sites or airports are situated within or adjacent to parks, the objective will be to minimize noise and other impacts and confine them to the smallest and most appropriate portion of the park, consistent with safe aircraft operations.

(Also see 36 CFR 2.17; 43 CFR 36.11 (f))

8.5 Use by American Indians and Other Traditionally Associated Groups

The National Park Service will develop and implement its programs in a manner that reflects knowledge of and respect for the cultures of American Indian tribes or groups with demonstrated ancestral ties to particular resources in parks. Evidence of such ties will be established through systematic archeological or anthropological studies, including ethnographic oral history and ethnohistory studies or a combination of these sources. For purposes of these policies, the term American Indian tribe means any tribe, band, nation, or other organized group or community of Indians, including any Alaska Native Village, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians. Other groups of people with traditional associations to park lands or resources include native peoples of the Caribbean; Native Hawaiians and other native Pacific islanders; and state-recognized tribes and other groups who are defined by themselves and known to others as members of a named cultural unit that has historically shared a set of linguistic, kinship, political, or other distinguishing cultural features.

The Service will regularly and actively consult with American Indian tribal governments and other traditionally associated groups regarding planning, management, and operational decisions that affect subsistence activities, sacred materials or places, or other resources with which they are historically associated. Information about the outcome of these consultations will be made available to those consulted.

In developing its plans and carrying out its programs, the Service will ensure the following:

- NPS general regulations governing access to and use of natural and cultural resources in parks will be applied in an informed and balanced manner consistent with park purposes that (1) does not unreasonably interfere with American Indian tribal use of traditional areas or sacred resources, and (2) does not violate the criteria listed in section 8.2 for use of the parks.
- Superintendents will establish and maintain consulting relationships with potentially affected American Indian tribes or traditionally associated groups.
- Management decisions will reflect knowledge about and understanding of potentially affected American Indian cultures and people, gained through research and consultations with the potentially affected groups.

The American Indian Religious Freedom Act (42 USC 1996) states that

> Henceforth it shall be the policy of the United States to protect and preserve for American Indians their inherent right to freedom to believe, express, and exercise the traditional religions of the American Indians, Eskimo, Aleut, and Native Hawaiians, including but not limited to access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites.

The National Park Service recognizes that site-specific worship is vital to Native American religious practices. As a matter of policy and in keeping with the spirit of the law, and provided the criteria listed in section 8.2 for use of the parks are not violated, the Service will be as unrestrictive as possible in permitting Native American tribes access to park areas to perform traditional religious, ceremonial, or other customary activities at places that have been used historically for such purposes. In allowing religious access by other entities, including nonrecognized Indian groups, the Service will consider requests individually, being mindful not to take actions that will either advance or inhibit religion. The Service will not direct visitor attention to the performance of religious observances unless the Native American group so wishes.

With regard to consumptive use of park resources, current NPS policy is reflected in regulations published at 36 CFR 2.1 and 36 CFR Part 13. These regulations allow superintendents to designate certain fruits, berries, nuts, or unoccupied seashells that may be gathered by hand for personal use or consumption if it will not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources. The regulations do not authorize the taking, use, or possession of fish, wildlife, or plants for ceremonial or religious purposes, except where specifically authorized by federal statute or treaty rights or where hunting, trapping, or fishing are otherwise allowed.

When authorized under National Historic Preservation Act, the Archeological Resources Protection Act or other provisions of law, the Service will protect sacred resources to the extent practicable and in a manner consistent with the goals of American Indian tribes or other traditionally associated groups. The location and character of sacred sites will be withheld from public disclosure if disclosure will cause significant invasion of privacy, risk harm to the historic resource, or impede the use of a traditional religious site by practitioners.

Members of American Indian tribes or traditionally associated groups may enter parks for traditional nonrecreational activities without paying an entrance fee.

The ceremonial use of peyote will be limited to members of the Native American Church during religious ceremonies,

in accordance with regulations of the Department of Justice, Drug Enforcement Administration ("Special Exempt Persons, Native American Church," 21 CFR 1307. 31).

(See Relationship with American Indian Tribes 1.11; Consultation 5.2.1; Ethnographic Resources 5.3.5.3; first Amendment Activities 8.6.3; Consumptive Uses 8.9. Also see Executive Order 13007 (Indian Sacred Sites); Director's Orders #71A: Government-to-government Relationships with Tribal Governments, and #71B: Indian Sacred Sites)

8.6 Special Park Uses

8.6.1 General

A special park use is defined as an activity that takes place in a park area, and that

- provides a benefit to an individual, group, or organization rather than the public at large;
- requires written authorization and some degree of management control from the Service in order to protect park resources and the public interest;
- is not prohibited by law or regulation;
- is not initiated, sponsored, or conducted by the Service; and
- is not managed under a concession contract (see chapter 10), a recreation activity for which the NPS charges a fee, or a lease (see chapter 5).

8.6.1.1 Requests for Permits

Using criteria and procedures outlined in Director's Order #53: Special Park Uses, each request to permit a special park use or renew authorization of an existing use will be reviewed and evaluated by the superintendent according to the terms of applicable legislation, regulations, and management planning documents. When considering permit requests, superintendents will take into account the Service-wide implications of their decisions. A superintendent must deny initial requests or requests for renewal upon finding that the proposed activity would cause unacceptable impacts. The superintendent likewise must terminate previously authorized special park uses based on such a finding.

(See Appropriate Use of the Parks 1.5; Unacceptable Impacts 1.4.7.1; Process for Determining New Appropriate Uses 8.1.2)

8.6.1.2 Fees

Cost recovery and performance bond and liability insurance requirements will be imposed, consistent with applicable statutory authorities and regulations. All costs incurred by the Service in receiving, writing, and issuing the permit, monitoring the permitted use, restoring park areas, or otherwise supporting a special park use may be paid by the permittee. The money will be retained by the park as reimbursement.

When appropriate, the Service will also collect a fee for the use of the land or facility based on a market evaluation. Fees collected for use of the land or facility will be deposited into the U.S. Treasury.

Based on the published schedule, commercial filming and still photography activities requiring a permit are subject to a location fee. The money will be retained by the Park Service in accordance with the fee demonstration program.

(See Park Management 1.4; Recreation Fees and Reservations 8.2.6.; Special Events 8.6.2)

8.6.2 Special Events

8.6.2.1 General

Special events—such as sports, pageants, regattas, public spectator attractions, entertainment, ceremonies, and encampments—may be permitted by the superintendent when (1) there is a meaningful association between the park area and the event, and (2) the event will contribute to visitor understanding of the significance of the park area. However, a permit must be denied if the event would be disallowed under the criteria listed for unacceptable impacts in sections 1.4.7.1 and 8.2.

Superintendents must ensure that appropriate permit conditions are imposed for special events. Permit conditions are intended to mitigate damage to park resources and values while ensuring that any necessary resource restoration and rehabilitation is completed. Permit conditions should include conditions on resource protection as well as requirements for cost recovery and fees, a hold-harmless clause, liability insurance, and bonding.

The Park Service will not permit the staging of an event in an area that is open to the public, or the closure of an area that is open to the public, when the event

- is conducted primarily for the material or financial benefit of a for-profit entity; or
- awards participants an appearance fee or prizes of more than nominal value; or
- requires in-park advertising or publicity (unless the event is co-sponsored by the Service); or
- charges a separate public admission fee.

However, park buildings or specially designated locations that are suitable and appropriate may be made available for private, invitation-only events. Admission fees or any other monies associated with the event will not be collected by the permittee on park premises.

Large-scale events will be managed using the Incident Command System. Donor recognition associated with special events is addressed in Director's Order #21: Donations and Fundraising.

(See Special Events 6.4.5; Personal Services 7.3.1; Cultural Demonstrators 7.5.7; Facilities for Arts and Culture 9.3.1.7. Also see Director's Order #55: Incident Management Program; 36 CFR 2.50; 36 CFR 7.96)

8.6.2.2 Helium-filled Balloons

Helium-filled balloons pose a danger to the health and safety of marine wildlife (such as sea turtles and sperm whales) and create a litter problem. Therefore, no releases of helium-filled balloons into the atmosphere within a park will be authorized, except for research or planning purposes. Releasing balloons indoors where they can be retrieved may be authorized under permit.

8.6.2.3 Fireworks Displays

Fireworks displays will be considered unless they pose an unacceptable risk of wildland or structural fire or will cause unacceptable impacts on park resources or values or jeopardize public safety. In all instances, the decision to approve or deny a request will be made by the superintendent following consultation with the regional safety officer. Fireworks displays will be conducted in compliance with the National Fire Protection Association Code for the Display of Fireworks (NFPA 1123).

8.6.2.4 Sale of Food or Merchandise

The sale of food and merchandise in the parks may be allowed when managed under a commercial use authorization that does not conflict with a concession contract and that complies with applicable public health codes and Director's Order #83: Public Health. The sale of printed matter as defined in 36 CFR 2.52, 36 CFR 7.96(k) and Reference Manual 53 is allowed under a special use permit. The sale of products produced as part of living exhibits, interpretive demonstrations, or park programs is addressed in section 7.5.7.

(See Commercial Use Authorizations 10.3)

8.6.3 First Amendment Activities

The National Park Service will authorize the use of park land for public assemblies, meetings, demonstrations, religious activities, and other public expressions of views protected under the First Amendment of the U. S. Constitution, in accordance with 36 CFR 2.51 or 36 CFR 7.96. To ensure public safety and the protection of park resources and values, and to avoid assigning the same location and time to two or more activities, the Service may manage these activities by issuing a permit to regulate the time, location, number of participants, use of the facilities, and number and type of equipment used, but not the content of the message presented.

For all parks except those within designated portions of the National Capital Region, locations that are available for public assemblies and other First Amendment activities, including the sale and distribution of printed matter, will be so designated by the superintendent on a map in accordance with procedures and criteria found in NPS regulations (36 CFR 1.5, 1.7, 2.51, and 2.52), unless the sites are otherwise protected from public disclosure, such as sites sacred to American Indians or sites with vulnerable natural and cultural resources. Selected National Capital Region parks are subject to special demonstration regulations found at 36 CFR 7.96(g)(4)(iii) and do not have such areas designated by the superintendent.

When the Service allows one group to use an area or facility for expressing views, it must provide other groups with a similar opportunity, if requested. No group wishing to assemble lawfully may be discriminated against or denied the right of assembly provided that all permit conditions are met. Whenever religious activities are conducted in parks, any NPS actions pertaining to them must reflect a clearly secular purpose, must have a primary effect that neither advances nor inhibits religion, and must avoid "excessive governmental entanglement with religion."

NPS staff on duty in an area in which a First Amendment activity is being conducted will be neutral toward the activity, but will remain responsible for the protection of participants, spectators, private property, public property, and park resources. On-duty staff may not participate in a First Amendment activity. NPS employees exercising their First Amendment rights when off-duty must not in any way imply any official NPS endorsement of the activity.

When a permit is requested for the exercise of First Amendment rights, including freedom of assembly, speech, religion, and the press, the superintendent will issue the permit without any requirement for fees, cost recovery, bonding, or insurance. The superintendent will issue or deny a First Amendment permit request under 36 CFR 2.51 within two (2) business days after receiving a proper application. In National Capital Parks subject to special demonstration regulations found at 36 CFR 7.96(g)(3), permits are deemed granted subject to all applicable limitations and restrictions, unless denied within 24 hours of receipt.

(See Confidentiality 5.2.3. Also see Reference Manual 53)

8.6.4 Rights-of-Way for Utilities and Roads

8.6.4.1 General

A right-of-way is a special park use allowing a utility to pass over, under, or through NPS property. It may be issued only pursuant to specific statutory authority, and generally only if there is no practicable alternative to such use of NPS lands. The criteria listed in section 8.2 must also be met. New roads may not be permitted with a right-of-way permit, but require specific statutory authority. Procedures for roads are addressed in section 8.6.4.4.

Before a written application is submitted to the park, potential applicants for a right-of-way permit should meet with the staff to discuss the proposed project. Once an application for a right-of-way is submitted, a compliance analysis must be conducted according to NEPA, NHPA, and other statutory compliance requirements as appropriate. Due to the potentially high costs and values associated with rights-of-way, special attention will be paid to charges and a fair market value for use of the land. Permits will be drafted by park staff and should include terms and conditions necessary to protect park resources and values. New right-of-way permits will be executed by the regional director; conversions from other authorizing documents, amendments, and renewals of existing permits may be signed by the superintendent. A right-of-way permit issued

by the Park Service is considered a temporary document and does not convey an interest in the land. The permit is subject to termination for cause or at the discretion of the regional director.

NPS regulations pertaining to the issuance of rights-of-way are in 36 CFR Part 14; Department of the Interior regulations pertaining to rights-of-way in Alaska are found in 43 CFR Part 36. Additional guidance can be found in Director's Order #53 and Reference Manual 53: Special Park Uses. A utility or road right-of-way proposed for a park in Alaska is subject to the authorities and procedural requirements of title XI of the Alaska National Interest Lands Conservation Act.

(See Park Management 1.4, Rights-of-way 6.4.8. Also see Director's Order #53)

8.6.4.2 Utilities

Utility rights-of-way over lands administered by the Park Service are governed by statutory authorities in 16 USC 5 (electrical power transmission and distribution, radio and TV, and other forms of communication facilities) and 16 USC 79 (electrical power, telephone, and water conduits). If not incompatible with the public interest, rights-of-way issued under 16 USC 5 or 79 are discretionary and conditional upon a finding by the Service that the proposed use will not cause unacceptable impacts on park resources, values, or purposes.

8.6.4.3 Telecommunication Sites

Requests to site non-NPS telecommunication antennas and related facilities on NPS lands will be considered in accordance with the Telecommunications Act of 1996 (47 USC 332 note), which authorizes but does not mandate a presumption that such requests be granted absent unavoidable conflict with the agency mission, or the current or planned use of the property or access to that property. The currently applicable government-wide procedures are contained in GSA Bulletin FPMR D-242.

Superintendents will accept an application for a telecommunications site only from a Federal Communications Commission licensee or from an agency regulated by the Department of Commerce through the National Telecommunications and Information Administration. In recognition of the growing prevalence of wireless telecommunications, the manner in which the park will manage the technology and related facilities should be addressed in an appropriate planning document.

As with other special park uses, telecommunication proposals must meet the criteria listed in sections 1.4.7.1 and 8.2 to prevent unacceptable impacts. In addition, when considering whether to approve, deny, or renew permits, superintendents will

- hold preliminary meetings with telecommunication facility applicants to discuss pending applications and policy and procedural issues (such as the application process, impact analysis, estimated cost recovery charges and fees) and other NPS concerns. Similar meetings should be held during the decision-making process, as necessary, particularly if the superintendent is considering denying the application;
- conduct NEPA and NHPA analysis expeditiously and consistent with all applicable statutes and Director's Order #12, and within timetables established pursuant to Director's Order #53;
- consider the potential benefit of having telephone access to emergency law enforcement and public safety services;
- consider whether the proposal would cause unavoidable conflict with the park's mission, in which case the permit will be denied.

New facilities frequently require the installation of new electrical and telephone lines and vehicular access to the site. Superintendents will therefore evaluate the entire footprint of the new facilities when evaluating requests.

Superintendents will avoid or minimize potential impacts of current and future telecommunications facilities by ensuring that the facilities and their supporting infrastructure

- are located where they would have the least impact on park resources and values;
- are not located in scenic, historic, and/or sensitive areas integral to the park's mission;
- include maximum potential for future co-location.

Superintendents will require the best technology available. For example, consideration should be given first to co-locating new facilities, constructing towers that are camouflaged to blend in with their surroundings, and installing micro-sites. New traditional towers (i.e., monopole or lattice) should be approved only after all other options have been explored. If a traditional tower is necessary, it should not be visible from any significant public vantage point.

As appropriate, superintendents should consider making use of available interpretive media to caution park users of the limited (or nonexistent) cellular service and their personal responsibility to plan accordingly.

When construction of telecommunication facilities on nonpark lands might adversely impact park resources and values, superintendents will actively participate in the applicable planning and regulatory processes and seek to prevent or mitigate the adverse impacts.

(See Decision-making Requirements to Identify and Avoid Impairments 1.4.7; Cooperative Conservation Beyond Park Boundaries 1.6; Integration of Facilities into the Park Environment 9.1.1.2; Signs 9.3.1.1)

8.6.4.4 Roads and Highways and Petroleum-based Pipelines

There are no general NPS statutory authorities for non-NPS roads or for gas pipelines. However, such authorization is sometimes contained in park-specific enabling legislation. Roads and highways within the federal aid highway system are generally authorized by statutes found at 23 USC 107(d) or 317. The Service will generally object to proposals for the use of park lands for highway purposes that do not directly benefit a park. A request for lands for road or highway purposes is subject to compliance with 23 USC 138—commonly referred to as 4(f). The 4(f) evaluation is completed by the Secretary of Transportation and requires the concurrence of the Secretary of the Interior. Approved road or highway requests are authorized by a highway easement deed (not a right-of-way permit).

(See Fees 8.6.1.2; Non-NPS Roads 9.2.1.2, Construction and Expansion Proposals 9.2.1.2.2. Also see Director's Order #87D: Non-NPS Roads)

8.6.5 Access to Private Property

The Park Service will allow access to the private property of adjacent landowners and property of landowners within park boundaries, when

- it would contribute in a material way to the park's mission without causing unacceptable impacts on park resources or values or the purposes for which the park was established; or
- access is the landowner's right by law or by deed reservation.

When one of these circumstances exists, commercial vehicles will be allowed access to private property only in accordance with 36 CFR 5.6, "Commercial Vehicles." Access to nonfederal lands in Alaska that requires access across NPS-administered lands will be provided in accordance with the applicable regulations implementing title 11 of the Alaska National Interest Lands Conservation Act.

8.6.6 Filming and Photography

8.6.6.1 General

The Service's policies and procedures governing filming and photography are governed by Public Law 106-206 (16 USC 460l-6d), which distinguishes filming from photography in that filming involves movement or motion of the subject, whereas photography does not (thus still photography is simply photography). Filming and photography activities—whether commercial or noncommercial—will be allowed in parks provided that the activities do not cause unacceptable impacts under sections 1.4.7.1 or 8.2. For the purposes of NPS policy, filming and photography encompass any technology that may be used for recording images or the sound tracks associated with them.

8.6.6.2 Permits and Fees

A permit will not be required for a visitor's personal, noncommercial filming and photography activities within normal visitation areas and hours. (Outside normal visitation areas and hours, a permit may be required.)

However, all commercial filming activities will require a permit. Commercial filming means filming that involves the digital or film recording of a visual image or sound recording by a person, business, or other entity for a market audience. This includes recordings such as those used for a documentary, television or feature film, advertisement, or similar project.

In accordance with Public Law 106-206, still photography (whether commercial or noncommercial) will not require a permit unless

- it takes place at a location(s) where or when members of the public are generally not allowed, or
- it uses model(s) or prop(s) that are not a part of the location's natural or cultural resources or administrative facilities, or
- the Park Service would need to provide management and oversight to prevent unacceptable impacts.

Notwithstanding the above policies, commercial media coverage of breaking news never requires a permit. However, it is subject to the restrictions and conditions necessary to protect park resources from unacceptable impacts.

Performance bond and liability insurance requirements must be met, and all costs incurred by the Service in writing the permit, monitoring, providing protection services, or otherwise supporting filming or photography activities will be reimbursed by the permittee as a condition of the permit. A location fee will also be required as a condition of the permit. The amount of the fee will be based on the fee schedule current at the time the permit is approved. Neither the location fee nor the cost recovery charges may be waived.

8.6.6.3 NPS Participation

The Service's participation is governed by the following:

- The Service will encourage and may actively assist filming and photography activities that promote public understanding and appreciation of the national park system, and the Director may authorize use of the arrowhead symbol for such filming projects.
- A superintendent may request a credit line, provided that the content or subject matter of the filming project would not reflect adversely on the National Park Service.
- NPS employees, while on duty or in uniform, will not be employed by filming permittees.
- Identifiable NPS equipment, uniforms, or insignia must not be portrayed in any way that would imply Service endorsement of a product or service.
- The Service will not censor the content of any filming project, or require finished film products for review, files, or documentation purposes. However, a superintendent may review a story board or other material if requested by the applicant to help determine whether (1) the information about the park is accurate,

(2) a credit line would be appropriate, or (3) it would be appropriate for the Service to actively assist a filming activity or authorize use of the arrowhead symbol.

Additional guidance is provided by Director's Order #53: Special Park Uses; and by Reference Manual 53.

(Also see Director's Order #52D: Use of the Arrowhead Symbol)

8.6.7 Agricultural Uses

Agricultural uses and activities are authorized in parks in accordance with the direction provided by a park's enabling legislation and general management plan. Agricultural practices and techniques, including the use of pesticides and other biocontrol agents such as genetically modified or engineered organisms, should be specified in an approved resource stewardship strategy, and are subject to review and approval by the NPS integrated pest management (IPM) program manager. These practices and techniques are also subject to the provisions of federal and state laws, NPS regulations and policies, and Director's Orders #53: Special Park Uses and #77-7: Integrated Pest Management. In general, agricultural activities should be conducted in accordance with accepted best management practices.

Agricultural activities, including demonstration farms, prescribed to meet a park's management objectives will be allowed if (1) they do not result in unacceptable impacts on park resources, values, or purposes; (2) they conform to activities that occurred during the historic period; and (3) they support the park's interpretive themes. Agricultural uses that do not conform to those in practice during the historic period may be allowed if (1) they are authorized by the park's enabling legislation, (2) they are retained as a right subsequent to NPS land acquisition, (3) they contribute to the maintenance of a cultural landscape, or (4) they are carried out as part of a living exhibit or interpretive demonstration.

The Service may issue leases or special use permits to individuals or organizations to conduct agricultural activities that are allowed on park lands under the criteria listed in the preceding paragraph. The use of a lease (versus a special use permit) is appropriate only when (1) specifically authorized by the park's enabling legislation, or (2) it is part of an historic leasing program authorized by 16 USC 470h-3, or (3) it is associated with a building that is leased pursuant to 16 USC 1a-2(k). NPS and concession employees living in parks may cultivate gardens for personal use under the terms and conditions established by the superintendent. Such use will not be permitted if it would have unacceptable impacts on park resources, values, or purposes or visitor enjoyment thereof. In urban parks, areas may be designated for community recreational gardening under the same conditions.

(See Levels of Park Planning 2.3; Biological Resource Management 4.4; Pest Management 4.4.5; Cultural Landscapes 5.3.5.2; Personal Services 7.3.1; Process for Determining New Appropriate Uses 8.1.2. Also see Director's Order #77-7: Integrated Pest Management)

8.6.8 Domestic and Feral Livestock

8.6.8.1 General

Livestock uses in parks fall into four categories: (1) recreational pack and saddle stock use, (2) administrative stock use, (3) agricultural (commercial and administrative) grazing, and (4) trespass and feral stock. Grazing that is incidental to the recreational use of stock is regulated by the horse and pack stock regulations at 36 CFR 2.16, and the policy direction for such use is discussed in section 8.2.2.8. Agricultural stock use regulations are found at 36 CFR 2.60.

8.6.8.2 Managing Agricultural Grazing

Agricultural (commercial and administrative) grazing occurs in some parks. The Park Service will only allow agricultural grazing in parks where it is

- specifically authorized by federal law, or
- required under a reserved right of use arising from the acquisition of a tract of land, or
- required to maintain an historic scene, or
- carried out as part of a living exhibit or interpretive demonstration; or
- used to achieve resource conditions (e.g., using sheep to remove leafy spurge) as part of an IPM plan, and
- does not cause unacceptable impacts on park resources and values.

The National Park Service must manage its resources in a manner that conserves them for future generations. Parks with agricultural livestock use, including parks where such use is administered by another agency, must address this use in an appropriate planning document. Agricultural livestock grazing will use best management practices to protect park resources, with particular attention being given to protecting wetland and riparian areas, sensitive species and their habitats, water quality, and cultural resources. Managers must regulate livestock so that (1) ecosystem dynamics and the composition, condition, and distribution of native plants and animal communities are not significantly altered or otherwise threatened; and (2) cultural values are protected. A comprehensive monitoring program must be implemented, and adaptive management practices must be used to protect park resources.

Integrated pest management methods must conform to NPS pest management policy in section 4.4.5.

