

To the Editor:

I would like to suggest that *Park Science* do an article discussing the rationale behind the recent revisions to 36 CFR 2.5. This involves a considerable change in how parks administer collecting permits. Although I am in complete agreement with stricter standards and a stronger system for managerial accountability in protecting park resources, I feel there may be some misinterpretation of legislative intent in this revision. If nothing else, an explanation of the rationale will help managers explain to researchers the reasons for denying collecting permits.

My specific concern is with 36 CFR 2.5(f): "In park areas where the enabling legislation prohibits the killing of wildlife, issuance of a collecting permit for wildlife or fish or plants is prohibited."

This is a major change from past policy. Questions I have are:

1. Why are plants included when the legislation only specifies wildlife?
2. Why is any "taking" prohibited when the legislation only specifies "killing?" (Taking is the term used in 2.5(a) and defined in 1.4 that applies to specimen collection permits. And taking is defined as not only killing but any pursuing, harm, capture, harassing, etc., in other words, any handling.)
3. Why do the regulations only specify restrictions on biota? After all, the same enabling legislation that prohibits killing of wildlife often instructs managers to protect other resources too. For example, the 1917 enabling act of Mount McKinley (now Denali) says, in addition to a killing prohibition, "preservation of the natural curiosities and scenic beauties." I think similar language can be found for many parks. Thus why not prevent collection of such items as rock samples by geological researchers? It seems to me that the same reasoning that extends a prohibition of killing to any handling of biota should also extend a prohibition to damaging of nonliving resources.

As now written the regulations will prohibit, in some parks, any researchers not part of NPS projects, from handling specimens of any biota. As such, this topic should be interest to *Park Science* readers.

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Editor's Note:

The editorial board agrees that clarification of these questions is called for, and has asked the Washington office to prepare a policy statement in response to the questions raised in the foregoing letter.