Management Policies



U.S. DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
1978

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CHAPTER I

PRESERVING OUR HERITAGE

Management Policies of the National Park Service
United States Department of the Interior

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Preserving Our Heritage

THE NATIONAL PARK SERVICE PRESERVES AND PROVIDES FOR THE APPROPRIATE RECREATIONAL USE OF NATURAL AND CULTURAL RESOURCES OF NATIONAL IMPORTANCE WITHIN THE NATIONAL PARK SYSTEM AND COOPERATES WITH OTHERS TO PROTECT AND PERPETUATE SIMILAR RESOURCES OF LOCAL, STATE, REGIONAL, NATIONAL, AND INTERNATIONAL IMPORTANCE FOR THE BENEFIT OF HUMANKIND.

The National Park Service is concerned not only with the management of areas presently within the National Park System, but with the balanced growth of the System.

CRITERIA FOR PARKLANDS

INTRODUCTION

With the establishment of Yellowstone National Park over 100 years ago, the Congress of the United States enunciated and institutionalized a land use ethic recognizing that the scenic, scientific, and natural wonders of our country have value to the whole people to be kept free from exploitation and held in trust for the people by the Government for the enjoyment of present and future generations. Within a few years of Yellowstone's establishment, the same concept was applied to the cultural resources of our country. Today, the National Park System contains nearly 300 areas, and over 90 nations around the world have established their own national parks or equivalent preserves.

Federal involvement in the preservation movement has steadily increased over the past generation, extending beyond the confines of the National Park System. Federal land managing agencies are increasingly designating and protecting lands of scientific, natural, cultural, and recreational value. The Congress has created a National Wilderness Preservation System. The Wild and Scenic Rivers Act provides for the preservation of rivers and adjacent lands for their wild, scenic, and recreational values by both State and Federal agencies. Many states are moving aggressively to protect their scenic, natural, and historic lands and to provide increased recreational opportunities with Federal matching funds made available through provisions of the Land and Water Conservation Fund Act of 1965 and the National Historic Preservation Act of 1966. Other Federal programs either directly or indirectly provide recreational opportunities or assistance to recreation programs.

Against this background of conservation activities, the National Park Service rededicates itself to its role of preserving the outstanding

natural and cultural resources of our country and of providing recreational opportunities consistent with the purpose of each park. The Service will also continue working with others to protect deserving areas wherever they occur. Only through the concerted efforts of our citizenry and of governmental bodies at all levels can a truly national network of cultural and natural resources be achieved and adequate recreation opportunities provided. The Service sees its role as central to such a network: as a leading voice for preservation; as a leader in developing and employing exemplary preservation practices and in providing opportunites for quality park use on the lands entrusted to its care; and as being responsible for seeking out and recommending the acquisition of those areas that qualify for addition to the National Park System.

Because the National Park System is part of a larger national network, it is of fundamental importance that the Service define its role so that its energies may be directed toward those areas most deserving and most in need of inclusion within the National Park System.

Today, our global economy and environment are beset with serious problems. The costs and consumption of energy and the use of non-renewable, as well as renewable, resources are rising. The dangers of increasing pollution and resource degradation are real, and the basic material needs of a growing world population must be met. Failure to recognize these problems and to deal with them could lead to disastrous consequences. Nonetheless, we have been given custody of the earth for but a short period of time. We have a commitment to our progeny not to deprive them of those things which feed the spirit in our concern with material needs. Neither should our actions needlessly penalize them or deprive them of benefits which are within our power to supply. The continued and expanded preservation of our priceless and irreplaceable scenic, natural, and cultural legacy is a national concern, as is the need for adequate outdoor recreational opportunities. The National Park Service is fortunate to have a critical role in working with others to preserve this legacy for the enrichment of the lives of generations yet unborn.

THE NATIONAL PARK SYSTEM

The National Park System has grown in just over a century from a single national park--Yellowstone--to nearly 300 parks.

In all but a few cases, the areas of the National Park System are managed to place primary emphasis upon preservation and appropriate recreational use of significant natural and cultural resources.