8.6.8.2.1 Permitting Agricultural Grazing

Agricultural livestock activities by parties other than the Park Service will be conducted only pursuant to the terms and conditions of a special use permit or lease. The use of a lease is appropriate only when (1) specifically authorized by the park's enabling legislation, or (2) it is part of an historic preservation program authorized by 16 USC 470h-3, or (3) the livestock use is associated with a building that is leased pursuant to 16 USC 1a-2(k).

In addition to any other penalty provisions, violation of the terms and conditions of the permitting instrument may result in revocation of the livestock use privilege. In

parks where the Park Service shares livestock allotment management with another government agency, or where through legislation another government agency administers the use, a general agreement between agencies is necessary to describe the relationship and responsibilities.

8.6.8.2.2 Structures for Agricultural Grazing

Appropriate structures may be approved by the National Park Service and may be allowed in parks when the structures

- are consistent with a livestock management plan or another appropriate management plan;
- are consistent with park purposes and other applicable laws, regulations, or policies; and
- will not cause unacceptable impacts on park resources and values.

The Service will not expend funds to construct or maintain livestock structures unless there is a direct benefit to the protection of park resources. The permittee will generally be required to remove structures when livestock activities are no longer authorized.

(See Chapter 2: Park System Planning; Management of Exotic Species 4.4.4; Water Resource Management 4.6; Identification and Designation of the Wilderness Resource 6.2; Grazing and Livestock Driveways 6.4.7; Equestrian Trails 9.2.2.3; Miscellaneous Management Facilities 9.4.5. Also see Director's Order #77-3: Domestic and Feral Livestock Management, and Reference Manual 77-3; Director's Order #53: Special Park Uses, and Reference Manual 53; Director's Order #77-7: Integrated Pest Management)

8.6.8.3 Trespass and Feral Livestock

Livestock trespassing on park lands may be impounded and disposed of pursuant to the provisions of 36 CFR 2.60, with the owner charged for expenses incurred. Wild living or feral livestock having no known owner may also be disposed of in accordance with 36 CFR 2.60.

Parks having shared jurisdiction with state fish and wildlife agencies should coordinate with their counterparts in the determination of how a particular animal is classified in that state. Good communication with state and other officials will be fostered to minimize conflicts.

8.6.9 Military Operations

In general, military activities are discouraged in parks, except for study of military history at related NPS sites. Periodically, an armed services unit may request the use of park areas for noncombat exercises such as search-and-rescue and outdoor survival. Determining when and where military units may conduct such activities is a discretionary decision of the superintendent.

A permitted military activity must conform to the following conditions:

- A permit will be issued that clearly states all necessary conditions or stipulations to protect park resources and visitor safety.
- All applicable park rules and regulations will be followed.
- No weaponry will be carried, displayed, or used, except for ceremonial purposes or authorized public demonstrations.
- The activity will be conducted away from visitor use locations and out of public view (except where a public demonstration is specifically authorized).
- The military organization will designate a liaison officer who will be available to the superintendent throughout the exercise.
- Permittees will be educated about how the purpose, mission, and regulations of the park differ from their own missions, especially in regard to resource protection and visitor use and enjoyment.

National security and law enforcement agencies, such as the Central Intelligence Agency, Federal Bureau of Investigation, Secret Service, Department of Homeland Security, and state police, may wish to conduct similar exercises. These requests should be evaluated in the same way as military special use requests.

8.6.10 Cemeteries and Burials

8.6.10.1 National Cemeteries

All NPS-administered national cemeteries will be managed as historically significant resources and as integral parts of larger historical parks. Burials in national cemeteries will be permitted, pursuant to applicable regulations, until available space has been filled. The management and preservation of national cemeteries are subject to the provisions of the National Cemeteries Act of 1973; NPS "National Cemetery Regulations" (36 CFR Part 12); and Director's Order #61: National Cemeteries.

The enlargement of a national cemetery for additional burials constitutes a modern intrusion, compromising the historical character of both the cemetery and the historical park, and will not be permitted.

8.6.10.2 Family Cemeteries

The burial of family members in family cemeteries that have been acquired by the Park Service in the course of establishment of parks will be permitted to the extent practicable, pursuant to applicable regulations, until space allotted to the cemeteries has been filled. Family members (or their designees) will be allowed access for purposes of upkeep and commemoration (such as wreath-laying and religious rituals) that do not jeopardize safety or resource protection. Whenever applicable, park managers will keep active files on cemeteries for the purpose of responding to requests and inquiries.

(Also see Director's Order #19: Records Management)

8.6.10.3 Other Burials and the Scattering of Ashes

Other burials or reinterments outside established cemeteries in parks will be prohibited except where permitted by cultural resource policies. The scattering of ashes from cremation may be permitted by a superintendent, in

accordance with NPS general regulations in 36 CFR 2.62 and applicable state laws. Authorization to scatter ashes must take into account potential conflicts with the spiritual or cultural practices of the indigenous people associated with the area.

(See Stewardship of Human Remains and Burials 5.3.4; Cultural Resources 6.3.8, Consultation 7.5.6)

8.6.11 Other Special Park Uses

Other special park uses that may be allowed under permit or special regulations include the use of explosives and the use of portable power equipment. Specific guidance is provided in 36 CFR Part 2; Director's Order #53: Special Park Uses; and Reference Manual 53.

8.7 Mineral Exploration and Development

Mineral exploration and development include exploration, extraction, production, storage, and transportation of minerals. Mineral exploration or development may be allowed in parks only when prospective operators demonstrate that they hold rights to valid mining claims, federal mineral leases, or nonfederally owned minerals. If this right is not clearly demonstrated, the National Park Service will inform the prospective operator that, until proof of a property right is documented, the Service will not further consider the proposed activity. Unless otherwise directed by Congress, if the Service determines that the proposed mineral development would impair park resources or values, or that such development is not consistent with park purposes or does not meet approval standards under applicable NPS regulations and cannot be sufficiently modified to meet those standards, the Service will seek to extinguish the associated mineral right through acquisition. In some parks, all or certain types of mineral development are specifically prohibited by law.

All persons who conduct mineral development within parks will do so only in conformance with applicable statutes, regulations, and NPS policies. These statutes include the Mining in the Parks Act, the Mineral Leasing Act, the Acquired Lands Mineral Leasing Act, the Surface Mining Control and Reclamation Act of 1977, the National Park System General Authorities Act, the Alaska National Interest Lands Conservation Act, and enabling statutes for individual parks. Applicable regulations include 36 CFR Part 9, Subpart A and Subpart B; 43 CFR Parts 3100-3500; and special use regulations.

Persons may not use or occupy surface lands in a park for purposes of removing minerals outside the park unless provided for in law. General management plans, land protection plans, and other planning documents for parks with mining claims, federal mineral leases, or nonfederally owned mineral interests will address these nonfederal property interests as appropriate. Lands with mineral interests will be zoned according to their anticipated management and use—based on their resource values, park management objectives, and park-specific legislative provisions relating to mineral interests.

(See Levels of Park Planning 2.3; Land Protection Plans 3.3; Identification and Designation of the Wilderness Resource 6.2; Mineral Development 6.4.9)

8.7.1 Mining Claims

The location of new mining claims pursuant to the General Mining Act of 1872 is prohibited in all park areas. Under the Mining in the Parks Act, the National Park Service may permit mineral development only on existing patented and valid unpatented mining claims in conformance with the park's enabling legislation and the regulations for mining claims in 36 CFR Part 9, Subpart A. The Service may initiate a validity examination on unpatented mining claims at any time. The Service will require a validity examination of all unpatented mining claims before approving any operations on such claims in accordance with 36 CFR Part 9, Subpart A. However, a validity examination is not required before NPS authorization of activities that are conducted only to reclaim a site. All mineral development and use of resources in connection with a claim will be confined to the boundaries of the claim itself, except for the access and transport that are permitted under 36 CFR Part 9, Subpart A; or, for Alaska, 43 CFR Part 36.

8.7.2 Federal Mineral Leases

All parks are closed to new federal mineral leasing except for three national recreation areas (Lake Mead, Whiskeytown, and Glen Canyon) where Congress has explicitly authorized federal mineral leasing in each area's enabling legislation. Through park planning documents, the National Park Service has closed portions of these areas to federal mineral leasing because of the presence of sensitive resources. No person may explore for federal minerals in any of these areas except under a lease issued pursuant to regulations in 43 CFR Part 3100 or a prospecting permit pursuant to 43 CFR 3500. Before consenting to a federal mineral lease or subsequent mineral development connected with a lease, the regional director must find, in writing, that leasing and subsequent mineral development will not result in a significant adverse effect on park resources or administration.

Some park areas contain leases that existed at the time the park was created or expanded. These leases are valid existing rights and will continue to exist until they expire under the regulations that govern federal mineral leasing (43 CFR Parts 3100 and 3500).

8.7.3 Nonfederally Owned Minerals

Nonfederal mineral interests in park units consist of oil and gas interests, rights to mineral interests other than oil and gas (such as private outstanding mineral rights, mineral rights through general land grant patents, homestead patents, or other private mineral rights that did not derive from the General Mining Act). The Park Service governs activities associated with these two categories of nonfederal mineral rights under separate regulatory schemes.

The Park Service may approve operations associated with nonfederal oil and gas interests under the standards and procedures in 36 CFR Part 9, Subpart B. If an operator's plan

fails to meet the approved standards of these regulations, the Park Service generally has authority to deny the operation and may initiate acquisition. Absent a decision to acquire the property, application of the regulations is not intended to result in a taking of the property interest, but rather to impose reasonable regulation of the activity.

Operations associated with nonfederal mineral interests, other than oil and gas, are subject to the requirements of 36 CFR Part 5, "Commercial and Private Operations," and 36 CFR 1.6.

The Service must determine that operations associated with these mineral interests would not adversely impact "public health and safety, environmental or scenic values, natural or cultural resources, scientific research, implementation or management responsibilities, proper allocation and use of facilities, or the avoidance of conflict among visitor use activities …." If the impacts from the operation on the resource cannot be sufficiently mitigated to meet this standard, the Park Service may seek to acquire the mineral interest.

8.8 Collecting Natural Products

The collection of natural products for personal use or consumption is governed by NPS general regulations contained in 36 CFR 2.1 and 36 CFR Part 13. A superintendent may designate certain fruits, berries, nuts, or unoccupied seashells that can be gathered by hand for personal use or consumption upon a written determination by the superintendent that such an activity will not adversely affect park wildlife or the reproductive potential of a plant species or otherwise adversely affect park resources. In some cases, peer-reviewed scientific information may be needed to support the determination. The regulations do not authorize the taking, use, or possession of fish, wildlife, or plants for ceremonial or religious purposes, except where specifically authorized by federal statute or treaty rights or where hunting, trapping, or fishing are otherwise allowed. The collection of minerals or rocks for personal use will be allowed only when specifically authorized by federal law or treaty rights.

The gathering of firewood will be allowed only where subsistence use is authorized by federal law, or in specific areas designated by a superintendent in which dead and down wood may be collected for campfires or in small quantities for other uses within the park. Natural resource products that accumulate as a result of site clearing for development, hazard tree removal, vista clearing, or other management actions will be recycled through the ecosystem when practicable. When recycling is not practicable, the products may be disposed of by other means. Disposal may be accomplished by contract, if the result of the work done under contract and the value are calculated in the contract cost, or by sale at fair market value in accordance with applicable laws and regulations. Wood that accumulates as a result of the management actions described above may also be used for park purposes, such as heating public buildings or offices or for interpretive campfire programs.

(See Consumptive Uses 8.9, Natural and Cultural Studies, Research, and Collection Activities 8.10. Also see Director's Order #18: Wildland Fire Management)

8.9 Consumptive Uses

Consumptive uses of park resources may be allowed only when they are

- specifically authorized by federal law or treaty rights (such as hunting, trapping, or mining, or subsistence use in specifically identified parks);
- specifically authorized pursuant to other existing rights (such as a right retained by a donor of the land on which the use would occur);
- grazing activities authorized in accordance with section 8.6.8.1; or
- traditional visitor activities, such as fishing or berry picking, that are authorized in accordance with NPS general regulations.

As a matter of policy, the Service generally supports the limited and controlled consumption of natural resources for traditional religious and ceremonial purposes and is moving toward a goal of greater access and accommodation. As a general matter, a superintendent may not allow consumptive use of park resources by any particular group to the exclusion of others.

Current NPS policy is reflected in regulations published at 36 CFR Part 13. The general regulations at 36 CFR 2.1 allow superintendents to designate certain fruits, berries, nuts, or unoccupied seashells that may be gathered by hand for personal use or consumption if it will not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources. The regulations do not authorize the taking, use, or possession of fish, wildlife, or plants for ceremonial or religious purposes, except where specifically authorized by federal statute or treaty rights or where hunting, trapping, or fishing are otherwise allowed.

The 36 CFR Part 13 regulations address the consumptive use of park resources for subsistence purposes in Alaska, where it is allowed in the 10 parks and "expanded areas" established by the Alaska National Interest Lands Conservation Act. Some park-specific enabling acts (e.g., Big Cypress National Preserve and Kaloko-Honokohau National Historical Park) also allow subsistence or other traditional uses of park resources.

(See Park Management 1.4; Harvest of Plants and Animals by the Public 4.4.3; Resource Issue Interpretation and Education 7.5.3; General 8.; Use by American Indians and Other Traditionally Associated Groups 8.5. Also see 36 CFR Part 13, Subpart B)

8.10 Natural and Cultural Studies, Research, and Collection Activities

Studies, research, and collection activities by non-NPS personnel involving natural and cultural resources will be encouraged and facilitated when they otherwise comport with NPS policies. Scientific activities that involve field work or specimen collection, or that have the potential to disturb resources, the visitor experience, or park operations, require a permit issued by the superintendent that prescribes appropriate conditions for protecting park resources, visitors, and operations. Such studies may require additional permits from other jurisdictions.

(See Studies and Collections 4.2; Independent Research 5.1.2; Independent and Commercial Studies 8.11.3)

8.11 Social Science Studies

8.11.1 General

Understanding the changing demographics of our nation is critical to the future of the National Park Service. The Park Service will actively seek to better understand the values and connections the changing U.S. population has, or does not have, for our natural and cultural heritage so that the Service can be responsive and relevant to public needs and desires. This includes understanding why people do or do not visit national parks.

The National Park Service will facilitate social science studies that support the NPS mission by providing an understanding of park visitors, the nonvisiting public, gateway communities and regions, and human interactions with park resources. This approach will provide a scientific basis for park planning, development, operations, management, education, and interpretive activities. Investigators will be encouraged to use the parks for scientific studies whenever such use is consistent with NPS policies that recognize the scientific value of parks as laboratories. Specific guidance is provided in Director's Orders #75A: Civic Engagement and Public Involvement, and #78: Social Science.

Studies include short- or long-term scientific investigations in NPS areas that may involve social science surveys and research. The data and information acquired through scientific activities conducted in the parks will be made broadly available to park managers, the scientific community, and the public, except where legal restrictions apply. Studies may include both internally and externally conducted projects by researchers and scholars with universities; foundations and other nongovernmental organizations; federal, state and local agencies; chambers of commerce; industry organizations; and NPS staff. The Park Service will promote cooperative relationships with educational and scientific institutions and qualified individuals (1) when specialized expertise exists that can be of significant assistance to the Service in obtaining information, and (2) when the opportunity for research and study in the parks offers institutions a significant benefit to their programs. NPS facilities and assistance may be made available to qualified researchers conducting NPS-authorized studies. NPS or other federally funded studies that rely on survey instruments or focus groups are strictly regulated and must be approved by the Park Service, the Department of the Interior, and the Office of Management and Budget before they can be used to gather information directly from visitors or the general public.

(See Managing Information 1.9.2; Studies and Collections 4.2; Research 5.1, Planning 5.2; Appropriate Use 8.1.1; Special Park Uses 8.6; NPS-supported Studies 8.11.2; Independent and Commercial Studies 8.11.3; Department of the Interior Interim Guidelines for Collection of Information from the Public. Also see Director's Order #17: Tourism))

8.11.2 NPS-supported Studies

The National Park Service is responsible for the identification and acquisition of needed inventory, monitoring, and research, as well as for the interpretation of the management and operational implications of such studies. The Service will use the best available science to assist park managers in addressing management needs and objectives that have been identified in legislation and planning documents.

The Service will support studies to

- reach a level of understanding that will minimize "crisis" management;
- ensure a systematic and fully adequate park information base;
- provide a sound basis for policy, planning, and decision-making;
- develop effective strategies, methods, and technologies to predict, avoid, or minimize unacceptable impacts on resources, visitors, and related activities;
- determine causes of resource management problems;
- further understand park ecosystems and related human social systems, and document their components, condition, and significance;
- evaluate visitor satisfaction with services, facilities, and recreational opportunities;
- ensure that the interpretation of park resources and issues reflects current standards of scholarship for the history, science, and condition of the resources;
- evaluate performance measures in support of strategic plan goals;
- establish economic measures and impact indicators of interest or importance;
- improve understanding of local, regional, and national demographics and trends.

Superintendents may authorize park staff to carry out routine duties without requiring a research/collecting permit. NPS-supported research will rely on high-quality methods and undergo peer review. NPS-supported scientists will be expected to publish their findings in refereed journals, among other outlets.

8.11.3 Independent and Commercial Studies

Non-NPS social science studies conducted in parks are not required to address specifically identified NPS management issues or information needs. However, these studies (excluding research in museum collections) require an NPS research/collecting permit. Pursuant to the terms and conditions of the permit, the studies must conform to NPS policies and other guidance regarding activities such as the collection and publication of data, conduct of studies, and wilderness restrictions. NPS research/collecting permits may also include requirements that permittees provide parks, within reasonable time-frames, with the appropriate field notes (subject to ethical guidelines of the appropriate discipline), data, information about the data, catalog data, progress reports, interim and final reports, and publications derived from the permitted activities. Projects will be administered and conducted only by fully qualified personnel, and will conform to current standards of scholarship.

The collection of data from the public and employees to support the research, development, and marketing of commercial products or services may be permitted only in limited circumstances. Such activity will not be permitted when the superintendent determines that it would impose an undue burden on visitors and/or employees, and/or when it has the potential to adversely impact park resources or detract from visitors' experiences in the park. All necessary data collection permits must be obtained, including a scientific research and collecting permit and the permission of the superintendent. Names and addresses and any other unique identifying information collected from park visitors and/or employees cannot be distributed, shared, or sold for commercial purposes.

(Also see Director's Order #84: Library Management)

8.11.4 Management and Conduct of Studies

All studies in parks will employ nondestructive methods to the maximum extent possible to avoid the irretrievable commitment of park resources. Studies will be preceded by an approved scope of work, proposal, or other detailed written description of the work to be performed.

(See Studies and Collections 4.2. Also see Director's Order #74: Studies and Collecting)

8.12 Leases

In accordance with 36 CFR Part 18, the National Park Service may enter into a lease for the use of any park property—historic or nonhistoric (except nonhistoric land)—if the following determinations are first made by the appropriate regional director (who may redelegate this authority to superintendents):

(1) The lease will not result in degradation of the purposes and values of the park area.

(2) The lease will not deprive the park area of property necessary for appropriate park protection, interpretation, visitor enjoyment, or administration.

(3) The lease contains such terms and conditions as will ensure that the leased property will be used for an activity and in a manner that are consistent with the purposes established by law for the park area in which the property is located.

(4) The lease is compatible with NPS programs.

(5) The lease is for rent at least equal to the fair market value rent of the leased property.

(6) The proposed activities under the lease are not subject to authorization through a concession contract, commercial use authorization, or similar instrument.

(7) If the lease includes historic property, the lease will adequately ensure the preservation of the historic property. (In addition, a lease that includes historic property may be executed by the Park Service only after compliance with the CFR Part 800, the commenting procedures of the Advisory Council on Historic Preservation).

It is likely that lease uses will be permissible under paragraph (6) if

- the leased property where the proposed services are to be provided is not near a particular visitor destination of the park area, and
- the patrons of the lessee are expected to be primarily persons who come to the park area only to use the lessee's services.

8.12.1 Additional Criteria

- All leases must be at fair market value.
- The term of the lease will be the shortest time needed for the proposed use, taking into account required lessee investments and other factors related to determining an appropriate lease term.
- No lease will exceed 60 years.
- Lease terms may not be extended except that leases with a term of one (1) year or more may be extended once for a period not to exceed one (1) additional year if it is determined that an extension is necessary because of circumstances beyond NPS control.

8.12.2 Prior Approval

No lease instrument may be awarded or amended without prior written approval by the Solicitor's Office.

Prior to their execution by a regional director or superintendent, the Director must approve—

- proposed leases with terms of more than ten (10) years;
- proposed leases or lease amendments that provide for a leasehold mortgage or similar encumbrance; and
- proposed amendments of existing leases that required the Director's approval prior to execution.

8.12.3 Noncompetitive Awards

The Service generally may not enter into a Part 18 lease without issuing a Request for Bids or a Request for Proposals. The Service may, however, enter into Part 18 leases on a noncompetitive basis in two circumstances:

(1) The Part 18 lease is with a nonprofit organization or a unit of government and the Service determines that the nonprofit or governmental use of the property will contribute to the purposes and programs of the park area; or

(2) The lease is short-term (sixty (60) continuous days or less) and the Service determines that to award the lease noncompetitively is in the best interests of the administration of the park area. This authority is not limited to nonprofit organizations or units of government; any qualified person or entity may be awarded a lease with a term of sixty (60) days or less. These leases cannot require any rehabilitation or improvements to the applicable property.

Noncompetitive leases must in all other ways meet the requirements of 36 CFR Part 18 and Director's Order #38: Real Property Leasing.

8.12.4 Historic Properties

If a lease agreement requires or allows the lessee to maintain, repair, rehabilitate, restore, or build upon historic property, the work must be done in accordance with the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation and other NPS policies, guidelines, and standards.

9

Park Facilities



More people are able to enjoy their visit when park facilities are designed and constructed to meet universal design standards.

The National Park Service will provide visitor and administrative facilities that are necessary, appropriate, and consistent with the conservation of park resources and values. Facilities will be harmonious with park resources, compatible with natural processes, esthetically pleasing, functional, energy- and water-efficient, cost-effective, universally designed, and as welcoming as possible to all segments of the population. NPS facilities and operations will demonstrate environmental leadership by incorporating sustainable practices to the maximum extent practicable in planning, design, siting, construction, and maintenance.

The Organic Act, which created the National Park Service in 1916, directs the Service to conserve park resources "unimpaired" for the enjoyment of future generations. The 1970 National Park System General Authorities Act, as amended in 1978, prohibits the Service from allowing any activities that would cause derogation of the values and purposes for which the park units have been established. Taken together, these two laws impose on NPS managers a strict mandate to protect park resources and values. (Throughout Management Policies, "impairment" is construed to also encompass "derogation.") In protecting park resources and values, the Service will demonstrate environmental leadership and a commitment to the principles of sustainability and asset management in all facility developments and operations. This commitment will be made obvious to the public in the choices and decisions that are made, and through appropriate educational opportunities.

Support facilities necessary to house, transport, inform, and serve visitors and staff require proper planning, design, programming, construction, operation, and maintenance. The Service must avoid the construction of buildings, roads, and other development that will cause unacceptable impacts on park resources values. The Service must also avoid the future operation and maintenance costs of unnecessary or ineffective facilities, regardless of how the asset investment is funded. The Service must also recognize the ongoing operations and maintenance costs of its facilities and be able to sustain them over time. Therefore, the Service will not develop or redevelop a facility within a park until a determination has been made that the facility is necessary and appropriate, and that it would not be practicable for the facility to be developed or the service to be provided outside the park. This policy recognizes, for example, that a gas station or a grocery store may be necessary to park use and enjoyment, but that it may not need to be located within the park. Special considerations may be necessary in Alaska, given section 1306 of the Alaska National Interest Lands Conservation Act (16 USC 3196).

Partnership construction projects will be held to the same standards articulated above. In addition, where donated funds are used, the Service will follow the requirements of Director's Order #21: Donations and Fundraising.

(See Park Management 1.4; Decision-making Requirements to Identify and Avoid Impairments 1.4.7; Evaluating Impacts on Natural Resources 4.1.3; Planning 5.2; Commercial Visitor Services Planning 10.2.2; Director's Order #80: Asset Management; Director's Order #21: Donations and Fundraising)

9.1.1 Facility Planning and Design

The protection of each park's resources and values will be the primary consideration in facility development decisions. Facilities for visitor use and park management will be consistent with each park's authorizing legislation, and with approved general management plans, development concept plans, and associated planning documents. The planning and design of park facilities will be accomplished by interdisciplinary teams constituted to meet the resource stewardship, programmatic, and technical requirements of the project. Public input will be sought at the earliest stage of planning and design, particularly in those cases where controversy is likely.

The Park Service will meet its facility development needs in a cost-effective manner, ensuring that value is returned for every decision made. Only development projects that are shown to be an appropriate use of funds and economically feasible will be approved. Value analysis and value engineering techniques, such as functional analysis and cost evaluation, will be applied to achieve the lowest life-cycle cost that is consistent with environmental, energy performance, reliability, quality, safety, and resource protection requirements. Construction and operational cost estimates will be continually reviewed throughout the planning and development processes to avoid excessive, unwarranted, or unnecessary costs. Development projects will also be continually reviewed for opportunities to add value and benefits that will help achieve the NPS mission.

Designs for park facilities, regardless of their origin (NPS, contractor, concessioner, or other), will use NPS facility models for space and function requirement and will be harmonious with and integrated into the park environment. They will also be subject throughout all phases of design and construction to the same code compliance; the same high standards of sustainable design, universal design, and functionality; and the same review and approval processes. NPS requirements for sustainable design and functionality include protection of the natural and cultural environments, resource conservation, energy conservation, pollution prevention, defensible space for fire safety, and fostering education about sustainable design and practices.

The Service will issue, and update as necessary, guiding principles for sustainable design to be applied throughout the national park system, consistent with federal regulations such as Executive Order 13123 (Greening the Government through Efficient Energy Management), Executive Order 13101 (Greening the Government through Waste Prevention, Recycling and Federal Acquisition), and Executive Order 13327 (Federal Real Property Asset Management).

(See Levels of Park Planning 2.3; General Management Concepts 4.1; Lightscape Management 4.10. Also see Director's Orders #13A: Environmental Management Systems; and #90: Value Analysis; NPS Guiding Principles of Sustainable Design)

9.1.1.1 Life-cycle Costs

The total cost of a system, facility, or other product will be considered in its planning, design, and construction. Total cost will be computed over a product's or system's useful life or other specified period of time using economic analysis. Life-cycle costs include acquisition, shipping, initial construction or installation, operation and maintenance, environmental and energy consumption, water, wastewater,

and the costs of eventual disposal or deconstruction of the system, facility, and/or product. To the extent practicable, the waste implications of materials, products, and by-products (including product life-cycle pollution) should be considered as part of life-cycle costs. When the cost of facility deconstruction is included in the life-cycle cost analysis, deductions may be factored in for the salvage value of the recyclable materials.

(Also see Director's Orders #13A: Environmental Management Systems; and #90: Value Analysis)

9.1.1.2 Integration of Facilities into the Park Environment

Whenever feasible and authorized by Congress, major park facilities—especially those that can be shared with other entities—should be developed outside park boundaries. The Service will encourage the private sector to meet facility needs in gateway communities and thus contribute to local economic development, encourage competition, increase choices for visitors, and minimize the need for in-park construction. Where possible, appropriate, and authorized, the Park Service will cooperatively establish and maintain administration/information facilities with other federal, state, or local entities.

If facilities must be located inside park boundaries, the preferred locations will be those that minimize impacts on park resources and are situated to stimulate the use of alternative transportation systems, bicycle routes, and pedestrian walkways. Major facilities within park boundaries will be placed only in locations identified in an approved general management plan or implementation planning document as being suitable and appropriate. Facility siting will take into account the need for protection from fires and take maximum advantage of factors such as solar energy, wind direction and speed, natural landscaping, and other natural features.

When structures are no longer functional in their present locations or are determined to be inappropriately placed in important resource areas, they will be removed subject to appropriate compliance.

When the determination has been made through a planning process that it is appropriate for a facility to be constructed within park boundaries, all facilities will be integrated into the park landscape and environs with sustainable designs and systems to minimize environmental impact. Development will not compete with or dominate park features or interfere with natural processes, such as the seasonal migration of wildlife or hydrologic activity associated with wetlands.

If a cohesive design theme is desired, recommended, or required, the theme will reflect the purpose and character of the park, or in a large park the theme will reflect an individual developed area. Standard designs and components may be used, but they will be adapted as appropriate to the specific site and conditions as part of the design process.

The full integration of facilities into the park environment will involve

- sensitivity to cultural, regional, esthetic, and environmental factors (e.g., solar orientation, prevailing winds, landscaping, vulnerability to wildfire and other natural hazards) in the selection of site, construction materials, and forms;
- innovative concepts for grouping facilities and activities, both in the design of new development and in the redesign of existing complexes while building on the architectural and landscape elements already present;
- thorough interdisciplinary resource, user, and short- and long-term structure maintenance analyses;
- the long-term need for and sustainable use of water, energy, and waste disposal resources;
- assessment of the transportation and mobility needs of park visitors and concessioner and NPS employees, and of access to the park from gateway communities; and
- knowledge about the values and sociocultural interests of American Indians and other groups traditionally associated with the park.

(See Environmental Leadership 1.8; General Management Planning 2.3.1; Lightscape Management 4.10; Historic and Prehistoric Structures 5.3.5.4; Protection of Cultural Values 9.1.1.3; Siting Facilities to Avoid Natural Hazards 9.1.1.5; Visitor Centers 9.3.1.3; Commercial Visitor Services Planning 10.2.2)

9.1.1.3 Protection of Cultural Values

When important cultural resources are present, efforts will be made to use existing contributing structures. New visitor or administration structures will harmonize with the area and the cultural resources in proportion, color, and texture. No attempt will be made to duplicate or mimic a historic design, nor will any modern construction be portrayed to the public as being historic. However, vernacular styles of architecture are appropriate when they provide visual compatibility with the cultural landscape. Application of the criteria of effect promulgated by the Advisory Council on Historic Preservation and compliance with the council's regulations on "Protection of Historic Properties" (36 CFR Part 800) will precede any development. These criteria apply to all historic properties.

(See Identification and Evaluation of Resources 5.1.3; Planning 5.2; Treatment of Cultural Resources 5.3.5. Also see Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation)

9.1.1.4 Adaptive Use

The National Historic Preservation Act and Executive Order 13006 (Locating Federal Facilities on Historic Properties) require each federal agency— before acquiring, constructing, or leasing buildings— to use, to the maximum extent feasible, historic properties available to it whenever operationally appropriate and economically prudent. (16 USC 470h-2(a)(1)). The act also requires each agency

to implement alternatives for the adaptive use of historic properties it owns if that will help ensure the properties' preservation. Therefore, the adaptive use of historic and nonhistoric buildings for operations such as visitor centers, hostels, and administrative offices will be considered first, before new construction, provided that (1) it can meet park objectives and current code requirements, (2) its use will not be an intrusion on significant natural or cultural resources, and (3) a cost savings will be realized. Even when the cost of adaptive use is greater than new construction, it may still be justified. Use of historic buildings will comply with all laws, regulations, and policies regarding the treatment and use of cultural resources.

(See Physical Access for Persons with Disabilities 5.3.2; Use of Historic Structures 5.3.5.4.7; Leases 8.12))

9.1.1.5 Siting Facilities to Avoid Natural Hazards

The Service will strive to site facilities where they will not be damaged or destroyed by natural physical processes. Natural hazard areas include sites with unstable soils and geologic conditions, fault zones, thermal areas, floodplains, flash-flood zones, fire-prone vegetation, and coastal high-hazard areas. Park development that is damaged or destroyed by a hazardous or catastrophic natural event will be thoroughly evaluated for relocation or replacement by new construction at a different location. If a decision is made to relocate or replace a severely damaged or destroyed facility, it will be placed, if practicable, in an area that is believed to be free from natural hazards. In areas where dynamic natural processes cannot be avoided, such as seashores, developed facilities should be sustainably designed (e.g., removable in advance of hazardous storms or other conditions). When it has been determined that facilities must be located in such areas, their design and siting will be based on

- a thorough understanding of the nature of the physical processes; and
- avoiding or mitigating (1) the risks to human life and property, and (2) the effect of the facility on natural physical processes and the ecosystem.

Requirements for development in floodplains and wetlands are contained in Executive Order 11988 (Floodplain Management); Executive Order 11990 (Protection of Wetlands); Director's Orders #77-1: Wetland Protection and #77-10: Natural Resource Inventorying and Monitoring; and other NPS guidance documents.

(See Levels of Park Planning 2.3; Floodplains 4.6.4; Wetlands 4.6.5; Shorelines and Barrier Islands 4.8.1.1; Geologic Hazards 4.8.1.3; Visitor Safety and Emergency Response 8.2.5; Concession Facilities 10.2.6)

9.1.1.6 Sustainable Energy Design

Any facility development, whether it is a new building, a renovation, or an adaptive reuse of an existing facility, must include improvements in energy efficiency and reduction in greenhouse gas emissions for both the building envelope and the mechanical systems that support the facility. Maximum energy efficiency should be achieved using solar thermal and photovoltaic applications, appropriate insulation and glazing strategies, energy-efficient lighting and appliances, and renewable energy technologies. Energy-efficient construction projects should be used as an educational opportunity for the visiting public.

All projects that include visitor centers or major visitor services facilities must incorporate LEED (Leadership in Energy and Environmental Design) standards to achieve a silver rating.

9.1.2 Accessibility for Persons with Disabilities

The Service will design, construct, and operate all buildings and facilities so they are accessible to and usable by persons with disabilities to the greatest extent reasonable, in accord with all applicable laws, regulations, and standards. This means that all new and altered buildings and facilities will comply with the General Services Administration's regulations adopting accessibility standards for the Architectural Barriers Act of 1968 (41 CFR Part 102-76, Subpart C), and 43 CFR, Part 17, Subpart E, Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Interior. It also means that some buildings and facilities will be modified to ensure that programs can be provided in an accessible location.

Accessibility will be provided consistent with preserving park resources and providing visitor safety and high-quality visitor experiences. In most instances, the degree of accessibility provided will be proportionately related to the degree of human-made modifications in the area surrounding the facility and the importance of the facility to people visiting or working in the park. Accordingly, most administrative offices, some overnight visitor accommodations, some employee housing, and most interpretive and visitor service facilities will be accessible. Undeveloped areas, such as those outside the immediate influence of buildings and roads, will not normally be modified, nor will special facilities be provided for the sole purpose of providing access to all segments of the population. Accessibility to facilities in threshold areas will be determined on the basis of topography, the significance of the attraction, the number of physical modifications being made to the environment, and the modifications necessary to ensure programmatic accessibility.

Transportation systems in parks, including water transportation, will have a sufficient percentage of fully accessible vehicles or watercraft to provide effective services to persons with disabilities. In the case of existing systems, the necessary vehicles will be provided on a replacement or retrofit basis. Until the transportation system has been made fully accessible, a separate accessible vehicle will be provided, or disabled persons will be allowed to drive their personal vehicles on otherwise-restricted roadways. In meeting the goal of accessibility, emphasis will be placed on ensuring that persons with disabilities are afforded

experiences and opportunities along with other visitors to the greatest extent reasonable. Separate facilities for people with disabilities are not a substitute for full accessibility to other park facilities, but they may be allowed where the need for specialized services is clearly demonstrated.

(See Physical Access for Persons with Disabilities 5.3.2; Accessibility for Persons with Disabilities 8.2.4; Accessibility of Commercial Services 10.2.6.2. Also see Director's Order #42: Accessibility for Visitors with Disabilities in National Park Service Programs and Services)

9.1.3 Construction

The Service will incorporate sustainable principles and practices into design, siting, construction, building materials, utility systems, recycling of all unusable materials, and waste management. Best management practices will be used for all phases of construction activity, including preconstruction, actual construction, and postconstruction. Although construction of new assets is often a viable alternative for meeting visitor needs or protecting resources, the Service will consider nonbuild alternatives to meet its needs. The nonbuild alternative is developed and evaluated as part of the early facility planning and design process.

9.1.3.1 Construction Sites

Construction sites will be limited to the smallest feasible area. The selection of construction sites will consider opportunities for taking advantage of natural sources of lighting, heating, and cooling (e.g., near an existing or potential stand of deciduous trees) to maximize energy conservation. Ground disturbance and site management will be carefully controlled to prevent undue damage to vegetation, soils, and archeological resources and to minimize air, water, soil, and noise pollution. Protective fencing and barricades will be provided for safety and to preserve natural and cultural resources. Effective storm water management measures specific to the site will be implemented, and appropriate erosion and sedimentation control measures will be in place at all times. Solid, volatile, and hazardous wastes will be avoided when possible. When they cannot be avoided, they will be properly stored, transported, and disposed of in compliance with federal, state, and local laws and regulations. All materials will be recycled whenever possible.

A review and approval of any "hot work" (e.g., welding, use of open flame, grinding) will be done to ensure fire safety at the construction site. Visual intrusions will be kept to a minimum. Construction equipment will be in satisfactory condition; i.e., it will be equipped with required safety components and not be leaking hazardous liquids or emitting hazardous or undesirable fumes above allowable legal limits. Care will be exercised to ensure that construction equipment and all construction materials imported into the park are free of undesirable species. The cost of restoring areas impacted by construction will be considered part of the cost of construction, and funding for restoration will be included in construction budgets.

(See Air Resource Management 4.7; Water Resource Management 4.6; Soil Resource Management 4.8.2.4. Also see Denver Service Center specifications section 01570)

9.1.3.2 Revegetation and Landscaping

The selection of plant materials and cultivation practices will be guided by the policies for management of plant materials in section 4.4 and the need for fire-resistant vegetation for defensible space. To the maximum extent possible, plantings will consist of species that are native to the park or that are historically appropriate for the period or event commemorated. The use of exotic plant species is restricted to situations that conform to the exotic species policy in section 4.4.4. Irrigation to maintain exotic plantings will be avoided, except when it is part of an approved management program essential to achieve park objectives and when adequate and dependable supplies of water are available. Low water use practices that measure soil moisture content and other technologies (such as drip irrigation and appropriate timing of water applications) should be employed.

Prior to using soil fertilizers or other soil amendments in park natural or altered landscapes, parks must develop a prescription to ensure that the amendments will not unacceptably alter the physical, chemical, or biological characteristics of the soil, biological community, or surface or groundwaters.

Wherever practicable, soils and plants affected by construction will be salvaged for use in site restoration. Any surplus soils and plants may be used, as appropriate, for the restoration of other degraded areas in the park. Surplus soils not used in this way should be stockpiled for future use. If additional soil and plants are needed to restore disturbed sites, they may be obtained from other sites in the park if it is determined that the use of an in-park source will not significantly affect cultural or natural resources or ecological processes. In any case, imported soils must (1) be compatible with existing soils, (2) be free of undesired seeds and organisms, and (3) fulfill the horticultural requirements of plants used for restoration.

(See Management of Native Plants and Animals 4.4.2; Genetic Resource Management Principles 4.4.1.2; Management of Exotic Species 4.4.4; Water Resource Management 4.6; Soil Resource Management 4.8.2.4; Cultural Landscapes 5.3.5.2; Water Supply Systems 9.1.5.1; Wastewater Treatment Systems 9.1.5.2. Also see Executive Order 13148 (Greening the Government through Leadership in Environmental Management) section 207, "Environmentally and Economically Beneficial Landscaping")

9.1.3.3 Borrow Pits and Spoil Areas

Materials from borrow pits, quarries, and other clay, stone, gravel, or sand sources on NPS lands, including submerged lands, will be extracted and used only

- by the Park Service or its agents or contractors;
- for in-park administrative uses;

- after compliance with the National Environmental Policy Act and National Historic Preservation Act, including written findings that
  - extraction and use of in-park borrow materials does not or will not impair park resources or values; and
  - it is the park's most reasonable alternative based on economic, environmental, and ecological considerations; and
  - no outside sources are reasonably available;
- after compliance with other applicable federal, state, and local requirements.

Parks should use existing pits, quarries, or sources, or create new pits, quarries, or sources in the park only after developing and implementing a parkwide borrow management plan that addresses the cumulative effects of borrow site extraction, restoration, and importation. NPS guidance documents, as well as natural and cultural resources and facilities management staff, should be consulted during plan development and the review of specific proposals.

In designated wild and scenic rivers, no new sources may be established, and existing sources should be closed and reclaimed. Borrow material may be extracted in proposed or designated wilderness areas only in small quantities for trail use and in accordance with an approved wilderness management plan.

Spoil may be used for beach nourishment or another resource management activity only if the superintendent first finds that the proposed nourishment or activity will not impair park resources and values and that the proposed activity is consistent with park planning documents.

All existing spoil areas within park units that meet the definition of "solid waste disposal site" (36 CFR Part 6) will be brought into compliance with NPS solid waste regulations in 36 CFR 6.5. The development of new spoil areas or borrow pits, or the expansion of existing ones, will be analyzed through the NEPA and NHPA processes. In addition, superintendents will comply with NPS solid waste regulations and other specific NPS requirements.

Proposed borrow pits and spoil areas outside parks will also be evaluated to ensure that use by the Service or its contractors does not impair resources or values inside the park, and that extraction operations comply with all applicable statutes and regulations, including the National Environmental Policy Act and National Historic Preservation Act.

(See Decision-making Requirements to Identify and Avoid Impairments 1.4.7; Geologic Resource Management 4.8; Nonfederally Owned Minerals 8.7.3; Revegetation and Landscaping 9.1.3.2)

9.1.4 Maintenance

9.1.4.1 General

There is a maintenance responsibility and cost for every asset that is administered by the National Park Service. A regular, periodic inventory and condition assessment of park assets will be performed to identify deficiencies and to ensure the cost-effective maintenance of all facilities. The costs of operation and the useful life of facilities and equipment are directly related to the type and level of maintenance provided. Therefore, the Service will conduct a program of preventive and rehabilitative maintenance and preservation to (1) provide a safe, sanitary, environmentally protective, and esthetically pleasing environment for park visitors and employees; (2) protect the physical integrity of facilities; and (3) preserve or maintain facilities in their optimum sustainable condition to the greatest extent possible. Preventive and rehabilitative maintenance programs will incorporate sustainable design elements and practices to ensure that water and energy efficiency, pollution prevention, and waste prevention and reduction are standard practice.

(Also see NPS Solid Waste Management Handbook; Executive Order 13101 (Greening the Government through Waste Prevention, Recycling, and Federal Acquisition); Executive Order 13148 (Greening the Government through Leadership in Environmental Management); Executive Order 13149 (Greening the Government through Federal Fleet and Transportation Efficiency); Executive Order 13327 (Federal Real Property Asset Management); and Director's Order #80: Asset Management)

9.1.4.2 Acquisition of Environmentally Preferable and Energy-Efficient Products

In carrying out its maintenance responsibilities, the Park Service will acquire environmentally preferable and energy-efficient products, as required by the Solid Waste Disposal Act, federal regulations, and executive orders, and will strive to meet and exceed any Department of the Interior affirmative acquisition goals that are established. The Service will consider a variety of attributes when purchasing products, including cost, energy efficiency, biodegradability, toxicity, recovered material content, packaging, transport cost, and other life-cycle environmental impacts, such as disposal. The Service will actively pursue opportunities to test and demonstrate environmentally preferable and energy-efficient products, consistent with its goal of demonstrating sustainable practices that avoid or minimize environmental impacts.

(See Environmental Leadership 1.8; Concession Operations 10.2.4. Also see Director's Order #13A: Environmental Management Systems)

9.1.5 Utilities

Energy, water, and wastewater systems will be sited outside park boundaries whenever possible. In-park utilities will be as unobtrusive as possible and have the least possible resource impact. The Service will use municipal or other utility systems outside parks whenever economically and

environmentally practicable, and it may participate, when authorized, in cost-sharing with municipalities and others in meeting new, expanded, or replacement park utility needs. The Service will use the least polluting power supply options, either through on-site generation or through power purchases, where appropriate, available, and cost-effective, or where such purchase helps meet federal or state emissions goals or alternative energy goals.

(See Utilities and Services 10.2.6.4. Also see Director's Order #35A: Sale or Lease of Park Services, Resources, or Water in Support of Activities Outside the Boundaries of National Park Areas; and Director's Order #35B: Sale of National Park Service-produced Utilities)

9.1.5.1 Water Supply Systems

The National Park Service will use water efficiently and sustainably. Water systems will be designed to maximally conserve water and the energy used in its treatment and distribution. Water supply and delivery systems will be designed and maintained to provide sufficient water to operate fire sprinkler systems and fire hydrants. Water efficient devices will be installed in retrofitting structures and building new structures. New water systems, or extensions to existing systems, will be constructed only if reasonable conservation measures will not be sufficient to cover park needs. Where a new system or an expansion is justified, the system must be properly sized, and the available or projected water supply must be sufficient for expected needs. Where feasible and appropriate, and given resource availability, groundwater sources will generally be developed rather than surface water diversions in parks.

Water supply systems and their operators must comply with all applicable state and federal health standards. Outdoor use of water will be limited to those applications deemed essential to park operations or to protect park values. Consistent with native plant policies, the Service will use efficient methods for outdoor irrigation. Where appropriate, rainwater should be collected for uses such as maintenance of landscape features and general cleaning.

(See Water Resource Management 4.6; Campgrounds 9.3.2.1; Comfort Stations 9.3.3. Also see Director's Order #83: Public Health)

9.1.5.2 Wastewater Treatment Systems

New wastewater systems, or extensions or expansions of existing systems, will be constructed only if a determination has first been made that reasonable conservation measures will not be sufficient to cover park needs. In the selection of an appropriate method of wastewater treatment, factors such as all-season reliability, regulatory and public health issues, cost-effectiveness, and minimum adverse impact on the environment will all be considered. Alternatives to traditional methods may be used, especially in environmentally sensitive regions or in areas where water is in short supply. Where alternative technologies are used, such as composting toilets, there should be interpretation for visitors regarding the value of recycling organic solid waste. Wastewater will be adequately treated so that on its return to water courses or when recycled it meets or exceeds applicable state and federal water quality standards.

Water and wastewater systems and their operators are subject to state and federal health standards. Superintendents must ensure that operators are certified and that operations are inspected and conducted in accordance with all laws, regulations, and policies.

(See Water Resource Management 4.6; Campgrounds 9.3.2.1; Comfort Stations 9.3.3; Miscellaneous Management Facilities 9.4.5. Also see Director's Order #83: Public Health)

9.1.5.3 Utility Lines

Where feasible, NPS utility lines will be placed underground, except where such placement would cause significant damage to natural or cultural resources (such as historic structures or cultural landscapes). When placed aboveground, utility lines and appurtenant structures will be located and designed to minimize their impact on park resources and values. Whenever possible and visually acceptable, all utilities will share a common corridor and be combined with transportation corridors. Cost-effectiveness, reliability of service, and visual impact will be considered when deciding whether to install utility lines aboveground or underground. To minimize the impact of on-grid utility lines, consideration will be given to long-term, cost-effective, renewable-energy applications, such as the use of photovoltaic, wind, fuel cell, and/or bio-fuel technologies (either as stand-alones or as hybrid systems), particularly in remote areas.

(See Potential Wilderness 6.2.2.1)

9.1.5.4 Historic Utilities

Utilities that were present during the historic period will be managed as cultural resources and governed by the same policies as other cultural resources. Where current aboveground needs require upgraded lines and facilities, they will conform insofar as possible to the appearance and location of the historic utilities.

(See Treatment of Cultural Resources 5.3.5; Utility Lines 9.1.5.3)

9.1.6 Waste Management and Contaminant Issues

The National Park Service recognizes the far-reaching impacts that waste products, contaminants, and wasteful practices have, not only on national park resources, but also on biotic and abiotic resources elsewhere in the nation and around the world. The Service will therefore demonstrate environmental leadership and serve as a model for others to follow in managing wastes and contaminants.

9.1.6.1 Waste Management

The Service will implement solid and hazardous waste management practices that integrate waste reduction, reuse, and recycling programs to minimize the generation and disposal of solid and hazardous waste at and from NPS sites.

For purposes of this section, solid and hazardous wastes include any materials that are so defined in the Solid Waste Disposal Act, as amended. The Service will require the use of biodegradable materials, the reuse and recycling of materials, and other appropriate measures to minimize solid waste and conserve natural resources to the fullest extent possible. Innovation in the use of recyclable or reusable materials is encouraged. For example, the Service may encourage the remanufacturing of recyclable materials into acceptable sales items for willing markets, including the Park Service.