In some areas, resource uses not permitted in most parks, such as hunting, may be allowed where authorized by Congress; and development for recreational use may receive greater emphasis in parks designated as National Recreation Areas.

Some parks preserve only cultural or natural resources. Many, however, have both significant natural and cultural features. Thus, parks of the System must be seen as constituting a continuum from natural through cultural, and capable of accepting recreational use in varying degrees.

MEANS OF PRESERVATION

A national policy of preserving nationally significant examples of this country's natural and cultural resources for the benefit and enjoyment of the people is implemented in two major ways:

1. Administration of areas established by the the Congress as a part of the National Park System.

2. The National Historic Landmarks and the Natural Landmarks programs, which encourage preservation of historical and natural properties under other ownerships. The National Historic Landmarks are eligible for grants-in-aid through the National Historic Preservation Act of 1966.

Many cultural and natural properties and areas of national importance are substantially preserved by other Federal agencies, by State and local governments, or by private organizations, and are neither owned nor administered by the National Park Service. Examples include units of the National Wilderness Preservation System under Fish and Wildlife Service and Forest Service administration; the National Wildlife Refuge System; some Wild and Scenic Rivers; natural and cultural resources in State and local parks; other Federal research, reserve, and recreation areas administratively designated; and privately-owned areas decisions, cooperative agreements, or other means, protection and preservation are effected. Thus, there is a de facto preservation system of which the National Park Service is a principal, but not exclusive, element.

Studies by the Department of the Interior will continue to identify the outstanding natural and cultural resources of the United States which merit and require protection and preservation. Proposals for the addition of parks to the National Park System will be evaluated in terms of the natural and historic themes identified in Part One of the National Park System Plan: History (1972) and Part Two of the National Park System Plan: Natural History (1972). These documents serve to identify the thematic components of a national preservation system.

Where there are representative resources as described in the Plan which meet the Criteria for Parklands, and which may be threatened with damage or destruction, the Department will recommend appropriate action to be taken to assure their protection.

NEW AREA PROPOSALS

Many areas are proposed for addition to the National Park System every year. The Congress, in its concern over additions to the System, passed P.L. 94-458 (General Authorities Act of 1976, Sec. 8) requiring the Secretary of the Interior to:

- study and monitor nationally significant areas which may have potential for inclusion in the National Park System;

- provide the Congress, at the beginning of each fiscal year, with comprehensive reports on each of those areas upon which studies have been completed; and

- provide the Congress, at the beginning of each fiscal year, a priority listing of no less than 12 areas which appear to have national significance and which may have potential for inclusion in the System.

The Congress in its report on P.L. 94-458 (Senate Report No. 94-1190) stated:

> As more and more areas are being suggested for inclusion into the System, it will be beneficial for the Congress to have a priority listing of areas identified by those who are professionally equipped to make such a determination.

Areas considered for addition to the National Park System, shall be subjected to criteria dealing, in turn, with (1) significance, (2) suitability/feasibility, and (3) management alternatives. For areas meeting the criteria, the Service annually prepares a list in priority sequence of those areas which it considers to have potential for addition to the National Park System. In preparing this list, the Service considers all applicable variables, including discernible threats to the resource which can be avoided only through public acquisition or control, as well as rapidly rising land costs which may indicate the desirability of early acquisition.

Significance - An areas proposed primarily for its natural and/or cultural resources must possess outstanding national significance as determined by a professional evaluation, the National Park System Advisory Board, and the Secretary of the Interior. Significance must

relate to the themes contained in the National Park System Plan, or in the case of a historic property, to new themes that may be approved as history continues to unfold. To be suitable for inclusion in the System, an area should represent themes presently unrepresented or poorly represented in the System, or should transcend related units of the System in resource values or interpretive potential. An area proposed as a National Recreation Area must contain significant natural and/or cultural resources, and, in addition, it must be capable of meeting regional recreation deficiencies on a scale which, because of jurisdictional, financial, and operational consideration, cannot reasonably be met by others.