The disposal in parks of solid wastes generated by non-NPS activities is, in most cases, incompatible with national park values. All disposal of solid waste on lands and waters within the boundaries of a unit of the park system, whether federally or nonfederally owned, must comply with NPS regulations in 36 CFR Part 6, which implement Public Law 98-506 (16 USC 460l-22(c)). These regulations are designed to ensure that all activities associated with the operation of solid waste disposal sites within the boundaries of national park units are conducted in a manner that will (1) prevent the deterioration of air and water quality; (2) prevent the degradation of natural and cultural resources; and (3) reduce adverse effects on visitor enjoyment. In accordance with the spirit and intent of these requirements, the Park Service will, to the extent practicable, avoid the use of park lands for landfills by such means as (1) implementing waste minimization and substitution practices, (2) diverting material to recycling facilities or other appropriate locations, and (3) using storage or treatment facilities that meet or exceed DOI and all legal and regulatory standards for any generated waste that is not diverted.

The Park Service will remove landfill operations and associated impacts from parks where feasible. Cooperative waste management solutions that minimize adverse impacts on park resources are also encouraged for areas where alternatives to landfilling are scarce for both parks and adjacent communities.

Open burning for solid waste disposal will not be permitted in parks, except in the very limited circumstances described in Director's Order #18: Wildland Fire Management.

Any hazardous waste that the Service generates will be disposed of separately from solid waste, in full accord with all applicable legal requirements.

(See Air Quality 4.7.1; River Use 8.2.2.3; Backcountry Use 8.2.2.4; Miscellaneous Management Facilities 9.4.5. Also see Director's Order #18: Wildland Fire Management; Director's Order #30A: Damage Assessments)

9.1.6.2 NPS Response to Contaminants

The Service will make every reasonable effort to prevent or minimize the release of contaminants on or that will affect NPS lands or resources, and the Service will take all necessary actions to control or minimize such releases when they occur. For purposes of this section, contaminants include any substance that may pose a risk to NPS resources or is regulated or governed by statutes referenced in this subsection. Prevention and minimization will include, but not be limited to, (1) the acquisition, use, and selection of non-toxic or less toxic materials; (2) implementation of safe use, storage, and disposal practices; (3) recycling of spent materials; (4) implementation of effective hazard communication programs for employees, contractors, concessioners, and visitors; (5) development and extension of appropriate emergency response programs; and (6) ensuring that parties responsible for contamination or threatened contamination of NPS property bear the responsibility for addressing such contamination.

Activities pertaining to contaminants, including response actions or handling, acquisition, storage, transportation, and disposal of such substances, will comply with federal, state, and local laws and regulations including, but not limited to, (1) the Solid Waste Disposal Act, including the Resource Conservation and Recovery Act of 1976 and the Hazardous and Solid Waste Amendments of 1984, as amended; (2) the Comprehensive Environmental Response, Compensation and Liability Act of 1980; (3) the Oil Pollution Act of 1990; (4) the Clean Water Act; (4) the Hazardous Materials Transportation Act; and (5) the Toxic Substances Control Act. Such activities will also comply with the NPS integrated pest management program.

The Service will identify, assess, and take response actions as promptly as possible to address releases and threatened releases of contaminants into the environment. Each park will have an oil and chemical spill response management plan for spills that result from NPS activities or from activities that are beyond NPS control (such as commercial through-traffic on roads that pass through a park). The plans will place first priority on responder and public safety. Employees will not be permitted to respond to hazardous materials spills unless they are properly qualified and certified in accordance with Director's Order #30B: Hazardous Spill Response.

The Service will take affirmative and aggressive action to ensure that all NPS costs and damages associated with the release of contaminants are borne by those responsible for the contamination of NPS property. In addition, when lands are proposed for acquisition by the Park Service, the Service will take steps to avoid or minimize its liability for the contamination of NPS property caused by other parties. The Service will include in the preacquisition environmental assessment process the identification of recognizable environmental conditions, such as those associated with prior or existing commercial facilities, mining sites, and landfills. Any recognizable existing or potential environmental contamination of lands proposed for inclusion in a park will be brought to the attention of the regional director as soon as they are identified.

(See Criteria for Inclusion 1.3; Chapter 3: Land Protection; Pest Management 4.4.5; Emergency Preparedness and Emergency Operations 8.2.5.2. Also see Director's Orders #25: Land Protection; #30A: Damage Assessments; #30B: Hazardous Spill Response)

9.1.7 Energy Management

The National Park Service will conduct its activities in ways that use energy wisely and economically. Park resources and values will not be degraded to provide energy for NPS purposes. The Service will adhere to all federal policies governing energy and water efficiency, renewable resources, use of alternative fuels, and federal fleet goals as established in the Energy Policy Act of 1992. The Service will also comply with applicable executive orders, including Executive Order 13123 (Greening the Government through Efficient Energy Management), and Executive Order 13149 (Greening the Government through Federal Fleet and Transportation Efficiency).

All facilities, vehicles, and equipment will be operated and managed to minimize the consumption of energy, water, and nonrenewable fuels. Full consideration will be given to the use of alternative fuels. Alternative transportation programs and the use of bio-based fuels will be encouraged, where appropriate. Renewable sources of energy and new developments in energy-efficiency technology, including products from the recycling of materials and waste, will be used where appropriate and cost-effective over the life cycle. However, energy efficiencies will not be pursued if they will cause adverse impacts on park resources and values.

To conserve energy, park personnel and visitors may be provided with opportunities for in-park public transportation or trails and walks for nonmotorized transport. As an environmental leader, the Service will interpret for the public the overall resource protection benefits from the efficient use of energy, and will actively educate and motivate park personnel and visitors to use sustainable practices in conserving energy. The Service will also pursue partnership efforts with the Department of Energy and others to further develop and meet NPS energy conservation goals.

(See Air Quality 4.7.1; Lightscape Management 4.10; Resource Issue Interpretation and Education 7.5.3; Maintenance 9.1.4; Transportation Systems and Alternative Transportation 9.2; Trails and Walks 9.2.2; Sustainable Energy Design 9.1.1.6. Also see Director's Order #13A: Environmental Management Systems)

9.1.8 Structural Fire Protection and Suppression

Superintendents will manage structural fire activities as part of a comprehensive interdisciplinary effort to protect resources and promote the safe and appropriate public enjoyment of those resources. Fire prevention, protection, and suppression will be primary considerations in the design, construction, rehabilitation, maintenance, and operation of all facilities. Structural fires will be suppressed to prevent the loss of human life and minimize damage to property and resources. The Service's structural fire protection and suppression program will provide, through Director's Order #58: Structural Fire Management and Reference Manual 58, additional policy, standards, operational procedures, and accountability to meet the diverse needs and complexities of individual park units. The goal is to ensure that all national park areas receive an appropriate level of fire protection that is provided in a safe and cost-effective manner by qualified personnel.

Each superintendent will complete a structural fire assessment and develop a structural fire plan to meet park needs. Structural fire protection and suppression capabilities will be maintained in accordance with those plans. Prevention priorities will focus on occupied structures and cultural resources, with emphasis placed evenly on code compliance, early warning detection, suppression systems, and employee training and awareness.

Fire prevention through code-compliant new construction, upgrading of existing structures, standardized and regularly scheduled fire inspections, and properly installed and maintained detection and suppression systems will be the primary means of addressing and correcting NPS structural fire deficiencies. Where these measures are not sufficient to meet park needs, agreements will be entered into with non-NPS entities capable of providing requisite fire suppression assistance. Support from neighboring fire protection organizations is encouraged, and superintendents should enter into appropriate agreements whenever possible to enhance fire-fighting capabilities. Development of a park fire brigade will be considered only when all other options have been explored and found unacceptable.

(See Fire Management 4.5; Fire Detection, Suppression, and Postfire Rehabilitation and Protection 5.3.1.2; Water Supply Systems 9.1.5.1. Also see Director's Order #58: Structural Fire Management)

9.2 Transportation Systems and Alternative Transportation

The location, type, and design of transportation systems and their components (e.g., roads, bridges, trails, and parking areas), and the use of alternative transportation systems, all strongly influence the quality of the visitor experience. These systems also affect, to a great degree, how and where park resources will be impacted. For these reasons, management decisions regarding transportation facilities require a full, interdisciplinary consideration of alternatives and a full understanding of their consequences. Traditional practices of building wider roads and larger parking areas to accommodate more motor vehicles are not necessarily the answer. The Service must find transportation solutions that will preserve the natural and cultural resources in its care while providing a high-quality visitor experience.

Early NPS participation in transportation studies and planning processes is crucial to the long-term strategy of working closely with other federal agencies; tribal, state and local governments; regional planning bodies; citizen groups; and others to enhance partnering and funding opportunities. The Service will participate in all transportation planning forums that may result in links to parks or impacts on park resources. Working with federal, tribal, state, and local agencies on transportation issues, the Service will seek reasonable access to parks and connections to external transportation systems. The Service will also

advocate corridor crossings for terrestrial and aquatic wildlife and other accommodations to promote biodiversity and avoid or mitigate (1) harm to individual animals, (2) the fragmentation of plant and animal habitats, and (3) the disruption of natural systems.

Depending on a park unit's size, location, resources, and level of use, the Service will, where appropriate, emphasize and encourage alternative transportation systems, which may include a mix of buses, trains, ferries, trams, and—preferably—nonmotorized modes of access to and moving within parks. In general, the preferred modes of transportation will be those that contribute to maximum visitor enjoyment of, and minimum adverse impacts on, park resources and values.

Before a decision is made to design, construct, expand, or upgrade access to or within a park, nonconstruction alternatives—such as distributing visitors to alternative locations—must be fully explored. If nonconstruction alternatives will not achieve satisfactory results, then a development solution should consider whether the project

- is appropriate and necessary to meet park management needs or to provide for visitor use and enjoyment;
- is designed with extreme care and sensitivity to the landscape through which it passes;
- will not cause unacceptable impacts on natural and cultural resources and will minimize or mitigate those impacts that cannot be avoided;
- will reduce traffic congestion, noise, air pollution, and adverse effects on park resources and values;
- will not cause use in the areas it serves to exceed the areas' visitor carrying capacities;
- will incorporate the principles of energy conservation and sustainability;
- is able to demonstrate financial and operational sustainability;
- will incorporate universal design principles to provide for accessibility for all people, including those with disabilities;
- will take maximum advantage of interpretive opportunities and scenic values;
- will not violate federal, state, or local air pollution control plans or regulations;
- is based on a comprehensive and multidisciplinary approach that is fully consistent with the park's general management plan and asset management plan;
- will enhance the visitor experience by offering new or improved interpretive or recreational opportunities, by simplifying travel within the park, or by making it easier or safer to see park features.

All transportation systems may be considered conceptually. Before advancing beyond the conceptual stage, appropriate approvals must be obtained from the Director.

If a decision is made to construct, expand, or reconstruct a park transportation system, the Service will address the need for terrestrial and aquatic wildlife corridor crossings and other accommodations to avoid or mitigate harm to individual animals, the fragmentation of plant and animal habitats, and the disruption of natural systems.

(See Environmental Leadership 1.8; General Management Planning 2.3.1; Implementation Planning 2.3.4; Air Quality 4.7.1; General 9.1; Accessibility for Persons with Disabilities 9.1.2; Energy Management 9.1.7. Also see Director's Orders #87A: Park Roads and Parkways; #87B: Alternative Transportation Systems; #87C: Transportation System Funding; #87D: Non-NPS Roads)

9.2.1 Road Systems

9.2.1.1 Park Roads

Park roads will be well constructed, sensitive to natural and cultural resources, reflect the highest principles of park design, and enhance the visitor experience. Park roads are generally not intended to provide fast and convenient transportation; rather, they are intended to enhance the quality of a visit while providing for safe and efficient travel with minimal or no impacts on natural and cultural resources. For most parks, a road system is already in place. When plans for meeting the transportation needs of these parks are updated, a determination must be made as to whether the road system should be maintained as is, reduced, expanded, reoriented, eliminated, or supplemented by other means of travel. Before roads are chronically at or near capacity, the use of alternative destination points or transportation systems or limitations on use will be considered as alternatives to road expansion.

Park road designs are subject to NPS Park Road Standards, which are adaptable to each park's unique character and resource limitations. Although some existing roads do not meet current engineering standards, they may be important cultural resources whose values can and should be preserved with attention to visitor safety.

(Also see Director's Order #87A: Park Roads and Parkways)

9.2.1.2 Non-NPS Roads

Many parks contain roads that were not constructed by the Park Service and may not be under NPS jurisdiction. Most often, these roads existed before the areas became part of the national park system, and the Park Service must rely heavily on tribal, state, or local authorities to maintain the roads consistent with park management goals. These other government authorities sometimes propose to expand an existing road or construct a new road within a park, with significant potential for adversely affecting park resources and values. Superintendents must consider road proposals in strict accordance with section 9.2.1.2.2, and Director's Order #87D: Non-NPS Federal Aid Roads. Where practicable, and after concurrence of the entity with road jurisdiction, non-NPS roads that are no longer needed will be closed or removed, and the area will be restored to a natural condition. The Service will not permit the public or

private construction of new roads for access to inholdings unless specifically authorized by law.

Access to inholdings in Alaska will be managed in accordance with the provisions of section 1110(b) of the Alaska National Interest Lands Conservation Act (16 USC 3170 (b)) and 43 CFR Part 36.

(See General 8.6.4.1)

9.2.1.2.1 Existing Commercial and Other Through-Traffic

The Service will work with appropriate governments and private organizations and individuals to minimize the impacts of traffic on park resources and values. Whenever possible, commercial traffic will be prohibited on roads within parks, except for the purpose of serving park visitors and park operations. However, in accordance with section 8.6.5 and applicable NPS regulations (36 CFR 5.6)

- superintendents will permit commercial vehicles to use park roads when necessary for access to private lands within or adjacent to a park area to which access is otherwise not available; and
- superintendents may issue permits for commercial vehicle traffic to pass through the park in emergencies.

When a determination is made that existing through-traffic routes have adverse impacts on park resources and values, the Service will work with the appropriate government authorities to minimize these impacts, or to have the traffic flow rerouted over an alternative route. Where feasible and practicable, roads that are no longer needed will be closed or removed, and the area will be restored to a natural condition.

9.2.1.2.2 Construction and Expansion Proposals

Superintendents must take an active role in overall community and transportation planning activities to educate all parties about the NPS mandate to protect park resources. The Park Service will work closely with the U. S. Department of Transportation and state departments of transportation when new highways or roads or expansions of existing road corridors that may impact park lands are proposed. In accordance with 23 USC 138 and the Organic Act, the Service will object to any proposal to route a state or local road through national park lands, or to increase the size of a right-of-way for an existing road, unless the Service first determines (or concurs with a DOT determination) the following:

- There is no feasible and prudent alternative.
- All possible planning has taken place to minimize and mitigate harm to the park.
- It will not be contrary to the public interest, or inconsistent with the purposes for which the park was established.
- It will not cause health and safety risks to visitors or park staff.
- It will conform to NPS standards and practices for road design, engineering, and construction.

In making these determinations, the Service will take into account the factors listed in section 9.2.

Responsibility for future maintenance—meeting NPS standards—must be identified before NPS approval of a proposal.

(Also see Director's Order #87D: Non-NPS Roads)

9.2.2 Trails and Walks

Trails and walks provide the only means of access into many areas within parks. These facilities will be planned and developed as integral parts of each park's transportation system and incorporate principles of universal design. Trails and walks will serve as management tools to help control the distribution and intensity of use. All trails and walks will be carefully situated, designed, and managed to

- reduce conflicts with automobiles and incompatible uses;
- allow for a satisfying park experience;
- allow accessibility by the greatest number of people; and
- protect park resources.

Heavily used trails and walks in developed areas may be surfaced as necessary for visitor safety, accessibility for persons with impaired mobility, resource protection, and/or erosion control. Surface materials should be carefully selected, taking into account factors such as the purpose and location of a trail or walk and the potential for erosion and other environmental impacts.

The visitor use and management aspects of trails and walks are addressed in section 8.2.2, "Recreational Activities." In addition, trail planning will take into account NPS interest in cooperating with federal, state, local, and tribal governments, as well as individuals and organizations, to advance the goal of a seamless networks of parks. These partnership activities are intended to establish corridors that link together, both physically and with a common sense of purpose, open spaces such as those found in parks, other protected areas, and compatibly managed private lands.

(See Cooperative Conservation Beyond Park Boundaries 1.6; Chapter 7: Interpretation and Education; Accessibility for Persons with Disabilities 9.1.2. Also see Director's Order #42: Accessibility for Visitors with Disabilities in National Park Service Programs and Services)

9.2.2.1 Cooperative Trail Planning

The Park Service will cooperate with other land managers, nonprofit organizations, and user groups to facilitate local and regional trail access to parks. When parks abut other public lands, the Service will participate in interagency, multi-jurisdictional trail planning. When an effective trail system exists, and when otherwise permitted, hostels or

similar low-cost overnight facilities may be provided if they are consistent with the park's general management plan and harmonize with the natural and/or cultural resources.

(See Hostels and Shelters 9.3.2.3)

9.2.2.2 Hiking Trails

Trail design will vary to accommodate a wide range of users and be appropriate to user patterns and site conditions. Wetlands will generally be avoided, and where possible they will be spanned by a boardwalk or other means, using sustainable materials that will not disturb hydrologic or ecological processes. Backcountry trails will offer visitors a primitive outdoor experience, and these trails will be unsurfaced and modest in character except where a more durable surface is needed. The use of nonnative materials is generally not permitted on backcountry trails.

(See Trails in Wilderness 6.3.10.2; General Policy 6.4.1; Backcountry Use 8.2.2.4)

9.2.2.3 Equestrian Trails

Equestrian trails and related support facilities, such as feed boxes and hitch rails, may be provided when they are consistent with park objectives and when site conditions are suitable. Horse camps should be designed with user interest in mind and consistency with NPS policy. Photovoltaic systems should be evaluated to power any necessary water systems. Ramps for mounting the animals must be provided for persons with disabilities.

(See Grazing and Livestock Driveways 6.4.7; Domestic and Feral Livestock 8.6.8; Accessibility of Commercial Services 10.2.6.2)

9.2.2.4 Bicycle Trails

Bicycle routes may be considered as an alternative to motor vehicle access. Bicycle travel may be integrated with park roads when determined to be safe and feasible. Bicycle trails may be paved or stabilized for the protection of resources and for the safety and convenience of travelers. In accordance with 36 CFR 4.30, bicycle use is allowed on park roads, in parking areas, and on routes designated for bicycle use. The designation of bicycle routes is allowed in developed areas and in special use zones based on a written determination that such use is (1) consistent with the protection of a park's natural, cultural, scenic, and esthetic values; (2) consistent with safety considerations; (3) consistent with management objectives; and (4) will not disturb wildlife or other park resources. A similar determination may be made to designate routes outside developed areas and special use zones; however, the designation must be made by promulgating a special regulation.

(See General Policy 6.4.1; Backcountry Use 8.2.2.4. Also see 36 CFR 4.30)

9.2.2.5 Water Trails

Water access and use may be provided when consistent with resource protection needs. Appropriate locations and levels of use will be determined in the park's general management plan. The Park Service will work with other agencies and organizations, as appropriate, to develop and provide education and interpretation for water trails that access parks; to promote understanding and enjoyment; and to protect waterways and adjacent lands.

9.2.2.6 Interpretive Trails

Interpretive trails and walks, both guided and self-guiding, may be used for purposes of visitor appreciation and understanding of park values.

9.2.2.7 National Trails

Several components of the National Trails System which are administered by the Service, have been designated as units of the national park system. These trails are therefore managed as national park areas and are subject to all the policies contained herein, as well as to any other requirements specified in the National Trails System Act.

Other scenic, historic, connecting/side, and recreational trails designated under the National Trails System Act are in or adjacent to park units. Some of these may also be administered by the Service, though not as units of the national park system. In all cases, the Service will cooperate with other land managers, nonprofit organizations, and user groups to facilitate appropriate trail use in accordance with the laws and policies applicable to such trails, and to the extent that trail management and use would not cause unacceptable impacts.

(See Cooperative Conservation Beyond Park Boundaries 1.6. Also see Director's Order #45-1: National Scenic and Historic Trails; National Trails System Act)

9.2.2.8 Trailheads

Trailheads, and trail access points from which trail use can begin, will be carefully tied into other elements of the park development and circulation system to facilitate safe and enjoyable trail use and efficient management.

9.2.2.9 Trail Bridges

Trail bridges may be used for crossing swift waters areas prone to flash-flooding, and other places that present potential safety hazards. Less obtrusive alternatives to bridges (such as, fords) and trail relocation will be considered before a decision is made to build a bridge. A bridge may be the preferred alternative when necessary to prevent stream bank erosion or protect wetlands or fisheries. If a bridge is determined to be appropriate, it will be kept to the minimum size needed to serve trail users, and it will be designed to harmonize with the surrounding natural scene and be as unobtrusive as possible.

(See Water Resource Management 4.6)

9.2.3 Traffic Signs and Markings

Signs will be limited to the minimum necessary to meet information, warning, and regulatory needs and to avoid confusion and visual intrusion. Signs should be planned to provide a pleasing, uniform appearance. Traffic signs and pavement markings on park roads will be consistent with the standards contained in the Manual on Uniform Traffic Control Devices, as supplemented by the NPS Sign Manual. All roadside signs and markings will conform to good traffic engineering practices. Park signs—especially those that display the NPS arrowhead—are an important part of the total identity system for the Park Service and must conform to the standards contained in Director's Order #52C: Park Signs.

(See Navigation Aids 9.2.5; Signs 9.3.1.1)

9.2.4 Parking Areas

Parking areas and overlooks will be located to not unacceptably intrude, by sight, sound, or other impact, on park resources or values. When parking areas are deemed necessary, they will be limited to the smallest size appropriate, and they will be designed to harmoniously accommodate motor vehicles and other appropriate users. When large parking areas are needed, appropriate plantings and other design elements will be used to reduce negative visual and environmental impacts. When overflow parking is provided to meet peak visitation, it should be in areas that have been stabilized or are otherwise capable of withstanding the temporary impacts of parking without causing unacceptable impacts on park resources. Permanent parking areas will not normally be sized for the peak use day, but rather for the use anticipated on the average weekend day during the peak season of use.

(See Management of Native Plants and Animals 4.4.2; General 9.1; Transportation Systems and Alternative Transportation 9.2)

9.2.5 Navigation Aids

Necessary aircraft and water navigation aids will be planned in collaboration with the Federal Aviation Administration and U. S. Coast Guard, respectively, and will be installed, maintained, and used in conformance with the standards established by these agencies only if there are no appropriate alternatives outside park boundaries. Exceptions to the standards may be authorized when necessary to meet specific park and public safety needs, provided the exceptions are jointly agreed to by the Park Service and the agency having primary jurisdiction.

(See Overflights and Aviation Uses 8.4; Traffic Signs and Markings 9.2.3)

9.3 Visitor Facilities

While striving for excellence in visitor services, the Park Service will limit visitor facility development to that which is necessary and appropriate. Facilities like gas stations and grocery stores may be necessary to park use and enjoyment, but it does not necessarily follow that these facilities must be located inside a park. The Park Service will encourage the development of private sector visitor services in gateway communities to contribute to local economic development, encourage competition, increase choices for visitors, and minimize the need for in-park facilities. When visitor facilities are found to be necessary and appropriate within a park, they will be designed, built, and maintained in accordance with accepted NPS standards for quality and the NPS commitment to visitor satisfaction.

9.3.1 Informational and Interpretive Facilities

Informational and interpretive facilities may be provided to assist park visitors in appreciating and enjoying the park and understanding its significance, provided that the facilities can be developed without impairing the park's natural or cultural resources.

(See Chapter 7: Interpretation and Education; Accessibility for Persons with Disabilities 9.1.2)

9.3.1.1 Signs

Signs will be carefully planned and designed to fulfill their important roles of conveying an appropriate NPS and park image and providing information and orientation to visitors. Each park should have an approved parkwide sign plan based on Service-wide design criteria and tailored to meet individual park needs. Entrance and other key signs will be distinctively designed to reflect the character of the park while meeting Service-wide standards for consistency.