Suitability/Feasibility - An area meeting the criterion of significance must be feasible of administration, protection, and preservation. It should be of an adequate size and configuration to preserve the significant resource values and contain such additional lands as may be necessary to accommodate essential public and administrative needs and the retained rights, if any, of private landowners. For historical areas, this means the inclusion of sufficient land to protect all significant historic features associated with the park theme and such additional lands as may be necessary to protect the historic scene.

Management Alternatives - The Service will consider (1) whether the area is or will be assured of being adequately protected through other alternatives for preservation outside the System; and (2) whether, under such protection, it would be available for public appreciation and use. If these two criteria will be met by other means, the Service would not ordinarily recommend the addition of the areas to the System.

CRITERIA FOR DETERMINING NATIONAL SIGNIFICANCE

Cultural Resources - National significance is ascribed to structures, sites, objects, and districts that possess exceptional value or quality in illustrating or interpreting the cultural heritage or our Nation, such as:

- Properties at which events occurred that have significantly contributed to, are identified prominently with, or outstandingly represent, the broad cultural, political, economic, military, or social history of the Nation, and from which an understanding and appreciation of the larger patterns of our American heritage may be gained.

- Properties associated importantly with the lives of persons nationally significant in the history of the United States.

- Properties associated significantly with an important event that outstandingly represents some great idea or ideal of the American people.

- Structures that embody the distinguishing characteristics of an architectural type specimen, exceptionally valuable for a study of a period, style, or method of construction; or a notable structure representing the work of a master builder, designer, architect, or engineer.

- Objects that figured prominently in nationally significant events; or that were prominently associated with nationally significant persons; or that outstandingly represent some great idea or ideal of the American people; or that embody distinguishing characteristics of a type specimen, exceptionally valuable for a study of a period style or method of construction, or that are notable as representations of the work of master workers or designers.

- Archeological sites that have produced information of major scientific importance by revealing new cultures, or by shedding light upon periods of occupation over large areas of the United States. Such sites are those which have produced, or which may reasonably be expected to produce, data affecting theories, concepts, and ideas to a major degree.

- Historic districts composed of structures not sufficiently significant individually be reason of historical association or architectural merit to warrant recognition, that, when preserved or restored as integral parts of their environment, are of historical significance to the Nation in commemorating or illustrating a way of life in its developing culture.

To possess national significance, a historic or prehistoric structure, district, site, or object must possess integrity.

- For a <u>site</u>, integrity requires original location and elements of feeling and association. The site of a structure no longer standing may possess national significance if the person or event associated with the structure was of transcendent importance in the Nation's history, and the association consequential.

- For a <u>structure</u>, integrity is a composite quality derived from original workmanship, original location, and elements of feeling and association. A structure no longer on the

original site may possess national significance if the person or event associated with it was of transcendent importance in the Nation's history, and the association consequential.

- For a district, integrity is a composite quality derived from original workmanship, original location, and elements of feeling and association.

- For an object, integrity requires basic original workmanship.

Properties primarily of significance in the field of religion, or to religious bodies, but not of national importance in other fields of the history of the United States, such as political, military, or architectural history, will not be eligible for consideration.

Birthplaces, graves, burials, and cemeteries, as a general rule, are not eligible for consideration, except in cases of historical figures of transcendent importance. Properties associated with the actual careers and contributions of outstanding historical personages usually are more important than their birthplaces and burial places.

Properties achieving historical importance within the past 50 years will not, as a general rule, be considered unless associated with persons or events of transcendent significance.

Some areas, including most of those designated national memorials, exist primarily to honor historic persons and events by means of commemorative features and facilities rather than to preserve cultural resources directly associated with their subjects. In general, the Service does not seek to administer memorial areas other than those, such as the major presidential memorials in the Nation's Capital, whose commemorative features are themselves of great historical or aesthetic significance and whose subjects are of transcendent importance.

Natural Resources - Nationally significant resources are those which have exceptional values or qualities illustrating or interpreting the geological and ecological themes of our Nation.

These values are considered and weighed against stringent guidelines when gauging national significance. An integral aspect of national significance is a site's integrity. It should be a true, accurate, essentially unspoiled example of natural history.

The following guidelines are used:

- An outstanding example of a geologic landform or biotic area that is still common or of broad distribution.

- A rare extant remnant geologic landform or biotic area of a type that is now vanishing due to human desoilment, although once widespread.

- An extant geologic landform or biotic area that was extremely unique in the region or Nation during presettlement times.

- A site possessing exceptionally high ecological or geological diversity, e.g., species, biotic communities, habitats, landforms, observable geological processes.

- A site containing biotic species or communities whose natural distribution at that location makes them of unusual biogeographic significance, e.g., high numbers at range limits or of diverse geographic affinities, relicts, endemics, extreme disjuncts.

- A site harboring a concentrated population of rare plant or animal species, particularly those officially recognized as threatened or endangered.

- A critical refuge necessary for the continued survival of either common or uncommon wildlife species.

- A site containing rare or unusually abundant fossil deposits.

- A outstandingly scenic area.

- A site that can be described as an invaluable ecological or geological benchmark due to an extensive and long-term record of research and scientific discovery.

National Recreation Areas - The following criteria are established for the evaluation and selection of areas proposed for Congressional designation as National Recreation Areas in the National Park System. These criteria modify those issued in the Recreation Advisory Council's Policy Circular No. 1 of March 26, 1963.

The following criteria are to be applied to all proposals:

- National Recreation Areas should be spacious areas containing outstanding natural and/or cultural features and providing significant recreation opportunities.

- National Recreation Areas should be located and designed to achieve comparatively heavy recreation use and should usually be located where they can contribute significantly to the recreation needs of urban populations.

- National Recreation Areas should provide recreation opportunities significant enough to assure national, as well as regional visitation.

- The scale of investment, development, and operational responsibility should be sufficiently high to require either direct Federal involvement or substantial Federal participation to assure optimum public benefit.

Within the National Recreation Area, outdoor recreation shall be recognized as a primary management purpose; however, such management shall be compatible with the protection of the natural and cultural resources.

COOPERATION FOR PRESERVATION

In addition to its responsibilities for managing the National Park System and studying proposed additions to the System, the National Park Service will cooperate with others to plan for significant natural, cultural, and recreational resources, and will assist in determining appropriate management responsibilities for their preservation and use. The National Park Service, under authority available to the Secretary of the Interior, may enter into a variety of cooperative and other arrangements for the perpetuation of natural, cultural, and recreational resources of national significance. These include:

1. Cooperative agreements and contracts with States, municipal subdivisions, corporations, associations, or individuals to protect, preserve, maintain, or operate any historic or archeological property used by the public, regardless of ownership. Such agreements may not obligate the general fund of the Treasury unless or until Congress has appropriated money for such purpose.

2. Cooperative planning, including financial assistance where specifically authorized by Congress, with other Federal agencies, with States, foreign countries and others for purposes of perpetuating, planning, commemorating, developing, and interpreting specific natural, cultural, or historic properties administered by the other parties. With regard to foreign aid, several legislative provisions are applicable, and the authorities of the Department must be carefully reviewed for each cooperative project.

   (See Cooperative Regional Planning II-5 , International Cooperation I-11.)

3. Management by the Service, through authority available to the Secretary, of the recreation resources of lands and waters of Federal reservoir projects through cooperative agreements.

The National Park Service will also exchange information with and provide, on a reimbursable basis, technical and professional assistance to Federal, State and local governments, Indian tribes, and private owners of natural, cultural, recreational, and historical properties for the purpose of assuring the continuation of the Service's mandate of the protection and enjoyment of America's parklands. These services include, but are not limited to, consultation, training, general physical planning, program planning, and publications. In addition, the Service will maintain continuing participation in the activities of national, regional, State and local professional organizations relevant to Service interests.