Signs will be held to the minimum number, size, and wording required to serve their intended functions and to minimally intrude upon the natural and historic settings. They will be placed where they do not interfere with park visitors' enjoyment and appreciation of park resources. Roadside information signs are subject to the standards established in the National Park Service Sign Manual. Interpretive signs will be guided by sign and wayside exhibit plans.

(See Signs 6.3.10.4; Visitor Safety 8.2.5.1; Traffic Signs and Markings 9.2.3; Navigation Aids 9.2.5. Also see Director's Order #52C: Park Signs)

9.3.1.2 Entrance Stations

Entrance and fee collection stations will be harmonious with the park environment, and these stations should reflect the architectural character of the park. Entrance and fee collection stations should (1) reasonably accommodate the average peak season visitor traffic, (2) incorporate best available technology, and (3) use best management practices to minimize delays—thus reducing vehicle emissions at the entrance station and enhancing the visitor experience.

9.3.1.3 Visitor Centers

When necessary to provide visitor information and interpretive services, visitor centers may be constructed at locations identified in approved plans. To minimize visual intrusions and impacts on major park features, visitor centers will generally not be located near such features. Where an in-park location would create unacceptable environmental impacts, authorization should be obtained to place a visitor center outside the park.

Visitor centers are not substitutes for personal or self-guiding on-site interpretation. They will be constructed only when it has been determined that indoor media are the most effective means of communicating major elements of the park story and that a central public contact point is needed.

As appropriate, a visitor center may include information services, sales of educational materials and theme-related items, audiovisual programs, museums, museum collections storage, exhibits, and other staffed or self-help programs and spaces necessary for a high-quality visitor experience. Additionally, the need for restrooms, drinking fountains, and other basic visitor requirements will be considered during the planning and design stage. The size and scope of all visitor centers will be evaluated using the Visitor Center Planning Model or similar tool before submitting any visitor center project to the Director for approval.

(See Park Management 1.4; Environmental Leadership 1.8; Nonpersonal Services 7.3.2; Integration of Facilities into the Park Environment 9.1.1.2; Accessibility for Persons with Disabilities 9.1.2; Museum Collections Management Facilities 9.4.2)

9.3.1.4 Amphitheaters

Amphitheaters may be provided in campgrounds and in other locations where formal interpretive programs are desirable. Campfire circles may be provided in campgrounds to accommodate evening programs and informal social gatherings. Artificial lighting must be carefully directed and kept to a minimum, with due regard for natural night sky conditions.

(See Lightscape Management 4.10; Campgrounds 9.3.2.1)

9.3.1.5 Wayside Exhibits

Wayside exhibits may be provided along roads and heavily used walks and trails to interpret on-site resources.

(See Nonpersonal Services 7.3.2)

9.3.1.6 Viewing Devices

Viewing devices, such as pedestal binoculars or telescopes, may be provided at appropriate locations when the superintendent determines that such devices are desirable for the meaningful interpretation or understanding of park resources. Such devices may be provided by the Service or by others under a concession contract or commercial use authorization.

9.3.1.7 Facilities for Arts and Culture

Various cultural events (such as concerts, films, lectures, plays, craft shows, and art exhibits) are permitted when they will support a park's purposes and objectives. However, permanent facilities may be built specifically for cultural activities only when all of the following criteria are met:

- The permanent facility is required for programs of major importance in conveying the park story.
- It would be impossible or impractical to use demountable or temporary facilities.
- It would be impossible to adaptively use other park facilities.
- Neither the facility nor its operation would impair cultural or natural resources or hinder the use of the park for its intended purposes.
- It would not be feasible for others outside the park to provide the facility.

(See Use of Historic Structures 5.3.5.4.7; Special Events 8.6.2)

9.3.2 Overnight Accommodations and Food Services

Overnight facilities and food services will be restricted to the kinds and levels necessary and appropriate to achieve each park's purposes. In many cases, overnight accommodations and food services are not needed within a park. In general, they should be provided only when the private sector or other public agencies cannot adequately provide them in the park vicinity. However, in-park facilities or services may be justified when the distance and travel time to accommodations and services outside the park are too great to permit reasonable use, or when leaving the park to obtain incidental services would substantially detract from the quality of the visitor experience. Certain activities, such as backcountry use, may require overnight stays. Types of overnight accommodations may vary from unimproved backcountry campsites to motel- or hotel-type lodging, as appropriate. Commercial facilities run by concessioners are addressed in greater detail in chapter 10.

(See Accessibility for Persons with Disabilities 9.1.2; Commercial Visitor Services Planning 10.2.2)

9.3.2.1 Campgrounds

When campgrounds are determined to be necessary, their design will accommodate the differences between recreation-vehicle camping and tent camping, and cultural landscapes, terrain, soils, vegetation, wildlife, climate, special needs of users, visual and auditory privacy, and other relevant factors will be considered.

The Service will determine the range of amenities and utility hookups that are appropriate to each campground based on the park's mission, campground location and size, availability of commercial campgrounds in the area, cost of installing and maintaining the amenities and utilities, and other considerations. To eliminate the need for generators,

electric utilities may be provided on a limited basis. Shower facilities may be provided where feasible. Modestly sized play areas for small children are permissible, as are informal areas for field sports associated with organized group camps. Wood fires in fire rings are generally permissible; however, whenever it is necessary to restrict such fires at individual campsites because of fire danger, air pollution, or other hazards, alternatives may be provided or allowed—such as facilities for the use of charcoal or other fuels or central cook sheds. When a need exists, sanitary dump stations will be provided in or near campgrounds that accommodate recreation vehicles.

When necessary for basic safety requirements, pathways and the exteriors of buildings and structures may be lighted. Such lighting will be energy efficient and shielded as much as possible so that visitors have the opportunity to experience the natural darkness and night skies.

Campgrounds intended to accommodate large recreation vehicles or buses will be located only where existing roads can safely accommodate such vehicles and the resulting increased traffic load.

No campground will exceed 250 sites unless a larger number of sites has been approved by the Director.

When desirable for purposes of management, tent camping may be accommodated in separate campgrounds or in separately designated areas within campgrounds. Provision may also be made for accommodating organized groups in separate campgrounds or in separately designated areas.

Boating campgrounds may be provided in parks with waters used for recreational boating. The need for campgrounds—and their sizes, locations, and numbers—will be determined by (1) the type of water body (for example, river, lake, reservoir, saltwater); (2) the availability and resiliency of potential campsites; (3) the feasibility of providing and maintaining docking, beaching, mooring, camping, and sanitary facilities; and (4) the potential for unacceptable impacts on park resources or values.

(See Soundscape Management 4.9; Lightscape Management 4.10; Recreation Fees 8.2.6.1; National Recreation Reservation Service 8.2.6.2; Collecting Natural Products 8.8; Water Supply Systems 9.1.5.1; Wastewater Treatment Systems 9.1.5.2; Concession Facilities 10.2.6. Also see Director's Order #47: Soundscape Preservation and Noise Management; Director's Order #83: Public Health)

9.3.2.2 Backcountry Campsites

Backcountry and wilderness campsites may be permitted, but only within the acceptable limits of use determined by the park's wilderness management plan, resource management plan, or other pertinent planning document.

(See Wilderness Use Management 6.4; Backcountry Use 8.2.2.4)

9.3.2.3 Hostels and Shelters

Hostels are low-cost, supervised accommodations that encourage and facilitate the energy-efficient, nonmotorized enjoyment of parks and their surrounding regions by individuals and families. Such facilities, along with hostel-like accommodations such as huts and shelters, will be considered in the planning process if overnight use is determined to be an appropriate use of the park, particularly as a means of encouraging and facilitating the use of trails and backcountry areas. The Service will cooperate with other agencies, nonprofit organizations, park concessioners, and others to plan and develop hostels, where appropriate. If a decision is reached to develop a hostel accommodation, it will be managed by others under the provisions of concession policies and procedures.

Hostels will, at a minimum, contain sheltered overnight accommodations and sanitary facilities, and they will usually contain cooking, eating, and recreation spaces. Hostels may be used for other park programs, such as environmental education or interpretation. Although nonmotorized access to hostels is emphasized, motorized transportation may also be available.

(See Facility Planning and Design 9.1.1; Chapter 10: Commercial Visitor Services)

9.3.3 Comfort Stations

Comfort facilities will have waste disposal systems that meet Public Health Service standards. Levels of use will determine the size and nature of the utility systems provided. Low-water use or waterless (oil and composting) toilets will be considered in locations where there are water-supply and wastewater-disposal problems. Chemical toilets in portable enclosures may be used for temporary purposes when necessary. Vault toilets and composting toilets that meet public health standards may be used where development or expansion of utilities may not be practical or cost-effective. Pit privies that meet public health standards may suffice in areas of infrequent use and when utility services are not readily available.

(See General Policy 6.4.1; Backcountry Use 8.2.2.4; Accessibility for Persons with Disabilities 8.2.4; Water Supply Systems 9.1.5.1; Wastewater Treatment Systems 9.1.5.2; Campgrounds 9.3.2.1. Also see Director's Order #83: Public Health)

9.3.4 Other Visitor Facilities

Other visitor facilities may be provided when necessary for visitor enjoyment of the area and when consistent with the protection of park values. Visitor facilities determined to be detrimental to park resources or values will not be permitted.

9.3.4.1 Picnic and Other Day Use Areas

Picnic areas and other day use areas to be used for specific purposes (such as play areas) may be provided on a limited basis as appropriate to meet existing visitor needs.

9.3.4.2 Facilities for Water Recreation

Boating facilities (such as access points, courtesy docks, boat ramps, floating sewage pump-out stations, navigational aids, and marinas), breakwaters, and fish cleaning stations may be provided as appropriate for the safe enjoyment by visitors of water recreation resources, when (1) they are consistent with the purposes for which the park was established, and (2) there is no possibility that adequate private facilities will be developed. Facilities must be carefully sited and designed to avoid unacceptable adverse effects on aquatic and riparian habitats and minimize conflicts between boaters and other visitors who enjoy use of the park. A decision to develop water-based facilities must take into account not only the primary impacts (such as noise, air, and water pollution) of the development, but also the secondary impacts (including cumulative effects over time) that recreational use associated with the development may have on park resources and visitor enjoyment.

(See Park Management 1.4; Soundscape Management 4.9; Visitor Use 8.2; River Use 8.2.2.3; Fishing 8.2.2.5; Campgrounds 9.3.2.1; Water Trails 9.2.2.5. Also see Director's Order #47: Soundscape Preservation and Noise Management)

9.3.4.3 Skiing Facilities

The Park Service will not permit new downhill skiing facilities or associated structures in any unit of the national park system. Downhill skiing is an activity that requires extensive development with resulting significant environmental impacts, and it should only be provided outside park areas. When such facilities have been provided based on previous policy, their use may continue unless the development and use have caused or may cause impairment of park resources or values. Any proposal to eliminate or change the capacity of existing facilities will be accomplished through the NPS planning process, and will involve public participation and an environmental assessment of impacts.

(See Decision-making Requirements to Identify and Avoid Impairments 1.4.7; Recreational Activities 8.2.2)

9.3.5 Advertising

Commercial notices or advertisements will generally not be displayed, posted, or distributed on the federally owned or federally controlled land, water, or airspace of a park. A superintendent may permit advertising only if the notice or advertisement is for goods, services, or facilities available within the park, and if such notices and advertisements are found to be desirable and necessary for the convenience and guidance of the public. Acceptable forms of advertising will be addressed, as necessary, in concession contracts and cooperating association agreements.

Billboard advertising will in no case be permitted within a park and, in general, will be discouraged on approach roads outside of parks when it would adversely affect a park's scenic values.

NPS policy allows donor recognition, which occurs when the Park Service publicly thanks an individual, corporation, or some other entity for their gift or service to the Park Service. Such recognition must be consistent with the provisions of Director's Order #21: Donations and Fundraising.

In accordance with Part 470 of the DOI manual, the Service will not use paid advertising in any publication in connection with its programs and activities, except where special legal requirements and authority exist. If a superintendent believes paid advertising is necessary because of the significant benefits it affords in enhancing public participation, prior approval must be obtained from the Washington Office of Public Affairs.

(See Cooperating Associations 7.6.2; Concession Contracting 10.2.3. Also see Director's Order #21: Donations and Fundraising, 36 CFR 5.1)

9.4 Management Facilities

Where authorized by Congress, management facilities will be located outside park boundaries whenever the management functions being served can be adequately supported from such a location. When management facilities must be located inside the park, they will be located away from primary resources and features of the park and sited so as to not adversely affect park resources or values or detract from the visitor experience. Historic properties will be used to the maximum extent practicable, provided that the use will not affect their significance.

Modular, precut, or prefabricated structures may be used for management facilities, including administrative offices, employee housing, and maintenance structures, when products meeting design requirements are available. Standard plans will be modified to (1) reflect regional and park design themes and harmonize with the natural surroundings; (2) preserve the natural and cultural environments; (3) provide for resource conservation; (4) provide for energy efficiency or the use of renewable energy sources; (5) limit chemical emissions; and (6) foster education about sustainable design.

(See Park Management 1.4; Environmental Leadership 1.8; Use of Historic Structures 5.3.5.4.7; Accessibility for Persons with Disabilities 8.2.4; Facility Planning and Design 9.1.1; Accessibility for Persons with Disabilities 9.1.2. Also see Director's Orders #89: Acquisition and Management of Leased Space; and #90: Value Analysis)

9.4.1 Administrative Offices

The location of administrative offices will be determined by conditions specific to each park, including impacts on park resources, availability and adequacy of leasable space outside the park, relationship to adjacent communities, convenience to visitors, weather, energy consumption, comparative costs, commuting distance for employees, and management effectiveness.

(See Facility Planning and Design 9.1.1; Energy Management 9.1.7)

9.4.2 Museum Collections Management Facilities

Park curatorial facilities should be adapted to the needs of each park. They may share space in visitor centers or administrative office buildings, or be housed in completely separate buildings. Incorporation with facilities in which there would be a heightened danger of fire, chemical spills, and similar accidents should be avoided. Curatorial facilities will meet each collection's special requirements for security, fire suppression, and environmental controls.

The operation of environmental control systems to meet the temperature, relative humidity, particulate, and, as necessary, pollutant control specifications for museum collections are typically more energy intensive than those for structures with staff and offices. To ensure energy efficiency and the correct performance of the systems to protect the resource, the thermal performance of the building envelope and the efficiency of the systems must be addressed in facility planning and design. Before planning a collections management facility, the park, in consultation with subject-matter specialists, must complete a value analysis that evaluates various options for addressing the collections management needs of the park, including on-site and off-site locations and joint facilities with other NPS units and entities outside the Park Service.

(See Museum Collections 5.3.5.5; Fire Detection, Suppression, and Post-fire Rehabilitation and Protection 5.3.1.2; Environmental Monitoring and Control 5.3.1.4. Also see Director's Order #24: NPS Museum Collections Management)

9.4.3 Employee Housing

The Park Service will generally rely on the private sector to provide housing for NPS employees. If reasonable price and quality housing is not available in the private sector, the Service will provide only the number of housing units necessary to support the NPS mission.

Occupancy may be permitted or may be required to provide for timely response to park protection needs, to ensure reasonable deterrence to prevent threats to resources, and to protect the health and safety of visitors and employees. Acceptable and appropriate locations for employee housing will be determined based on these prevention or response services provided for the benefit of the government in meeting the NPS mission.

9.4.3.1 Housing Management Plan

A housing management plan will be prepared and updated every three to five years to determine the necessary number of housing units in a park. Park superintendents are accountable to their regional directors for employee housing in their parks. Regional directors are responsible for approval of park housing management plans and ensuring the consistent application of Service-wide housing policy.

9.4.3.2 Eligible Residents

Park housing will be provided for persons who are essential to the management and operation of the park. These may include not only NPS employees, but also concession employees, volunteers in the parks, Student Conservation Association volunteers, researchers, essential cooperators (for example, schoolteachers, health personnel, contractors, state or county employees), and employees of another federal agency.

9.4.3.3 Historic Structures

The use of historic structures for housing is encouraged when NPS managers determine that this use contributes to the preservation of these structures, and after feasible cost-effective alternatives have been considered.

(See Use of Historic Structures 5.3.5.4.7; Adaptive Use 9.1.1.4)

9.4.3.4 Design and Construction

Because of location, use, and other unique factors, special design concerns must be considered for housing constructed in parks. Housing must be designed to be as much a part of the natural or cultural setting as possible, yet it must be well built, functional, energy efficient, and cost-effective. The design of park housing will minimize impacts on park resources and values, comply with the standards for quality design, and consider regional design and construction influences. Value analysis principles will be applied in all NPS housing construction projects. Design costs will be kept to a minimum by using designs from the NPS Standard Design Catalog and a cost model.

(See Facility Planning and Design 9.1.1. Also see Director's Orders #36: Housing Management, and #90: Value Analysis)

9.4.4 Maintenance Structures

Maintenance structures will be consistent in design, scale, texture, and details with other park facilities. Optimally, they will be screened or located in areas remote from public use. Wherever feasible, NPS and concessioner maintenance facilities will be adjacent and integrated in design to facilitate operations and reduce impacts on park resources.

9.4.5 Miscellaneous Management Facilities

When installations such as landing sites and airstrips, security structures, protection devices, fire towers, weather monitors, research stations, communication towers, and pump houses are necessary, they will be located and designed to minimize their impact on resources and their intrusion on the visitor experience. Whenever possible and practicable, such installations will be located within developed park areas or outside park boundaries. When totally utilitarian facilities such as maintenance storage yards, sewage lagoons, and solid waste disposal sites absolutely must be developed inside a park, they will be screened from view, sited to avoid adverse impacts on resources, and not detract from the visitor experience. Facilities that illustrate technologies important to interpretive and educational objectives may be located in more visible areas. Examples include alternative energy applications and sustainable wastewater treatment facilities, such as aquaculture ponds, wetlands, and rootzone beds.

(See Environmental Leadership 1.8; Studies and Collections 4.2; General Policy 6.3.1; Airports and Landing Sites 8.4.8; Facility Planning and Design 9.1.1; Water Supply Systems

9.1.5.1; Wastewater Treatment Systems 9.1.5.2; Waste Management 9.1.6.1; Maintenance Structures 9.4.4)

9.5 Dams and Reservoirs

Dams and reservoirs will not be constructed in parks. The National Park Service will not seek to acquire and operate dams and will seek to deactivate existing structures unless they contribute to the cultural, natural, or recreational resource bases of the area or are a necessary part of a park's water supply system.

All dams will be subject to annual safety inspections. Each park with a dam or reservoir will prepare an emergency action plan. The emergency action plan will also address potential hazards posed by dams outside the park and beyond the Service's control. The National Park Service inventory of dams will be used to record all NPS and non-NPS dams and reservoirs, and any other type of stream flow control structures affecting units of the national park system, including those that are proposed or have been deactivated.

(See Water Quality 4.6.3; Floodplains 4.6.4; Wetlands 4.6.5; Watershed and Stream Processes 4.6.6; Emergency Preparedness and Emergency Operations 8.2.5.2; Water Supply Systems 9.1.5.1; Wastewater Treatment Systems 9.1.5.2. Also see Director's Order #40: Dams and Appurtenant Works—Maintenance, Operation, and Safety)

9.6 Commemorative Works and Plaques

9.6.1 General

For the purpose of this section, the term "commemorative work" means any statue, monument, sculpture, memorial, plaque, or other structure or landscape feature, including a garden or memorial grove, designed to perpetuate in a permanent manner the memory of a person, group, event, or other significant element of history. It also includes the naming of park structures or other features—including features within the interior of buildings. Within the District of Columbia and its environs, the Commemorative Works Act prohibits the establishment of commemorative works unless specifically authorized by an act of Congress. Outside of the District of Columbia and its environs, commemorative works will not be established unless authorized by Congress or approved by the Director (36 CFR 2.62). The consultation process required by section 106 of the National Historic Preservation Act must be completed before the Director will make a decision to approve a commemorative work.

To be permanently commemorated in a national park is a high honor, affording a degree of recognition that implies national importance. At the same time, the excessive or inappropriate use of commemorative works—especially commemorative naming—diminishes its value as a tool for recognizing people or events that are truly noteworthy. This situation can also divert attention from the important resources and values that park visitors need to learn about. Therefore, the National Park Service will discourage and curtail the use and proliferation of commemorative works except when

- Congress has specifically authorized their placement; or
- there is compelling justification for the recognition, and the commemorative work is the best way to express the association between the park and the person, group, event, or other subject being commemorated.

In general, compelling justification for a commemorative work will not be considered unless

- the association between the park and the person, group, or event is of exceptional importance; and
- in cases where a person or event is proposed for commemoration, at least five years have elapsed since the death of the person (or the last member of a group), or at least 25 years have elapsed since the event. (Within the District of Columbia and its environs, refer to the Commemorative Works Act for more specific requirements.)

Simply having worked in a park, or having made a monetary or other type of donation to a park, does not necessarily meet the test of compelling justification. In these and similar cases other forms of recognition should be pursued.

With regard to the naming of park structures, names that meet the criteria listed above may be approved by the Director. Names that do not meet those criteria will require legislative action. All donor recognition must be consistent with Director's Order #21: Donations and Fundraising. In accordance with Director's Order #21, the naming of rooms, features, or park facilities will not be used to recognize monetary or in-kind donations to a park or to the National Park Service.

9.6.2 Interpretive Works That Commemorate

The primary function of some commemorative works—most often in the form of a plaque presented by an outside organization—is to describe, explain, or otherwise attest to the significance of a park's resources. These devices are not always the most appropriate medium for their intended purpose, and their permanent installation may not be in the best long-term interests of the park. Therefore, permanent installations of this nature will not be allowed unless it can be clearly demonstrated that the work will substantially increase visitors' appreciation of the significance of park resources or values, and do so more effectively than other interpretive media.

With regard to Civil War parks, new commemorative works will not be approved, except where specifically authorized by legislation. However, consideration may be given to proposals that would commemorate groups that were not allowed to be recognized during the commemorative period.

In those parks where there is legislative authorization to erect commemorative works, superintendents will prepare a plan to control their size, location, materials, and other factors necessary to protect the overall integrity of the park.

The plan may include a requirement for an endowment to cover the costs of maintaining the commemorative work.

9.6.3 Approval of Commemorative Works

Before being approved, a determination must be made, based on consultation with qualified professionals that the proposed commemorative work will

- be designed and sited to avoid disturbance of natural and cultural resources and values;
- be located in surroundings relevant to its subject;
- be constructed of materials suitable to and compatible with the local environment;
- meet NPS design and maintenance standards;
- not encroach on any other preexisting work or be esthetically intrusive;
- not interfere significantly with open space and existing public use;
- not divert attention from a park's primary interpretive theme; and
- not be affixed to the historic fabric of a structure.

The Director may order the removal or modification of commemorative works that were installed without proper authorization, or that are inconsistent with the policies in this section. Temporary forms of in-park recognition, and permanent forms that will not be installed within park boundaries, do not require the Director's approval.

The naming of geographic features is subject to approval by the U. S. Board on Geographic Names. NPS proposals for naming geographic features will follow the procedures described in Director's Order #63: Geographic Names.

(Also see Director's Order #67: Copyright and Trademarks; U. S. Board on Geographic Names "Principles, Policies, and Procedures: Domestic Geographic Names")

9.6.4 Preexisting Commemorative Works

Many commemorative works have existed in the parks long enough to qualify as historic features. A key aspect of their historical interest is that they reflect the knowledge, attitudes, and tastes of the persons who designed and placed them. These works and their inscriptions will not be altered, relocated, obscured, or removed, even when they are deemed inaccurate or incompatible with prevailing present-day values. Any exceptions from this policy require specific approval by the Director.

9.6.5 Donated Commemorative Works

Although commemorative works and other forms of in-park permanent recognition will not be used to recognize monetary contributions or other donations to a park or the Service, there may be occasions when an authorized or approved commemorative work will be offered or provided by a private donor. Placing donor names on commemorative works will be discouraged. If they do appear, donor names will be conspicuously subordinate to the subjects commemorated. Donations of commemorative works should include sufficient funds to provide for their installation, and an endowment for their permanent care.

(See Nonpersonal Services 7.3.2; Cemeteries and Burials 8.6.10. Also see Director's Order #64: Commemorative Works and Plaques)

9.6.6 Commemorative Works in National Cemeteries

Regulations governing commemorative works associated with national cemeteries are found in 36 CFR Part 12; and Director's Order #61: National Cemetery Operations.