References:

Historic Sites Act of 1935, August 21, 1935 (P.L. 94-292, 49 Stat. 666)

Park, Parkway and Recreational Area Programs Act, June 23, 1936 (P.L. 94-770½, 49 Stat. 1894)

Colorado River Storage Project Act, April 11, 1956 (P.L. 84-485, 70 Stat. 105)

Ice Age National Scientific Reserve Act, October 13, 1964 (P.L. 88-655, 76 Stat. 1087)

National Historic Preservation Act of 1966, October 15, 1966 (P.L. 89-655, 80 Stat. 915)

Intergovernmental Personnel Act of 1970, January 5, 1971 (P.L. 91-648, 84 Stat. 1909)

Archeological and Historic Preservation Act of 1974, an amendment May 24, 1974 (P.L. 93-291, 88 Stat. 174)

Federal Land Management and Policy Act of 1976 (BLM), October 21, 1976 (P.L. 94-579)

Executive Order 11593, "Protection and Enhancement of the Cultural Environment," May 13, 1971 (36 F.R. 8921)

Cooperative Memorandum of Understanding with the Bureau of Outdoor Recreation, September 1964 (DM 10:1:6)

Cooperative Agreement with the Bureau of Indian Affairs, 1966, (based on DM 502:1:1)

Memorandum of Understanding with the U.S. Fish and Wildlife Service, 1975

INTERNATIONAL COOPERATION

The National Park Service will engage in an international program for exchanging information and technical assistance with other countries in conjunction with natural, historical, and cultural area conservation, park and recreational programs. It will cooperate with the Department of State, Agency for International Development, United Nations organizations and other international agencies as appropriate in its international programs, including bilateral and multinational agreements. The Service will arrange for training and will provide study opportunities in the United States for professional and administrative park personnel from other countries. This will include cooperation with programs such as the International Seminar on Administration of National Parks and Equivalent Reserves and the African Student Program. The Service will cooperate with appropriate domestic and international agencies in the development of proposals and the implementation thereof relating to the World Heritage Convention, the Man and Biosphere Programme of the United Nations, and similar programs. The Service will also actively solicit the advice and assistance of other park and preservation units throughout the

world where such advice and assistance will be helpful in the management of the National Park System. The Service will maintain continuing review of international organizations, conventions, seminars, projects, and activities having to do with its many disciplines and, where appropriate and productive, will participate to the fullest extent possible.

References:

U.S. Information and Education Exchange Act of 1948, January 27, 1948 (P.L. 80-402, 62 Stat. 6)

Government Employees Training Act, as amended July 7, 1958 (P.L. 85-507, 72 Stat. 327)

Federal Employees International Organization Service Act, as amended August 28, 1958 (P.L. 85-795, 72 Stat. 959)

Act for International Development, as amended September 4, 1961 (P.L. 87-195, 75 Stat. 424)

Mutual Educational anc Cultural Exchange Act of 1961, September 21, 1961 (P.L. 87-256, 75 Stat. 527)

Amendment to the Act of October 15, 1966 (P.L. 89-665, 80 Stat. 915), establishing a program for the preservation of additional historic properties throughout the Nation, and to permit the participation of the U.S. as a member in the International Centre for the Study of the Preservation and Restoration of Cultural Property (P.L. 91-243, 84 Stat. 204)

Endangered Species Act of 1973, December 28, 1973 (P.L. 93-205, 87 Stat. 884)

Convention of Nature Protection and Wildlife Preservation in the Western Hemisphere, 1940

Second International Congress of the Architects and Technicians of Historic Monuments, Decisions and Resolutions ("Venice Charter"), May 31, 1964

UNESCO, "Recommendation Concerning the Preservation of Cultural Property Endangered by Public or Private Works," November 19, 1968

UNESCO, "Recommendation Concerning the Protection, at National Level, of the Cultural and Natural Heritage," November 16, 1972

Convention Concerning the Protection of the World Cultural and Natural Heritage, 1972.

NATIONAL TRAILS SYSTEM

The National Park Service, under authority available to the Secretary, is responsible for specific planning for proposed National Scenic Trails. It also administers the Appalachian National Scenic Trail, established by the Act.

Additional National Scenic Trails may be designated only by Act of Congress. The Service conducts or coordinates studies of candidate National Scenic Trails identified and authorized by the Congress for possible addition to the National Trails System.

National Recreation Trails and side or connecting trails may be added to the System by the Secretary subject to agreement with the managing entity.