10

Commercial Visitor Services

Through the use of concession contracts or commercial use authorizations, the National Park Service will provide commercial visitor services that are necessary and appropriate for public use and enjoyment. Concession operations will be consistent to the highest practicable degree with the preservation and conservation of resources and values of the park unit. Concession operations will demonstrate sound environmental management and stewardship.



Public accommodations, facilities, and services must be consistent to highest practicable degree with the preservation and conservation of park resources and values.

10.1 General

Commercial visitor services will be authorized through concession contracts or commercial use authorizations, unless otherwise provided by law. Section 10.2 below addresses concession authorizations; section 10.3 addresses commercial use authorizations.

(See Leases 8.12. Also see Director's Orders #48A: Concession Management, and #48B: Commercial Use Authorizations)

10.1.1 Leasing

See Section 8.12.

10.2 Concessions

10.2.1 Concession Policies

Concession operations are subject to the provisions of the National Park Service Concessions Management Improvement Act of 1998; NPS regulations published at 36 CFR Part 51; this chapter of NPS Management Policies; Director's Order #48A: Concession Management; and other specific guidance that may be issued under the Director's authority. In Alaska, concession operations are also subject to the provisions of the Alaska National Interest Lands Conservation Act and 36 CFR Part 13.

10.2.2 Commercial Visitor Services Planning

Commercial visitor services planning will identify the appropriate role of commercial operators in helping parks to provide opportunities for visitor use and enjoyment. This planning will be integrated into other plans and planning processes and will comply with all Service policies regarding planning and environmental analysis. The number, location, and sizes of facilities and sites assigned through concession authorizations will be the minimum necessary for proper and satisfactory operation of the facilities.

A park commercial services strategy must be in place to ensure that concession facilities and services are necessary and appropriate, financially viable, and addressed in an approved management plan. Commercial services plans may be developed to further implement a park's commercial services strategy and to guide decisions on whether to authorize or expand concessions. A decision to authorize or expand a park concession will consider the effect on, or need for, additional infrastructure and management of operations and be based on a determination that the facility or service

- is consistent with enabling legislation, and
- is complementary to a park's mission and visitor service objectives, and
- is necessary and appropriate for the public use and enjoyment of the park in which it is located, and
- is not, and cannot be, provided outside park boundaries, and
- incorporates sustainable principles and practices in planning, design, siting, construction, and maintenance, and
- adopts appropriate energy and water conservation, source reduction, and environmental purchasing standards and goals, and
- will not cause unacceptable impacts.

Prior to initiating new services authorized under a concession contract, a market and financial viability study/analysis will be completed to ensure the overall contract is feasible.

For information about leasing structures for appropriate uses, see section 8.12 and Director's Order #38: Real Property Leasing.

(See Unacceptable Impacts 1.4.7.1)

10.2.3 Concession Contracting

Approved standard contract language will be used in all NPS concession contracts. Any deviations from such language must be approved in writing by the Director.

10.2.3.1 Terms and Conditions of Contracts

Concession services will be authorized under concession contracts unless otherwise authorized by law. The term of a concession contract will generally be 10 years or less. However, the Director may award a contract for a term of up to 20 years if the Director determines that the contract terms and conditions, including the required construction of capital improvements, warrant a longer term. In this regard, the term of concession contracts should be as short as is prudent, taking into account the financial requirements of the concession contract, the required construction of capital improvements, resource preservation and conservation, visitor needs, and other factors that the Director may deem appropriate. Proposed concession operations must be economically feasible and supported by a feasibility study prepared by a qualified individual.

10.2.3.2 Modifications/Amendments

Concession contracts may be modified only by written amendment. Amendments developed after the issuance of a concession contract must be consistent with current NPS policies and orders. Unless otherwise authorized by the contract, a concession contract may be amended to provide minor additional visitor services that are a reasonable extension of the existing services.

10.2.3.3 Extension

Concession contracts may be extended only in accordance with the requirements of 36 CFR Part 51, subpart D. The signature authority for contract extensions or amendments must be consistent with delegations of authority from the Director.

10.2.3.4 Competition

To obtain the best service provider and maximize benefits to the government, the National Park Service encourages competition in the awarding of concession contracts. Through outreach, the National Park Service also encourages the participation of American Indian, minority,

and women-owned businesses when new business activities occur.

10.2.3.5 Third-party Agreements and Subconcessions

Unless specified in the contract, sub-concession or other third-party agreements (including management agreements) for the provision of visitor services that are required and/or authorized under concession contracts are not permitted. The Park Service may also advertise for a new concession contract to provide these additional services.

10.2.3.6 Multipark Contracts

Concessioners operating in more than one park unit must have separate contracts for each park unit. When approved by the Director, an exception may be made in the case of those park units having common NPS management or where service is provided in contiguous park areas (for example, a pack trip that crosses the boundary of two adjoining parks, or where lack of opportunity for profit, geographic location, and type of service is not feasible within a single location).

10.2.3.7 Termination

The Service may terminate concession contracts for default and under any other circumstances specified in the concession contract.

10.2.4 Concession Operations

10.2.4.1 Operating Plans

The operating plan is an exhibit to the concession contract; the plan will describe operational responsibilities authorized in the contract between the concessioner and the Park Service. The plan is reviewed and updated annually by the Service in accordance with the terms of the contract. Operating plans are considered an integral part of a concessioner's contractual performance compliance. Some aspects of a concessioner's operating requirements may also be contained in general or specific provisions unique to that contract.

10.2.4.2 Service Type and Quality

It is the objective of the National Park Service that park visitors be provided with high-quality facilities and services. Where appropriate, the concession contract will specify a range of facility, accommodation, and service types that are to be provided at reasonable rates and standards to ensure optimal facility maintenance and quality services to visitors. Concessioners are not permitted to use or encourage pseudo-ownership concepts such as time shares or long-term rental agreements.

10.2.4.3 Evaluation of Concession Operations

Concession operations will be regularly evaluated to ensure that park visitors are provided with high-quality services and facilities that are safe and sanitary and meet NPS environmental, health, safety, and operational standards. As outlined in the concessioner operational evaluation program, the evaluation results will provide a basis for NPS management to determine (1) whether to continue or terminate a concession contract, and (2) whether a concessioner is eligible to exercise a right of preference in the award of a qualified new concession contract for those categories of contracts where such a right is available by law.

10.2.4.4 Interpretation by Concessioners

Concessioners will be required to appropriately train their employees and, through their facilities and services, to instill in their guests an appreciation of the park, its purpose and significance, its proper and sustainable management, and the stewardship of its resources. When the provision of interpretive services is required by the contract, concessioners will provide formal interpretive training, approved by the Park Service, for their employees, or will participate in formal interpretive training that is either offered by the Park Service or cosponsored by the concessioner.

Visitor appreciation of the park can be instilled in many ways. For example, it can be accomplished through guided activities; the design, architecture, landscape, and decor of facilities; educational programs; interpretive menu design and menu offerings; and involvement in the park's overall interpretive program. Gift shop merchandise and displays also present opportunities to educate visitors about park history; natural, cultural, and historical resources; and sustainable environmental management.

Concession contracts will require the concessioner to provide all visitor services in a manner that is consistent with and supportive of the interpretive themes, goals, and objectives articulated in each park's planning documents, mission statement, and/or interpretive prospectus.

(See Interpretive Competencies and Skills 7.4)

10.2.4.5 Merchandise

The National Park Service will approve the nature, type, and quality of merchandise to be offered by concessioners. Although there is no Service-wide list of specific preferred merchandise, priority will be given to sale items that foster awareness, understanding, and appreciation of the park and its resources and that interprets those resources. Merchandise should have interpretive labeling or include other information to indicate how the merchandise is relevant to the park and its interpretive program and themes.

Each concession operation with a gift shop will have a mission statement based on the park's concession service plan or general management plan. Concessioners will develop and implement a merchandise plan based on the park's gift shop mission statement. The merchandise plan must be satisfactory to the Director, and should ensure that merchandise sold or provided reflects the significance of the park and promotes the conservation of the park's geological resources, wildlife, plant life, archeological resources, local Native American culture, local ethnic and traditional culture, historical significance, and other park resources and values. The plan should also integrate pollution prevention and waste-reduction objectives and strategies for merchandise and packaging.

Merchandise must be available at a range of prices. Theme-related merchandise manufactured or handcrafted in the United States—particularly in a park's geographic vicinity—will be encouraged. The revenue derived from the sale of United States Indian, Alaska Native, native Samoan, and Native Hawaiian handicrafts is exempt from any franchise fee payments.

10.2.4.6 Artifacts and Specimens

Concessioners will not be permitted to sell any merchandise in violation of laws, regulations, or NPS policies. The park superintendent may prohibit the sale of some items for retail sale because the merchandise is locally sensitive or inappropriate for sale. The sale of original objects, artifacts, or specimens of a historic, archeological, paleontological, or biological nature is prohibited. Replicated historic, archeological, paleontological, or biological objects, artifacts, or specimens may be sold if they are obvious replicas and clearly labeled.

Any geological merchandise approved for sale or exhibit by concessioners must be accompanied by appropriate educational material and a written disclaimer clearly stating that such items were not obtained from inside park boundaries. The proposed sale of any replicas, or of geological merchandise, must be addressed in the gift shop merchandise plan.

10.2.4.7 Rates

The National Park Service must approve all rates charged to visitors by concessioners. The reasonableness of a concessioner's rates and charges to the public will, unless otherwise provided in the contract, be judged primarily on the basis of comparison with current rates and charges for facilities and services of comparable character under similar conditions. Due consideration will be given to length of season, provision for peak loads, average percentage of occupancy, accessibility, availability and costs of labor and materials, type of patronage, and other factors deemed significant by the NPS Director.

10.2.4.8 Risk Management Program

Concession contracts require each concessioner to develop a risk management program that is (1) appropriate in scope to the size and nature of the operation, (2) in accord with the Occupational Safety and Health Act of 1970 and the NPS concession risk management program, and (3) approved by the superintendent. Concessioners are responsible for managing all of their operations to minimize risk and control loss due to accident, illness, or injury. To ensure compliance, the Service will include a risk management evaluation as part of its standard operational review of concession operations.

10.2.4.9 Natural and Cultural Resource Management Requirements

Concessioners are required to comply with applicable provisions of all laws, regulations, and policies that apply to natural and cultural resource protection. The use, maintenance, repair, rehabilitation, restoration, or other modification of concession facilities that are listed in or eligible for the National Register of Historic Places are subject to the applicable provisions of all laws, executive orders, regulations, and policies pertaining to cultural properties. The National Park Service will assist concessioners in understanding and complying with regulations for the protection of historic properties (36 CFR Part 800) promulgated by the Advisory Council on Historic Preservation. Historic structures and their contents and museum objects that are in the control of concessioners will be treated in accordance with the appropriate standards contained in NPS guidance documents. The Service will work closely with concessioners to integrate into concession activities the policies, procedures, and practices of Executive Order 13287 (Preserve America).

(See Chapter 4: Natural Resource Management; Use of Historic Structures 5.3.5.4.7. Also see Reference Manual 24: the Museum Handbook; Director's Order #28: Cultural Resource Management; #38: Real Property Leasing, and #48A: Concession Management)

10.2.4.10 Environmental Program Requirements

In the operation of visitor services, concessioners will be required by contract to meet environmental compliance objectives by

- complying with all applicable laws pertaining to the protection of human health and the environment; and
- incorporating best management practices in all operations, construction, maintenance, acquisition, provision of visitor services, and other activities under the contract.

Concessioners will also be required by contract to develop, document, implement, and comply fully with—to the satisfaction of the Director—a comprehensive, written environmental management program (EMP) to achieve environmental management objectives. The EMP

- should be appropriate to the nature and size of the operation;
- must account for all activities with potential environmental impacts conducted by the concessioner, or to which the concessioner contributes;
- must be updated at least annually; and
- must be approved by the superintendent.

The scope and complexity of the EMP may vary based on the type, size, and number of concessioner activities. Exceptions to the requirement for an EMP must be approved by the Director.

The National Park Service will review concessioner compliance with the EMP under the contract. The Park Service will also

- assist concessioners in understanding environmental program requirements;
- conduct environmental compliance audits of all commercial visitor services at least every three years

in accordance with the concessions environmental audit program (the concessioner will be responsible for corrective actions required by law and identified during the environmental compliance audits); and

- include an environmental management evaluation as part of its annual standard operational reviews of concession operations.

(See Compensation for Injuries to Natural Resources 4.1.6; Integrated Pest Management Program 4.4.5.2; Compensation for Injuries to Cultural Resources 5.3.1.3; Overnight Accommodations and Food Services 9.3.2. Also see Director's Order #48A: Concession Management; Director's Order #83: Public Health)

10.2.4.11 Insurance

Concession contracts will identify the types and minimum amounts of insurance coverage required of concessioners to

- provide reasonable assurance that concessioners have the ability to cover bona fide claims for bodily injury, death, or property damage arising from an action or omission of the operator;
- protect the government against potential liability for claims based on the negligence of the operators; and
- enable rapid repair or replacement of essential visitor facilities located on park lands that are damaged or destroyed by fire or other hazards.

Concessioners will not be permitted to operate without liability insurance. Under limited conditions, concessioners may operate without property insurance, as described in Director's Order #48A: Concession Management.

10.2.4.12 Food Service Sanitation Inspections

Concessioners who prepare food on or off park lands or serve food on park lands will be subject to inspection for compliance with all applicable health and sanitation requirements of local and state agencies, the U.S. Public Health Service, and the Food and Drug Administration.

(Also see Director's Order #83: Public Health)

10.2.4.13 Smoking

Generally, all NPS concession facilities will be smoke free. The only exceptions—which the Service does not encourage—will be specifically designated smoking areas and rooms if allowed by state and local law. The sale of tobacco products through vending machines is prohibited.

(Also see Director's Order #50D: Smoking Policy; Executive Order 13058 (Protecting Federal Employees and the Public from Exposure to Tobacco Smoke in the Federal Workplace))

10.2.4.14 Wireless Local Area Networks

Concessioners may be authorized to provide wireless local area network access for park visitors and for administrative and employee use within concessioner assigned facilities. If this type of service is found to be necessary and appropriate and otherwise in accord with the park's planning and other guidance documents, the concession authorization's operating plan must identify the need for the service and the standards for offering the service. A request to construct telecommunications equipment and infrastructure outside the concessioner's assigned facilities must be processed in accordance with section 8.6.4.3.

10.2.5 Concessions Financial Management

Concession contracts must provide for payment to the government of a franchise fee, or other monetary consideration as determined by the Secretary, upon consideration of the probable value to the concessioner of the privileges granted by the particular contract involved. Such probable value will be based upon a reasonable opportunity for net profit in relation to capital invested and the obligations of the contract. Consideration of revenue to the United States is subordinate to the objectives of protecting and preserving park areas and providing necessary and appropriate services for visitors at reasonable rates.

10.2.5.1 Franchise Fees

The amount of the franchise fee or other monetary consideration paid to the United States for the term of the concession contract must be specified in the concession contract and may only be modified to reflect extraordinary unanticipated changes from the conditions expected as of the effective date of the contract. Contracts with a term of more than five years will include a provision that allows reconsideration of the franchise fee at the request of the Director or the concessioner in the event of such extraordinary unanticipated changes. Such provision will provide for binding arbitration in the event that the Director and the concessioner are unable to agree upon an adjustment to the franchise fee in these circumstances.

10.2.5.2 Franchise Fee Special Account

All franchise fees and other monetary considerations will be deposited into a Department of the Treasury special account. In accordance with the NPS Concessions Management Improvement Act of 1998, twenty percent (20%) will be available to support activities throughout the national park system, and eighty percent (80%) will be available to the park unit in which it was generated for visitor services and funding high-priority and urgently necessary resource management programs and operations.

10.2.5.3 Record-keeping System

All concessioners will establish and maintain a system of accounts and a record-keeping system that use written journals and general ledger accounts to facilitate the preparation of annual concessioner financial reports.

10.2.5.4 Annual Financial Reports

For each concession contract, concessioners will be required to submit a separate annual financial report that reflects only the operations they are authorized to provide under that particular contract.

10.2.5.5 Donations to the National Park Service

The National Park Service will not solicit or accept direct donations or gifts from entities that have or are seeking to obtain a concessions contract. The Park Service will not require any concessioner to donate or make contributions to the Service under any circumstance, including the incorporation of such a requirement in concession contracts. Further guidance on donations is available in Director's Order #21: Donations and Fundraising.

10.2.6 Concession Facilities

All buildings under a concession contract are U.S. government/Service-owned structures and are part of the overall facility inventory at each park. Depending on the contract, the concessioner may have a contractual right of compensation in the form of a leasehold surrender interest or possessory interest in one, some, or all of the buildings. Responsibilities for maintenance, environmental management, and other operational issues must be included in each concession contract. Park facility managers will work closely with the park's concession program managers to ensure that these government buildings are part of the overall park inventory and tracking systems. Park managers will ensure that possessory interests and leasehold surrender interest valuations conform to the terms and conditions of the concession contract.

10.2.6.1 Design

Concession facilities will be of a size and at a location that the Service determines to be necessary and appropriate for their intended purposes. All concession facilities must comply with applicable federal, state, and local construction codes, and meet accessibility requirements as set forth in applicable accessibility guidelines. Proposed concession facilities must conform to NPS standards for sustainable design, universal design, and architectural design. Concession development or improvement proposals must undergo review for compliance with the National Environmental Policy Act of 1969 and section 106 of the National Historic Preservation Act (16 USC 470f), and proposals must be carried out in a manner consistent with applicable provisions of the *Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation* and other applicable legal requirements.

In addition to general park design requirements, the Park Service will apply value analysis during the design process to analyze the functions of facilities, processes, systems, equipment, services, and supplies. Value analysis must be used to help achieve essential functions at the lowest life-cycle cost, consistent with required performance, reliability, environmental quality, and safety criteria and standards.

(See Facility Planning and Design 9.1.1)

10.2.6.2 Accessibility of Commercial Services

Concessioners share the National Park Service's responsibility to provide employees and visitors with the greatest degree of access to programs, facilities, and services that is reasonable, within the terms of existing contracts and agreements. Applicable laws include, but are not limited to (1) regulations issued under the authority of section 504 of the Rehabilitation Act of 1973, as amended (43 CFR Part 17), which prohibits discrimination on the basis of disability in programs or activities conducted by federal executive agencies; and (2) the Architectural Barriers Act of 1968, which requires physical access to buildings and facilities. Where there is no specific language identifying applicable accessibility laws in an existing concession contract, the Park Service will address the issue of compliance in the annual concession operating plan.

(See Physical Access for Persons with Disabilities 5.3.2; Accessibility for Persons with Disabilities 1.9.3, 8.2.4 and 9.1.2. Also see Director's Order #42: Accessibility for Visitors with Disabilities in National Park Service Programs and Services)

10.2.6.3 Maintenance

Concession contracts will require concessioners to be responsible for all maintenance and repair of facilities, lands, and utility systems assigned for their use, in accordance with standards acceptable to the Service. Exceptions will be made only in extraordinary circumstances, as determined by the Director. All concession contracts must include a current maintenance plan as specified in the concession contract. Maintenance plans are an exhibit to the concession contract and will be considered an integral part of a concessioner's contractual performance compliance.

Maintenance of historic properties and cultural landscapes will be carried out in a manner consistent with applicable provisions of the *Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation*.

10.2.6.4 Utilities and Services

Utilities include, but are not limited to, electricity, fuel, natural gas, water, disposal of wastewater and solid waste, and communication systems. When available, the Service may provide utilities to the concessioner for use in connection with the operations required or authorized under the contract at rates to be determined in accordance with applicable laws. If the Service does not provide utilities to the concessioner, the concessioner will, with the written approval of the Director and under any requirements prescribed by the Director, (1) secure necessary utilities at its own expense from sources outside the area; or (2) install the utilities within the area, subject to conditions of the contract.

(Also see Director's Order #35B: Sale of National Park Service-produced Utilities)

10.2.6.5 Closure of Commercial Operations during Government Shutdown

The Anti-Deficiency Act requires federal agencies to suspend all nonessential activities whenever there is a failure to enact an appropriations bill or adopt a continuing resolution. All concessioner-operated programs and services must cease, and visitors must be asked to leave within 48 hours. All commercial facilities and services in a park will be closed to protect the safety of visitors and the

integrity of park resources. Exceptions to this policy include concessions that are required for health and safety purposes or protection of the environment, or that are necessary to support park operations that are deemed essential, such as law enforcement.

Commercial facilities located on through-roads (roads or public highways that begin and end outside of a park, plus parkways) and public highways may remain open if doing so does not result in additional costs to the park (for example, the staffing of entrance stations). These commercial facilities may include operations such as service stations, food services, stores, and lodging, or portions of such operations. The commercial facility in question should have access directly from the road or highway and not require the reopening of park roads having other destinations. More specific aspects of closures may be guided by a Service-wide shutdown plan.

10.2.7 Concessioner Employees and Employment Conditions

10.2.7.1 Nondiscrimination

Concessioners will comply with all applicable laws and regulations relating to nondiscrimination in employment and the provision of services to the public. As the National Park Service strives to achieve workforce diversity, so too will concessioners be encouraged to recognize workforce diversity as a sound business practice.

10.2.7.2 Substance Abuse

In compliance with state and federal regulations condemning substance abuse, the Park Service prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol. The Service also prohibits the unlawful manufacture, cultivation, processing, or transportation of illicit drugs. This policy applies to concessioners and their employees, at any facility or in any activity taking place on NPS lands. Concessioners are required to provide and advise employees about the availability of employee assistance programs addressing substance abuse problems.

10.2.8 NPS Employees

10.2.8.1 Accepting Gifts and Reduced Rates from Concessioners

NPS employees may not receive concessioner goods or services at a discount unless it is in connection with official business, is to the government's advantage, and is provided for under the terms of a concession contract. However, employees may accept reduced rates or discounts offered by the concessioner when those same reduced rates or discounts are available to the general public.

NPS employees may not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value from a concessioner or other person who conducts operations and activities that are regulated by the Department of the Interior. Employees should consult with their ethics counselor regarding the limited exceptions to the general prohibition on accepting gifts from outside sources.

10.2.8.2 Employment of NPS Personnel or Family Members by Concessioners

Federal law prohibits government employees from making recommendations, decisions, or approvals relating to applications, contracts, controversies, or other matters in which the employee or the employee's spouse or minor child has a financial interest. Park employees may not make decisions, approvals, or recommendations related to concession activities when their spouse or dependent child is employed by a park concessioner in that particular park. For example, the spouse or dependent child of the superintendent, assistant superintendent, concession staff, environmental manager, or public health specialist may not be employed by a concessioner in the specific park in which the NPS employee works.

(Also see Director's Order #37: Home Businesses in Park Housing)

10.2.8.3 NPS Employee Ownership or Investment in Concession Businesses

Department of the Interior policy prohibits employees and their spouses and minor children from acquiring or retaining for commercial purposes any permit, lease, or other rights granted by the Department for conducting commercial services on federal lands. Therefore, no NPS concession contract or commercial use authorization to conduct commercial services in a park will be issued to NPS employees or their spouses and minor children who are owners, partners, corporate officers, or general managers of any business seeking such a contract in federal land managed by the Department of the Interior. Further, to avoid the appearance of partiality and conflicts of interest, and to comply with ethics laws that apply to all federal employees, NPS employees may not work on any matter involving a business in which they, their spouse, or their minor children have a financial interest.

10.2.8.4 Concession Management Personnel Qualifications

To effectively carry out the concession management program, managers and supervisors will make every effort to ensure that personnel selected for positions meet the essential competencies established for the position being filled. When concession management personnel lack the full complement of essential competencies or require refresher training for their position, managers and supervisors will ensure that those employees are trained and certified as competent. All personnel vacancy announcements issued for concession management must include program competencies.

10.3 Commercial Use Authorizations

Commercial use authorizations (CUAs), which are not considered as concession contracts, may be issued pursuant to section 418 of the National Park Service Concessions Management Improvement Act of 1998 (16 USC 5966). A commercial use authorization is a permit that authorizes suitable commercial services to park area visitors in limited circumstances as described in 10.3.1. A concession contract

may be issued instead of the commercial use authorization when the Director determines that the services are necessary and appropriate, and/or provision of the services require certain protections such as legal, financial, and resource provisions that are more typical of a concession contract. A more detailed discussion of commercial use authorizations is included in Director's Order #48B: Commercial Use Authorizations.