The Service may nominate selected park trails, which may become part of a regional network, for Secretarial designation as National Recreational Trails, and cooperate with other governmental entities and the private sector to facilitate connecting trails with those out of the parks. Trails may be for pedestrians, equestrians, bicyclists, or boaters.

(See Trails and Walks III-4 , Wilderness--Trails VI-8 , Historic Features VI-3 .)

Reference: National Trails System Act, as amended, October 2, 1968, (P.L. 90-543, 82 Stat. 919)

NATIONAL WILD AND SCENIC RIVERS SYSTEM

The National Park Service, under authority available to the Secretary of the Interior, is responsible for specific planning for proposed additions to the Wild and Scenic Rivers System. The Service conducts or coordinates studies of candidate rivers assigned to the responsibility of the Secretary, as identified and authorized by the Congress.

Rivers that are found by the Secretary of the Interior to meet the criteria established in the Act may be added to the System by act of Congress (for Federal management) or pursuant to an act of legislature of the State of States through which the affected rivers flow. Based on the criteria, a river may be designated as wild, scenic, or recreational.

Designation of National Wild, Scenic, or Recreational Rivers within Existing Units of the National Park System - River segments within units of the National Park System and also identified in Section 5 (a) Of the Wild and Scenic Rivers Act shall be considered eligible for inclusion in the National Wild and Scenic Rivers System if they meet criteria contained in Guidelines for Evaluating Wild, Scenic and Recreational River Areas Proposed for Inclusion in the National Wild and Scenic Rivers System under Section 2, Public Law 90-542. The guidelines are a joint release of the Secretaries of Agriculture and the Interior.

Where a proposed Wild and Scenic River forms an international boundary, appropriate diplomatic review will be undertaken in an effort to achieve joint designation and protection.

Wild and Scenic Rivers located in the National Park System will be administered subject to the provisions of the Wild and Scenic Rivers Act and the various acts under which units of the National Park System are established and administered. In the case of conflicts, the more restrictive provisions shall apply.

CHAPTER II

PARK PLANNING

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Park Planning

THE NATIONAL PARK SERVICE WILL PREPARE A STATEMENT FOR MANAGEMENT FOR EACH PARK TO ESTABLISH THE OBJECTIVES FOR ITS MANAGEMENT. TO ACHIEVE THESE OBJECTIVES, THE SERVICE WILL PREPARE PLANS TO GUIDE RESOURCE MANAGEMENT, INTERPRETATION, VISITOR USE, AND DEVELOPMENT, PLACING THE PARK WITHIN THE CONTEXT OF THE SURROUNDING REGION. THE SERVICE WILL COOPERATE WITH OTHER AGENCIES AND OUTSIDE INTERESTS IN THE DEVELOPMENT OF PLANS AND WILL PROVIDE FOR PUBLIC PARTICIPATION IN THE PLANNING PROCESS.

Management objectives are required to establish the framework for management of each park. These set forth conditions to be achieved to realize the park's purpose consistent with Service policy. They provide the basis for all management actions taken to perpetuate park resources, facilitate appropriate public use, and deal with the many influences that affect the park and its management.

The statement for management lists each park's management objectives and provides the basis for establishing them. It contains an up-to-date documentation of the park's purpose, the significance of its resources, the existing use of its lands and waters, the legislative and administrative constraints on its management, and the influences that affect park resources and the experience of park visitors. Each park's statement for management will be evaluated annually and revised when necessary to improve its effectiveness in guiding management activities.

Planning for each park is required to establish the strategies for achieving its management objectives. The general management plan is the document that provides for the realization of the park's purpose in consonance with applicable legislation, management policies, and park management objectives. It objectively considers natural, cultural, social, and economic values in defining management strategies, and represents a commitment to the public and the Congress on the park's management, protection, use and development.