10.3.1 General

Commercial use authorizations may be issued only to authorize services that (1) are determined to be an appropriate use of the park; (2) will have minimal impact on park resources and values; and (3) are consistent with the purpose for which the unit was established, as well as all applicable management plans and park policies and regulations.

10.3.2 Requirements

By law, a commercial use authorization must provide for

- payment of a reasonable fee, such fees to be used, at a minimum, to recover associated management and administrative costs;
- provision of services in a manner consistent to the highest practicable degree with the preservation and conservation of park resources and values; and
- limitation of liability of the federal government arising from the commercial use authorization.

No park may issue commercial use authorizations in a quantity inconsistent with the preservation and proper management of park resources and values. Each park issuing commercial use authorizations will ensure that it contains provisions for the protection of visitors and the resources and values of the park.

10.3.3 Limitations

By law, commercial use authorizations may be issued only for

- commercial operations with annual gross receipts of not more than $25,000 resulting from services originating and provided solely within a unit of the national park system pursuant to such authorization;
- the incidental use of resources of the unit by commercial operations that provide services originating and terminating outside of the boundaries of the park unit; or
- such uses by organized children's camps, outdoor clubs, nonprofit institutions (including backcountry use), and such other uses as the Secretary of the Interior deems appropriate.

Nonprofit institutions will be required to obtain commercial use authorizations only when they generate taxable income from the authorized use.

10.3.4 Construction Prohibition

By law, under no circumstances will a commercial use authorization provide for or allow construction of any structure, fixture, or improvement on federally owned land within any unit of the national park system.

10.3.5 Duration

By law, the maximum term for any commercial use authorization is two years in length. No rights of renewal are associated with commercial use authorizations.

10.3.6 Other Contracts

Holding or seeking to obtain a commercial use authorization does not preclude a person, corporation, or other entity from submitting proposals for concessions contracts.

Appendix A

Laws Cited in Text

Abandoned Shipwreck Act of 1987
43 USC[1] 2101—2106; PL[2] 100-298

(popularly known as) Acquired Lands Mineral Leasing Act
30 USC 301—306; May 21, 1930, ch. 307, 46 Stat. 373

Administrative Procedure Act (APA)
5 USC 551 et seq.[3], June 11, 1946, ch. 324, 60 Stat. 237

Alaska National Interest Lands Conservation Act (ANILCA)
16 USC 3101—3233; PL 96-487

American Indian Religious Freedom Act (AIRFA)
42 USC 1996—1996a; PL 95-341, 103-344

Americans with Disabilities Act of 1990 (ADA)
42 USC 12101—12213; PL 101-336

Animal Welfare Act
7 USC 2131—2159; PL 89-544; 94-279

Anti-Deficiency Act
31 USC 1341; July 12, 1870, ch. 251, 16 Stat. 251, PL 97-258

Antiquities Act of 1906
16 USC 431—433; June 8, 1906, ch. 3060, 34 Stat. 225

Archaeological Resources Protection Act of 1979 (ARPA)
16 USC 470aa—470mm; PL 96-95

Architectural Barriers Act of 1968
42 USC 4151—4157; PL 90-480

Clean Air Act (CAA)
42 USC 7401—7671q; PL 88-206

Coastal Zone Management Act of 1972 (CZMA)
16 USC 1451—1465; PL 89-454, 92-583

Commemorative Works Act
40 USC 8901—8909; PL 99-652, 107-217

Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA)
42 USC 9601—9675; PL 96-510

Endangered Species Act of 1973
16 USC 1531—1544; PL 93-205

Energy Policy Act of 1992
42 USC 13201—13556; PL 102-486

Equal Employment Opportunity Act of 1972
42 USC 2000e-16(a)[4]; PL 92-261

Federal Advisory Committee Act (FACA)
5 USC App. 1—16; PL 92-463

Federal Cave Resources Protection Act of 1988 (FCRPA)
16 USC 4301—4310; PL 100-691

Federal Insecticide, Fungicide and Rodenticide Act
7 USC 136—136y; PL 92-516

Federal Lands Recreation Enhancement Act (FLREA)
16 USC 6801—6814; PL 108-447[5]

Federal Managers' Financial Integrity Act of 1982
31 USC 3512(d); PL 97-255, 97-452[6]

Federal Water Pollution Control Act (commonly known as the Clean Water Act)
33 USC 1251—1387; PL 92-500, 95-217

Freedom of Information Act (FOIA)
5 USC 552; PL 89-554, 90-23

General Mining Act of 1872
30 USC 22 et seq.[7]; May 10, 1872, ch. 152, 17 Stat. 91

Geothermal Steam Act of 1970
30 USC 1001—1028; PL 91-581, 100-443

Government Performance and Results Act of 1993 (GPRA)
31 USC 1115[8] et seq. ; PL 103-62

Hazardous Materials Transportation Act
49 USC 5101—5127; PL 93-633, 101-615, 103-311

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1 The United States Code (USC) can be accessed on the Internet, e.g., at <http://www4.law.cornell.edu/uscode/>, or <http://www.gpoaccess.gov/uscode/index.html>.

2 The text of any Public Law (PL) enacted by the 101st or a later Congress (1989 onward) can be accessed at the Library of Congress's THOMAS website, <http://thomas.loc.gov/>.

3 Act of June 11, 1946, ch. 324, has been codified to 5 USC §§551—559, 701—706, 1305, 3105, 3344, 4301, 5335, 5372, and 7521.

4 PL 92-261 was codified to 42 USC §§2000e—2000e-6, 2000e-8, 2000e-9, 2000e-13, 2000e-14, 2000e-16 and 2000e-17, and 5 USC §§5108 and 5314—5316.

5 The Federal Lands Recreation Enhancement Act is division J, title VIII of PL 108-447, the Consolidated Appropriations Act, 2005.

6 PL 97-452, the Jan. 12, 1983 revision of title 31, in particular section 1(12), redesignated 16 USC 3512(b) as 16 USC 3512(d).

7 The General Mining Act of 1872 was the basis of 30 USC §§22-24, 26-30, 33-35, 37, 39-43, and 47.

8 PL 103-62 was codified to: 5USC 306; 31 USC 1105(a)(29); 1115—1119, 9703, 9704; and 39 USC 2801—2805.

(popularly known as) Historic Sites, Buildings and Antiquities Act
16 USC 461—467; Aug. 21, 1935, ch. 593, 49 Stat. 666

Land and Water Conservation Fund Act of 1965
16 USC 460l-4—460l-11; PL 88-578

Mineral Leasing Act
30 USC 181—287; Feb. 25, 1920, ch. 85, 41 Stat. 437

Mining in the Parks Act
16 USC 1901—1912; PL 94-429

(popularly known as) Museum Act
16 USC 18f—18f-3; July 1, 1955, ch. 259, 69 Stat. 242, PL 104-333[9]

National Cemeteries Act of 1973
38 USC 2400—2410; PL 93-43

National Environmental Policy Act of 1969 (NEPA)
42 USC 4321—4370d; PL 91-190

National Historic Preservation Act (NHPA)
16 USC 470—470x-6; PL 89-665, 96-515

National Parks Air Tour Management Act of 2000
114 Stat. 61; PL 106-181 (title VIII)

National Parks Omnibus Management Act of 1998
16 USC 5901—6011[10] ; PL 105-391

National Park Service Concessions Management Improvement Act of 1998
16 USC 5951—5966; PL 105-391 (title IV)

National Park Service Organic Act
16 USC 1—4; Aug. 25, 1916, ch. 408, 39 Stat. 535[11]

National Park System General Authorities Act
16 USC 1a-1 et seq.[12]; PL 91-383, 94-458, 95-250[13]

(popularly known as) National Park System Resource Protection Act
16 USC 19jj—19jj-4; PL 101-337, 104-333

National Trails System Act
16 USC 1241—1251; PL 90-543, 98-11

Native American Graves Protection and Repatriation Act (NAGPRA)
25 USC 3001—3013; PL 101-601

Occupational Safety and Health Act of 1970
29 USC 651—678; PL 91-596[14]

Oil Pollution Act of 1990
33 USC 2701—2761; PL 101-380

(popularly known as) Omnibus Consolidated Appropriations Act, 1997
16 USC 1g et seq.[15]; PL 104-208

Privacy Act of 1974
5 USC 552a; PL 93-579

Rehabilitation Act of 1973
29 USC 701—797b; PL 93-112, 105-220

Rivers and Harbors Appropriation Act of 1899
33 USC 401 et seq.[16]; Mar. 3, 1899, ch. 425, 30 Stat. 1121

Robert T. Stafford Disaster Relief and Emergency Assistance Act
42 USC 5121—5204c[17]; PL 93-288, 100-707, 103-337

Solid Waste Disposal Act
42 USC 6901—6992k; PL 89-272, 94-580[18], 98-616[19]

Surface Mining Control and Reclamation Act of 1977
30 USC 1201—1328; PL 95-87

Telecommunications Act of 1996
47 USC 332 note; PL 104-104[20]

Toxic Substances Control Act
15 USC 2601—2692; PL 94-469

Volunteers in the Parks Act of 1969
16 USC 18g—18j; PL 91-357

Wild and Scenic Rivers Act
16 USC 1271—1287; PL 90-542

Wilderness Act
16 USC 1131—1136; PL 88-577

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9 Section 804 of division 1, title VIII of PL 104-333, the Omnibus Parks and Public Lands Management Act of 1996, amended 16 USC 18f, and enacted §§18f-2 and 18f-3

10 In addition to enacting §§19o and 5901—6011 of title 16, PL 105-391 amended 16 USC 1a-2, 1a-5, 1a-7, and 3, and repealed 16 USC 17b-1, 20, 20a—20g.

11 See also §10(a) of PL 108-352.

12 PL 91-383, as originally enacted, added §§1a-1 and 1a-2, and amended §§1b and 1c, of title 16.

13 PL 95-250, an act expanding Redwood National Park, also amended the National Park System General Authorities Act by adding the second and third sentences to 16 USC 1a-1. See also, §10(b) of PL 108-352.

14 PL 91-596 enacted 29 USC 651—678 and 42 USC 3142-1, and amended 29 USC 553, 5 USC 5108, 5314, 5315, and 7902, 15 USC 633 and 636, 18 USC 1114, and §1421 of former title 49.

15 The Omnibus Consolidated Appropriations Act, 1997 enacted §§1g and 1011 of title 16, and amended §§773 ,773c, 917, 917a, 971, 971b, 971d, 971e, 972c, 973a, 1362, 1371, 1383a, 1387, 1417, 1432, 1445a, 1827, 2803, 2804, 3125, 3343, 3373, 3377, 3631, 4120, 5102, 5103, 5106, 5107a, 5107b, 5503, 5504 and 5609 of the same title.

16 The Rivers and Harbors Appropriation Act of 1899 was codified to 33 USC §§401, 403, 404, 406—409, 411—416, 418, 502, 549 note, 686, and 687.

17 The Federal Civil Defense Act of 1950, 50 USC App. 2251—2303, was repealed, and restated in title VI (42 USC 5195—5197g) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, by PL 103-337.

18 The Solid Waste Disposal Act was amended and essentially re-written by PL 94-580, the Resource Conservation and Recovery Act of 1976.

19 PL 98-616, the Hazardous and Solid Waste Amendments of 1984, enacted §§6917, 6936 to 6939a, 6949a, 6979a, 6979b, and 6991 to 6991i of title 42 of the US Code (and provisions set out as notes to §§6905, 6921 and 6926), and amended §§6901, 6902, 6905, 6912, 6915, 6916, 6921 to 6933, 6935, 6941 to 6945, 6948, 6956, 6962, 6972, 6973, 6976, 6982 and 6984 of the same title.

20 The provision of the Telecommunications Act of 1996 dealing with the granting of rights-of-way, etc., by federal departments and agencies to wireless telecommunications providers is §704(c), title VII, of PL 104-104.

Appendix B

Executive Orders and Memoranda Cited in Text

Executive Order No. 11644 (Use of Off-road Vehicles on the Public Lands)
February 8, 1972, 37 FR 2877, as amended by **Ex. Ord. No. 11989**, May 24, 1977, 42 FR 26959; **Ex. Ord. No. 12608**, September 9, 1987, 52 FR 34617 [42 USC 4321][1]

Executive Order No. 11988 (Floodplain Management)
May 24,1977, 42 FR 26951, as amended by **Ex. Ord. No. 12148**, July 20, 1979, 44 FR 43239 [42 USC 4321]

Executive Order No. 11990 (Protection of Wetlands)
May 24, 1977, 42 FR 26961, as amended by **Ex. Ord. No. 12608**, September 9, 1987, 52 FR 34617 [42 USC 4321]

Executive Order No. 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations)
February 11, 1994, 59 FR 7629, as amended by **Ex. Ord. No. 12948**, January 30, 1995, 60 FR 6381 [42 USC 4321]

Memorandum on Government-to-Government Relations with Native American Tribal Governments
April 29, 1994, 59 FR 22951 [25 USC 450]

Executive Order No. 13006 (Locating Federal Facilities on Historic Properties in Our Nation's Central Cities)
May 21, 1996, 61 FR 26071 [40 USC 3306]

Executive Order No. 13007 (Indian Sacred Sites)
May 24, 1996, 61 FR 26771 [42 USC 1996]

Executive Order No. 13058 (Protecting Federal Employees and the Public from Exposure to Tobacco Smoke in the Federal Workplace)
August 9, 1997, 62 FR 43451 [5 USC 7301]

Executive Order No. 13101 (Greening the Government Through Waste Prevention, Recycling and Federal Acquisition)
September 14, 1998, 63 FR 49643 [42 USC 6961]

Executive Order No. 13112 (Invasive Species)
February 3, 1999, 64 FR 6183, as amended by **Ex. Ord. No. 13286**, February 28, 2003, 68 FR 10619 [42 USC 4321]

Executive Order No. 13123 (Greening the Government Through Efficient Energy Management)
June 3, 1999, 64 FR 30851 [42 USC 8251]

Executive Order No. 13148 (Greening the Government Through Leadership in Environmental Management)
April 21, 2000, 65 FR 24595 [42 USC 4321]

Executive Order No. 13149 (Greening the Government Through Federal Fleet and Transportation Efficiency)
April 21, 2000, 65 FR 24607 [42 USC 13212]

Executive Order No. 13175 (Consultation and Coordination with Indian Tribal Governments)
November 6, 2000, 65 FR 67249 [25 USC 450]

Executive Order No. 13266 (Activities to Promote Personal Fitness)
June 20, 2002, 67 FR 42467 [42USC 300u]

Executive Order No. 13287 (Preserve America)
March 3, 2003, 68 FR 10635 [16 USC 470h-2]

Executive Order No. 13327 (Federal Real Property Asset Management)
February 4, 2004, 69 FR 5897 [40 USC 121]

Executive Order No. 13352 (Facilitation of Cooperative Conservation)
August 26, 2004, 69 FR 52989 [42 USC 4332]

[1] The citation in brackets indicates where the Executive Order or Memorandum may be found in notes to the US Code.

Appendix C

Director's Orders

Director's Orders provide guidance for implementing certain aspects of NPS *Management Policies*, and are used as a vehicle for updating Management Policies between publishing dates.

In many cases, Director's Orders are further supplemented by handbooks or reference manuals.

Director's Orders marked with an asterisk (*) in this list have not been completed as of the publication date of Management Policies. Copies of those that have been completed and those that are completed or added in the future may be obtained by contacting the NPS Office of Policy or the appropriate NPS program office, or by accessing the NPS World Wide Web site at <http://www.nps.gov/policy>.

Please note that the numbers assigned to some of the Director's Orders on this list may be revised as the Directives system evolves in the future. A status chart at the web site should be consulted for the most current listing of Director's Orders.

1. National Park Service Directives System
2. Park Planning
2-1. Resource Stewardship Planning*
3. Delegations of Authority*
4. Diving Management
5. Paper and Electronic Communications
6. Interpretation and Education
7. Volunteers in Parks
8. Budget and Programming*
9. Law Enforcement Program
10A. Design and Construction Drawings
10B. Drawing and Map Numbers*
11A. Information Technology Management*
11B. Ensuring Quality of Information Disseminated by the NPS
11C. Web Publishing*
12. Conservation Planning, Environmental Impact Analysis, and Decision-making
13A. Environmental Management Systems
13B. Solid and Hazardous Waste Management*
14. Resource Damage Assessment and Restoration
15. NPS Wireless Spectrum Management
16A. Reasonable Accommodation for Applicants and Employees with Disabilities
16B. Diversity in the Workplace*
16C. Discrimination Complaints Process*
16D. Equal Employment Opportunity and Zero Tolerance for Discrimination
16E. Sexual Harassment
17. National Park Service Tourism
18. Wildland Fire Management
19. Records Management
20. Agreements
21. Donations and Fundraising
22. Fee Program*
23. (reserved)
24. NPS Museum Collections Management
25. Land Protection
26. Youth Programs
27. Challenge Cost-share Program*
28. Cultural Resource Management
28A. Archeology
28B. Ethnography Program*
28C. Oral History*
29. (reserved)
30. (reserved)
31. Travel Procedures*
32. Cooperating Associations
33. (reserved)
34. (reserved)
35A. Sale or Lease of Park Services, Resources, or Water in Support of Activities Outside the Boundaries of National Park Areas
35B. Sale of National Park Service-Produced Utilities*
36. Housing Management*
37. Home Businesses in Park Housing*
38. Real Property Leasing
39. (reserved)
40. Dams and Appurtenant Works—Maintenance, Operation, and Safety*
41. Wilderness Preservation and Management

42. Accessibility for Visitors with Disabilities in National Park Service Programs and Services
43. Uniform Program
44. Personal Property Management
45-1. National Scenic and Historic Trails*
46A. Wild and Scenic Rivers Within the National Park System*
47. Soundscape Preservation and Noise Management
48A. Concession Management*
48B. Commercial Use Authorizations*
49. (reserved)
50A. Worker's Compensation Case Management
50B. Occupational Safety and Health
50C. Public Risk Management Program*
50D. Smoking Policy
51. Emergency Medical Services
52A. Communicating the National Park Service Mission
52B. Graphic Design Standards*
52C. Park Signs
52D. Use of the Arrowhead Symbol*
53. Special Park Uses
54. Management Accountability*
55. Incident Management Program*
56. International Affairs*
57. Occupational Medical Standards, Health and Fitness
58. Structural Fire Management
59. Search and Rescue*
60. Aviation Management
61. National Cemetery Operations*
62. Property Acquisition*
63. Geographic Names*
64. Commemorative Works and Plaques*
65. Explosives Use and Blasting Safety
66. FOIA and Protected Resource Information*
67. Copyright and Trademarks*
68. Notification Protocol for Conduct of Employee Investigations
69. Serving on Boards of Directors*
70. (See 11 C)
71A. Government-to-Government Relationships with Tribal Governments*
71B. Indian Sacred Sites*
72. Receiving or Generating Individual Indian Trust Data
73. (reserved)
74. Studies and Collecting*
75A. Civic Engagement and Public Involvement
75B. Media Relations*
76. Legislative and Congressional Affairs
77-1. Wetland Protection
77-2. Floodplain Management
77-3. Domestic and Feral Livestock Management*
77-4. Use of Pharmaceuticals for Wildlife*
77-5. Bioengineered Organisms*
77-6. Cooperative Research and Development Agreements*
77-7. Integrated Pest Management*
77-8. Endangered Species*
77-9. In-park Borrow Material*
77-10. Natural Resource Inventorying and Monitoring
78. Social Science
79. Relocation Policies and Procedures*
80. Asset Management*
81. (reserved)
82. Public Use Data Collecting and Reporting Program*
83. Public Health
84. Library Management*
85. Garnishments and Levies*
86. (reserved)
87A. Park Roads and Parkways*
87B. Alternative Transportation Systems*
87C. Transportation System Funding*
87D. Non-NPS Roads
88. Documents Needed for Litigation*
89. Acquisition and Management of Leased Space
90. Value Analysis
91. Advisory Committees*
92. Human Resources*
93. Conflict Resolution
94. Appeals and Hearings*

Glossary

Some of the words, terms, and concepts used in these Management Policies will have different meanings for different readers. For the purposes of understanding and applying these policies, their meanings are as shown below.

Accessibility—occurs when individuals with disabilities are able to reach, use, understand, or appreciate NPS programs, facilities, and services, or to enjoy the same benefits that are available to persons without disabilities. See also, "universal design."

Accession— a transaction whereby a museum object or specimen is acquired for a museum collection. Accessions include gifts, exchanges, purchases, field collections, loans, and transfers.

Adaptive management—a system of management practices based on clearly identified outcomes, monitoring to determine if management actions are meeting outcomes, and, if not, facilitating management changes that will best ensure that outcomes are met or to re-evaluate the outcomes. Adaptive management recognizes that knowledge about natural resource systems is sometimes uncertain and is the preferred method of management in these cases. *(Source: Departmental Manual 516 DM 4.16)*

Administrative record— the "paper trail" that documents an agency's decision making process and the basis for the agency's decision. It includes all materials directly or indirectly considered by persons involved in the decision making process, including opinions or information considered but rejected. These are the documents that a judge will review to determine whether the process and the resulting agency decision were proper, and that future managers will use to understand the evolution of the issue(s) and how decisions were reached and made.

American Indian tribe— any band, nation, or other organized group or community of Indians, including any Alaska Native Village, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

Appropriate use—a use that is suitable, proper, or fitting for a particular park, or to a particular location within a park.

Archeological resource— any material remains or physical evidence of past human life or activities which are of archeological interest, including the record of the effects of human activities on the environment. An archeological resource is capable of revealing scientific or humanistic information through archeological research.

Asset—a physical structure or grouping of structures, land features, or other tangible property which has a specific service or function.

Asset management—a systematic process of maintaining, upgrading, and operating assets cost-effectively by combining engineering principles with sound business practices and economic theory.

Backcountry— primitive, undeveloped portions of parks, some of which may be managed as "wilderness."

Best available technology— technology that will help achieve efficient and economically viable facilities and services, while offering the greatest protection and environmental benefit for park visitors, employees, resources and values.

Best management practices (BMPs)— practices that apply the most current means and technologies available to not only comply with mandatory environmental regulations, but also maintain a superior level of environmental performance. See also, "sustainable practices/principles."

Carrying capacity—the maximum population of a particular species that a particular region can support without hindering future generations' ability to maintain the same population. A visitor, or user, carrying capacity is the type and level of use that can be accommodated while sustaining the desired resource and visitor experience conditions.

Civic Engagement— as a philosophy, a discipline, and a practice, it can be viewed as a continuous, dynamic conversation with the public on many levels that reinforces the commitment of the NPS and the public to the preservation of park resources and strengthens understanding of the full meaning and contemporary relevance of these resources. Civic engagement is the philosophy of welcoming people into the parks and building relationships around a shared stewardship mission, whereas public involvement (also called public participation) is the specific, active involvement of the public in NPS planning and other decision-making processes.

Commemorative work— any statue, monument, sculpture, plaque, memorial, or other structure or landscape feature, including a garden or memorial grove, designed to perpetuate the memory of a person, group, event, or other significant element of history.

Conserve—to protect from loss or harm; preserve. Historically, the terms conserve, protect, and preserve have come collectively to embody the fundamental purpose of the NPS—preserving, protecting and conserving the national park system.

Consultation— a discussion, conference, or forum in which advice or information is sought or given, or information or ideas are exchanged. Consultation generally takes place on an informal basis; formal consultation requirements for compliance with section 106 of NHPA are published in 36 CFR Part 800. Consultation with recognized tribes is done on a government-to-government basis.

Cooperating associations— private, nonprofit corporations established under state law which support the educational, scientific, historical, and interpretive activities of the NPS in a variety of ways, pursuant to formal agreements with the Service.

Cooperative conservation—as defined in Executive Order 13352, actions that relate to use, enhancement, and enjoyment of natural resources, protection of the environment, or both, and that involve collaborative activity among federal, state, local, and tribal governments, private for-profit and nonprofit institutions, other nongovernmental entities and individuals. It is one of several "tools" or authorities that park managers may employ as they use the full scope of NPS authorities to protect park resources and values, while encouraging others to use theirs toward the same purpose. As with civic engagement, the Service applies the principles of cooperative conservation to cultural resources as well as natural resources.

Critical habitat— specific areas within a geographical area occupied by a threatened or endangered species which contain those physical or biological features essential to the conservation of the species, and which may require special management considerations or protection; and specific areas outside the geographical area occupied by the species at the time of its listing, upon a determination by the Secretary of the Interior that such areas are essential for the conservation of the species. (See 16 USC 1342)

Cultural landscape— a geographic area, including both cultural and natural resources and the wildlife or domestic animals therein, associated with a historic event, activity, or person, or exhibiting other cultural or esthetic values. There are four non-mutually exclusive types of cultural landscapes: historic sites, historic designed landscapes, historic vernacular landscapes, and ethnographic landscapes.

Cultural resource— an aspect of a cultural system that is valued by or significantly representative of a culture, or that contains significant information about a culture. A cultural resource may be a tangible entity or a cultural practice. Tangible cultural resources are categorized as districts, sites, buildings, structures, and objects for the National Register of Historic Places, and as archeological resources, cultural landscapes, structures, museum objects, and ethnographic resources for NPS management purposes.

Defensible space— the space needed for firefighters to adequately defend structures from oncoming wildland fires, or to stop a structural fire before it ignites wildland vegetation. Defensible space describes the desired result of planning, siting, landscaping and constructing developed facilities in a way that minimizes their vulnerability to wildfire threats and maximizes their protection against wildfire hazards.

Derogation— see "impairment."

Decision-maker—the managerial-level employee who has been delegated authority to make decisions or to otherwise take an action that would affect park resources or values. Most often it refers to the park superintendent or regional director, but may at times include, for example, a resource manager, facility manager, or chief ranger to whom authority has been re-delegated.

Desired conditions— a park's natural and cultural resource conditions that the NPS aspires to achieve and maintain over time, and the conditions necessary for visitors to understand, enjoy, and appreciate those resources. These conditions are identified through a park's planning process.

Developed area— an area managed to provide and maintain facilities (e.g., roads, campgrounds, housing) serving visitors and park management functions. Includes areas where park development or intensive use may have substantially altered the natural environment or the setting for culturally significant resources.

Directives system— policy guidance system established by Director's Order #1 in 1996. The system replaces and updates guidance documents formerly known as NPS Guidelines, Special Directives, and Staff Directives. The system consists of 3 levels:

> Level 1— NPS Management Policies— the primary policy document for managing the national park system.
>
> Level 2— Director's Orders— operational policies and procedures that supplement Level 1.
>
> Level 3— Reference Manuals and other detailed guidance on how to implement Service-wide policies and procedures.

Ecosystem— a system formed by the interaction of a community of organisms with their physical and biological environment, considered as a unit.

Environmental assessment— a brief NEPA document that is prepared, with public involvement, (a) to help determine whether the impact of a proposed action or its alternatives could be significant; (b) to aid the NPS in compliance with NEPA by evaluating a proposal that will have no significant impacts, but may have measurable adverse impacts; or (c) as an evaluation of a proposal that is either not described on the list of categorically excluded actions, or is on the list, but exceptional circumstances apply.

Environmental impact statement— a detailed NEPA analysis document that is prepared, with extensive public involvement, when a proposed action or alternatives have the potential for significant impact on the human environment.

Environmental leadership— advocating, on a personal and organizational level, cooperative conservation, best management practices, best available technology, adaptive management, and the principles of sustainability, and making collaborative decisions that demonstrate a commitment to those practices and principles.

Ethnographic landscape— an area containing a variety of natural and cultural resources that traditionally associated people define as heritage resources. The area may include plant and animal communities, structures, and geographic features, each with their own special local names.

Ethnographic resources— objects and places, including sites, structures, landscapes, and natural resources, with traditional cultural meaning and value to associated peoples. Research and consultation with associated people identifies and explains the places and things they find culturally meaningful. Ethnographic resources eligible for the National Register of Historic Places are called traditional cultural properties.

Foundation statement—a statement that begins a park's planning process and sets the stage for all future planning and decision-making by identifying the park's mission, purpose, significance, special mandates and the broad, park-wide mission goals. Incorporated into a park's GMP, but may also be produced as a stand-alone document for a park.

Gateway community— a community that exists in close proximity to a unit of the national park system whose residents and elected officials are often affected by the decisions made in the course of managing the park, and whose decisions may effect the resources of the park. Because of this, there are shared interests and concerns regarding decisions. Gateway communities usually offer food, lodging, and other services to park visitors. They also provide opportunities for employee housing, and a convenient location to purchase goods and services essential to park administration.

Geologic resources— features produced from the physical history of the earth, or processes such as exfoliation, erosion and sedimentation, glaciation, karst or shoreline processes, seismic, and volcanic activities.

General management plan (GMP)— a plan which clearly defines direction for resource preservation and visitor use in a park, and serves as the basic foundation for decision making. GMPs are developed with broad public involvement.

Historic property—a district, site, building, structure, or object significant in the history of American archeology, architecture, culture, engineering, or politics at the national, state, or local level.

Impact— the likely effect of an action or proposed action upon specific natural, cultural or socioeconomic resources. Impacts may be direct, indirect, individual, cumulative, beneficial, or adverse. (Also see **Unacceptable impacts**.)

Impairment— An impact that, in the professional judgment of a responsible NPS manager, would harm the integrity of park resources or values and violate the 1916 NPS Organic Act's mandate that park resources and values remain unimpaired.

Implementation plan—a plan that focuses on how to implement an activity or project needed to achieve a long-term goal. An implementation plan may direct a specific project or an ongoing activity.

Integrated pest management— a decision-making process that coordinates knowledge of pest biology, the environment, and available technology to prevent unacceptable levels of pest damage, by cost-effective means, while posing the least possible hazard to people, resources, and the environment.

Leave-no-trace— principles and practices that emphasize the ethic of leaving a place clear of the residual evidence of human presence; applied to all forms of recreational activities within wilderness, backcountry, and frontcountry areas.

Life cycle costing (analysis)— an accounting method that analyzes the total costs of a product or service, including construction, maintenance, manufacturing, marketing, distribution, useful life, salvage, and disposal.

Lightscape management (natural ambient)— the effective use of good design to appropriately light areas and minimize or eliminate light clutter, the spill over of light into areas where light is not wanted, and light pollution, all of which wastes energy and impacts park visitors, neighbors and resources.

Manager— the managerial-level employee who has authority to make decisions or to otherwise take an action that would affect park resources or values. Most often it refers to the park superintendent or regional director, but may at times include, for example, a resource manager, facility manager, or chief ranger to whom authority has been redelegated.

Management prescriptions— a planning term referring to statements about desired resource conditions and visitor experiences, along with appropriate kinds and levels of management, use, and development for each park area.

Minimum requirement— a documented process used by the NPS to determine the appropriateness of all actions affecting wilderness.

Minimum tool— a use or activity, determined to be necessary to accomplish an essential task, which makes use of the least intrusive tool, equipment, device, force, regulation, or practice that will achieve the wilderness management objective.

Mission-critical— something that is essential to the accomplishment of an organization's core responsibilities.

Mitigation— a modification of a proposal to lessen the intensity of its impact on a particular resource.

National park system— the sum total of the 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.

Native American— of or relating to, a tribe, people, or culture that is or was indigenous to the United States.

Native Hawaiian— any individual who is a descendant of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now constitutes the State of Hawaii.

NEPA process— the objective analysis of a proposed action to determine the degree of its impact on the natural, physical, and human environment; alternatives and mitigation that reduce that impact; and the full and candid presentation of the analysis to, and involvement of, the interested and affected public –as required of federal agencies by the National Environmental Policy Act of 1969.

New use— a use that has not previously taken place within a particular park, or that has taken place previously and been discontinued due to public disinterest or as a result of a management action.

Organic Act (NPS)— the 1916 law (and subsequent amendments) that created the National Park Service and assigned it responsibility to manage the national parks.

Paleontological/paleoecological resources— resources such as fossilized plants, animals, or their traces, including both organic and mineralized remains in body or trace form. Paleontological resources are studied and managed in their paleoecological context (that is, the geologic data associated with the fossil that provides information about the ancient environment).

Park— any one of the hundreds of areas of land and water administered as part of the national park system. The term is used interchangeably in this document with "unit," "park unit," and "park area."

Practicable— capable of being done or put into practice. Practicable reflects not only what is possible to do, but also what is reasonable, after considering all of the consequences.

Prescribed burning— the deliberate ignition of fires to accomplish specified resource management objectives and under an identified range of conditions documented in a prescribed burn plan.

Preserve— to protect from loss or harm; conserve. Historically, the terms preserve, protect and conserve have come collectively to embody the fundamental purpose of the NPS— preserving, protecting and conserving

the national park system. (See also "preservation.")

Preservation— for the purposes of the Secretary of the Interior's Standards for the Treatment of Historic Properties, preservation means the act or process of applying measures necessary to sustain the existing form, integrity and materials of an historic property.

Professional judgment— a decision or opinion that is shaped by study and analysis and full consideration of all the relevant facts, and that takes into account

- the decision-maker's education, training, and experience;
- advice or insights offered by subject matter experts and others who have relevant knowledge and experience;
- good science and scholarship; and, whenever appropriate,
- the results of civic engagement and public involvement activities relating to the decision.

Public involvement (also called public participation)— the active involvement of the public in NPS planning and decision-making processes. Public involvement occurs on a continuum that ranges from providing information and building awareness, to partnering in decision-making.

Record of decision (ROD)—the document which is prepared to substantiate a decision based on an analysis of a range alternatives (e.g., an EIS). When applicable, it includes a detailed discussion of rationale and reasons for not adopting all mitigation measures analyzed.

Sacred sites— certain natural and cultural resources treated by American Indian tribes and Alaska Natives as sacred places having established religious meaning, and as locales of private ceremonial activities.

Scholarship— knowledge resulting from study and research in a particular field, or the mastery of a particular area of learning reflected in a scholar's work. A scholar is a learned person; someone who by long study has gained mastery in one or more disciplines and practices, and whose mastery is recognized by a peer group.

Soundscape (natural)— the aggregate of all the natural, nonhuman-caused sounds that occur in parks, together with the physical capacity for transmitting natural sounds.

Special Regulation— a regulation that is prescribed for a specific park area. A special regulation may amend, modify, relax or make more stringent the "general" regulations that are applicable to all areas of the national park system.

Stakeholder— an individual, group or other entity that has a strong interest in decisions concerning park resources and values. Stakeholders may include, for example, recreational user groups, permittees, and concessioners. In the broadest sense, all Americans are stakeholders in the national parks.

Stewardship— the cultural and natural resource protection ethic of employing the most effective concepts, techniques, equipment, and technology to prevent, avoid, or mitigate unacceptable impacts.

Strategic plan— a Service-wide, 5-year plan required by GPRA (5 USC 306) in which the NPS states (1) how it plans to accomplish its mission during that time, and (2) the value it expects to produce for the tax dollars expended. Strategic plans serve as "performance agreements" with the American people.

Superintendent— the senior on-site NPS official in a park. Used interchangeably with "park superintendent," "park manager," or "unit manager."

Sustainable design— design that applies the principles of ecology, economics, and ethics to the business of creating necessary and appropriate places for people to visit, live in, and work. Development that has a sustainable design sits lightly upon the land, demonstrates resource efficiency, and promotes ecological restoration and integrity, thus improving the environment, the economy, and society.

Sustainable practices/principles— those choices, decisions, actions and ethics that will best achieve ecological/ biological integrity; protect qualities and functions of air, water, soil, and other aspects of the natural environment; and preserve human cultures. Sustainable practices allow for use and enjoyment by the current generation, while ensuring that future generations will have the same opportunities. See also, "environmental leadership" and "best management practices."

Traditional— pertains to recognizable, but not necessarily identical, cultural patterns transmitted by a group across at least two generations. Also applies to sites, structures, objects, landscapes, and natural resources associated with those patterns. Popular synonyms include "ancestral" and "customary."

Traditionally associated peoples— social/cultural entities such as tribes, communities, and kinship units, as well as park neighbors, traditional residents, and former residents who remain attached to a park area despite having relocated, are "traditionally associated" with a particular park when (1) the entity regards park resources as essential to its development and continued identity as a culturally distinct people; (2) the association has endured for at least two generations (40 years); and (3) the association began prior to establishment of the park.

Traditional cultural property— a property associated with cultural practices, beliefs, the sense of purpose, or existence of a living community that is rooted in that community's history or is important in maintaining its cultural identity and development as an ethnically distinctive people. Traditional cultural properties are ethnographic resources eligible for listing in the National Register.

Unacceptable impacts— impacts that, individually or cumulatively, would

- be inconsistent with a park's purposes or values, or
- impede the attainment of a park's desired future conditions for natural and cultural resources as identified through the park's planning process, or
- create an unsafe or unhealthful environment for visitors or employees, or
- diminish opportunities for current or future generations to enjoy, learn about, or be inspired by park resources or values, or
- unreasonably interfere with
  - park programs or activities, or
  - an appropriate use, or
  - the atmosphere of peace and tranquility, or the natural soundscape maintained in wilderness and natural, historic, or commemorative locations within the park.
  - NPS concessioner or contractor operations or services.

Unit—see "park."

Universal design— the design of products and environments to be usable by all people to the greatest extent possible, without the need for adaptation or specialized design.

Value analysis/value engineering— an organized, multi-disciplined team effort that analyzes the functions of facilities, processes, systems, equipment, services, and supplies for the purpose of achieving essential functions at the lowest life-cycle cost consistent with required performance, reliability, quality, and safety.

Visitor— anyone who physically visits a park for recreational, educational or scientific purposes, or who otherwise uses a park's interpretive and educational services, regardless of where such use occurs (e.g., via Internet access, library, etc.).

Visitor Experience and Resource Protection (VERP) framework— a visitor carrying capacity planning process applied to determine the desired resource and visitor experience conditions, and used as an aid to decision-making.

Waiver (of policy)— an exemption from a particular policy provision. A waiver may be granted only by the Director of the National Park Service or a higher authority (e.g., the Secretary of the Interior).

Wilderness (designated)—federal land that has been designated by Congress as a component of the National Wilderness Preservation System.

Wilderness (eligible, study, proposed and recommended)—federal lands that have been found to possess wilderness character based on the criteria specified in the Wilderness Act. The four categories reflect different stages of the wilderness review process, and all are managed to preserve the wilderness resources and values that make them eligible for wilderness designation. Differences in the management of these categories are specified in Chapter 6.

Wilderness (potential)— federal lands that are surrounded by, or adjacent to, lands proposed for wilderness designation but that do not themselves qualify for designation due to temporary, non-conforming uses or incompatible conditions. Potential wilderness is a subset of the other wilderness categories (it can be eligible, study, proposed, recommended or designated potential wilderness).

Wildland fires— unplanned fires that burn vegetation in parks. Wildland fires occur from both natural and human sources of ignition, and may contribute to or hinder the achievement of park management objectives.

Wildland fire use— the application of an appropriate, prescribed management response to naturally ignited wildland fires under prescribed circumstances to accomplish resource management objectives in predefined areas outlined in approved fire management plans.

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The NPS Directives System

The NPS Directives System consists of internal instructions and guidance documents to ensure that NPS managers and staff have clear information on NPS policy and on required and/or recommended actions. It is composed of three "levels" of documents:

- **Level 1** consists of the policies that appear in the book entitled *Management Policies*, and which set the broad framework, provide direction, and prescribe parameters for making management decisions.

- **Level 2** is Director's Orders, which articulate new or revised policy on an interim basis between publication dates of NPS *Management Policies*. They also provide more detailed interpretation of *Management Policies* and outline requirements applicable to NPS functions, programs and activities, and are a vehicle by which the Director may delegate specific authorities and responsibilities. The main target audience for Director's Orders is park superintendents, for whom they serve as an "executive summary" of important policies and procedures.

- **Level 3** materials include handbooks, reference manuals and other documents containing comprehensive information in support of field and programmatic operations. A typical handbook or reference manual will include information about relevant legislation, regulations, Servicewide policies, and other instructions or requirements issued through a Director's Order, as well as examples, illustrations, recommended practices, forms, etc.

In many cases, Level 3 handbooks and reference manuals will look very similar to the old NPS Guidelines. They may serve as a source of "one-stop shopping" for comprehensive information about a particular program or function. But they will be carefully crafted to clearly distinguish between what is mandatory or required, and what is merely recommended. Those who issue Level 3 documents may not impose any requirements beyond what has already been issued in *Management Policies* or Director's Orders, unless they have been authorized by the Director to do so.

Keep up to date on new or revised policies by visiting the National Park Service policy website at

http://www.nps.gov/policy



National Park Service
U.S. Department of the Interior

Abraham Lincoln Birthplace **Acadia** Adams **African Burial Ground** Agate Fossil Beds **Alagnak River** Alibates Flint Quarries **Allegheny Portage Railroad** Amistad **Andersonville** Andrew Johnson **Aniakchak** Antietam **Apostle Islands** Appalachian Trail **Appomattox Court House** Arches **Arkansas Post** Arlington House **Assateague Island** Aztec Ruins **Badlands** Bandelier **Bent's Old Fort** Bering Land Bridge **Big Bend** Big Cypress **Big Hole** Big South Fork River **Big Thicket** Bighorn Canyon **Biscayne** Black Canyon of the Gunnison **Blue Ridge Parkway** Bluestone River **Booker T. Washington** Boston **Boston African American** Boston Harbor Islands **Brices Cross Roads** Brown v. Board of Education **Bryce Canyon** Buck Island Reef **Buffalo River** Cabrillo **Canaveral** Cane River Creole **Canyon de Chelly** Canyonlands **Cape Cod** Cape Hatteras **Cape Krusenstern** Cape Lookout **Capitol Reef** Capulin Volcano **Carl Sandburg Home** Carlsbad Caverns **Carter G. Woodson Home** Casa Grande Ruins **Castillo de San Marcos** Castle Clinton **Catoctin Mountain** Cedar Breaks **Cedar Creek & Belle Grove** Chaco Culture **Chamizal** Channel Islands **Charles Pinckney** Chattahoochee River **Chesapeake & Ohio Canal** Chickamauga & Chattanooga **Chickasaw** Chiricahua **Christiansted** City of Rocks **Clara Barton** Colonial **Colorado** Congaree **Constitution Gardens** Coronado **Cowpens** Crater Lake **Craters of the Moon** Cumberland Gap **Cumberland Island** Curecanti **Cuyahoga Valley** Dayton Aviation Heritage **De Soto** Death Valley **Delaware River** Delaware Water Gap **Denali** Devils Postpile **Devils Tower** Dinosaur **Dry Tortugas** Ebey's Landing **Edgar Allan Poe** Edison **Effigy Mounds** Eisenhower **El Malpais** El Morro **Eleanor Roosevelt** Eugene O'Neill **Everglades** Federal Hall **Fire Island** First Ladies **Flight 93** Florrisant Fossil Beds **Ford's Theatre** Fort Bowie **Fort Caroline** Fort Davis **Fort Donelson** Fort Frederica **Fort Laramie** Fort Larned **Fort Matanzas** Fort McHenry **Fort Necessity** Fort Point **Fort Pulaski** Fort Raleigh **Fort Scott** Fort Smith **Fort Stanwix** Fort Sumter **Fort Union** Fort Union Trading Post **Fort Vancouver** Fort Washington **Fossil Butte** Franklin Delano Roosevelt Memorial **Frederick Douglass** Frederick Law Olmsted **Fredericksburg & Spotsylvania County Battlefields Memorial** Friendship Hill **Gates of the Arctic** Gateway Gauley **River** General Grant **George Rogers Clark** George Washington Birthplace **George Washington Carver** George Washington Memorial Parkway **Gettysburg** Gila Cliff Dwellings **Glacier** Glacier Bay **Glen Canyon** Golden Gate **Golden Spike** Governors Island **Grand Canyon** Grand Portage **Grand Teton** Grant-Kohrs Ranch **Great Basin** Great Egg Harbor River **Great Sand Dunes** Great Smoky Mountains **Greenbelt** Guadalupe Mountains **Guilford Courthouse** Gulf Islands **Hagerman Fossil Beds** Haleakalā **Hamilton Grange** Hampton **Harpers Ferry** Harry S Truman **Hawai'i Volcanoes** Herbert Hoover **Hohokam Pima** Home of Franklin D. Roosevelt **Homestead NM of America** Hopewell Culture **Hopewell Furnace** Horseshoe Bend **Hot Springs** Hovenweep **Hubbell Trading Post** Independence **Indiana Dunes** Isle Royale **James A. Garfield** Jean Lafitte NHP & Preserve **Jefferson National Expansion** Jewel Cave **Jimmy Carter** John D. Rockefeller Jr. Memorial Parkway **John Day Fossil Beds** John Fitzgerald Kennedy **John Muir** Johnstown Flood **Joshua Tree** Kalaupapa **Kaloko Honokohau** Katmai **Kenai Fjords** Kennesaw Mountain **Keweenaw** Kings Canyon **Kings Mountain** Klondike Gold Rush **Knife River Indian Villages** Kobuk Valley **Korean War Veterans** Lake Clark **Lake Mead** Lake Meredith **Lake Roosevelt** Lassen Volcanic Lava Beds **Lewis & Clark** Lewis & Clark Trail **Lincoln Boyhood** Lincoln Home **Lincoln Memorial** Little Bighorn Battlefield **Little River Canyon** Little Rock Central High School **Longfellow** Lowell **Lyndon B. Johnson** Lyndon Baines Johnson Memorial Grove **Maggie L. Walker** Mammoth Cave **Manassas** Manzanar **Marsh Billings-Rockefeller** Martin Luther King, Jr. **Martin Van Buren** Mary McLeod Bethune Council House **Mesa Verde** Minidoka Internment **Minute Man** Minuteman Missile **Mississippi River** Missouri River **Mojave** Monocacy **Montezuma Castle** Moores Creek **Morristown** Mount Rainier **Mount Rushmore** Muir Woods **Natchez** Natchez Trace Parkway **Natchez Trace Trail** National Capital Parks **National Mall** NP of American Samoa **Natural Bridges** Navajo **New Bedford Whaling** New Orleans Jazz **New River Gorge** Nez Perce **Nicodemus** Ninety Six **Niobrara River** Noatak **North Cascades** Obed River **Ocmulgee** Olympic **Oregon Caves** Organ Pipe Cactus **Ozark Riverways** Padre Island **Palo Alto Battlefield** Pea Ridge **Pecos** Pennsylvania Avenue **Perry's Victory** Petersburg **Petrified Forest** Petroglyph **Pictured Rocks** Pinnacles **Pipe Spring** Pipestone **Piscataway** Point Reyes **Potomac Heritage Trail** Poverty Point **Prince William Forest** Pu'uhonua o Hōnaunau **Puukoholā Heiau** Rainbow Bridge **Redwood** Richmond **Rio Grande River** Rock Creek **Rocky Mountain** Roger Williams **Rosie the Riveter/World War II Home Front** Ross Lake **Russell Cave** Sagamore Hill **Saguaro** Saint Croix Island **Saint Croix Riverway** Saint Gaudens **Saint Paul's Church** Salem Maritime **Salinas Pueblo Missions** Salt River Bay **San Antonio Missions** San Francisco Maritime **San Juan** San Juan Island **Santa Monica Mountains** Saratoga **Saugus Iron Works** Scotts Bluff **Sequoia** Shenandoah **Shiloh** Sitka **Sleeping Bear Dunes** Springfield Armory **Statue of Liberty** Steamtown **Stones River** Sunset Crater Volcano **Tallgrass Prairie** Thaddeus Kosciuszko **Theodore Roosevelt** Theodore Roosevelt Birthplace **Theodore Roosevelt Inaugural** Theodore Roosevelt Island **Thomas Jefferson Memorial** Thomas Stone **Timpanogos Cave** Timucuan **Tonto** Tumacacori **Tupelo** Tuskegee Airmen **Tuskegee Institute** Tuzigoot **Ulysses S. Grant** Upper Delaware River **USS Arizona Memorial** Valley Forge **Vanderbilt Mansion** Vicksburg **Vietnam Veterans Memorial** Virgin Islands **Virgin Islands Coral Reef** Voyageurs **Walnut Canyon** War in the Pacific **Washington Monument** Washita Battlefield **Weir Farm** Whiskeytown Unit **White House** White Sands **Whitman Mission** William Howard Taft **Wilson's Creek** Wind Cave **Wolf Trap** Women's Rights **World War II Memorial** Wrangell-St. Elias **Wright Brothers** Wupatki **Yellowstone** Yosemite **Yucca House** Yukon Charley Rivers **Zion**