INFORMATION BASE

The Service will develop, gather, compile, store, analyze, update, and enploy adequate natural, historic, social, economic, and demographic data relevant to planning and management of each park. Such data will serve as an information base for formulating proposals and administrative decisions in planning for the achievement of park objectives. This information is required for the preparation of

general management plans, environmental impact statements, and specific plans; for review of projects under Section 106 of the National Historic Preservation Act and Executive Order 11593; and for development and various management actions. In the absence of adequate information for planning and management decisions, its acquisition becomes a prerequisite to action.

(See Science Program IV-2 , Inventory of Cultural Resources V-4 , List of Classified Structures V-4 .)

THE PLANNING TEAM

The general management plan will be prepared by an interdisciplinary planning team including specialists with the expertise to address the various planning concerns. The superintendent and such park staff as he or she may designate are part of the planning team. Affected government agencies in the park region will be consulted during plan preparation and others possessing specialized knowledge of the park will be consulted as necessary and desirable and may be members of the planning team.

(See Required Consultations II- 8.)

THE GENERAL MANAGEMENT PLAN(formerly Master Plan)

The general management plan is dynamic, varying in complexity with the size and complexity of a given park. Its components are periodically subjected to reevaluation and are revised as necessary to reflect changes in management objectives or in ecological, social, or economic conditions. As the plan is developed, more specific proposals for action are made. In a small park, the important proposals may be presented in a single document; in a large park, it may be necessary to prepare associated plans for specific management and development actions. These associated plans will not always be prepared concurrently with the general management plan but will be consistent with it. Until the general management plan is completed and approved, the management objectives as established by the statement for management will guide day-to-day park operations.

Reference: General Authorities Act, October 7, 1976 (P.L. 94-458)

BASIC COMPONENTS

Every general management plan contains:

- a statement of the park's purpose and management objectives;

- proposed management zoning for all lands and waters within parks;

- interrelated proposals for resource management, interpretation/ visitor use, and general development.

Other elements to be contained in or added to the plan as needed or applicable include, but are not limited to:

- a land suitability analysis to determine factors limiting types and amounts of acceptable uses;

- a determination of legislation needed for boundary adjustments and other purposes in order to meet management objectives;

- detailed resources management strategies prepared to specify needed research and provide comprehensive direction for resources management activities;

- detailed strategies for interpretation; and

- wilderness reviews, prepared to determine the suitability of lands within the park for designation as legislative wilderness under provisions of the Wilderness Act.

(See Natural Resources Management Plan, IV- 3 , Wilderness Reviews VI- 2 , Backcountry Management Plan VII- 10, Newly Authorized Areas IX- 2 , Energy Management Plan X- 2 .)

MANAGEMENT ZONES

Park lands shall be zoned to designate where various strategies for management and use will best fulfill management objectives and achieve the purpose of the park. Such management zoning must be developed in consideration of capability of the land to support identified uses.

Four primary management zones will be recognized--natural, historic, park development and special use. Within this framework, subzones may be designated for any park where desirable to indicate in greater detail how the land or water will be managed. Management zoning (formerly termed "land classification") in existing plans shall remain valid until revised or superseded.

Natural Zone - Lands and waters in this zone will be managed to ensure that natural resources and processes remain largely unaltered by human

activity. Developments will either be absent or limited to dispersed recreational and management facilities, such as picnic areas, interpretive displays, and small maintenance stations that are essential for management, use, and appreciation of natural resources.

Historic Zone - This zone includes all lands managed primarily to preserve cultural resources or to commemorate historical subjects. In most cases, lands on or eligible for the National Register of Historic Places will be zoned historic and shall not be rezoned without compliance with the Procedures for the Protection of Historic and Cultural Properties promulgated by the Advisory Council on Historic Preservation (36 C.F.R. Pt. 800). Certain lands not meeting the criteria for listing on the National Register, including local cemeteries and other minor historic sites worthy of protection and interpretation, may also be zoned historic.

Physical development in historic zones shall be the minimum needed for preservation and interpretation of cultural values. Activities in historic zones generally shall be limited to sightseeing and study of the cultural features. However, this limitation shall not preclude or discourage appropriate adaptive use of historic structures for utilitarian purposes or other uses permitted in these policies.

(See Administrative Offices III-13, Park Housing III-13, Maintenance Structures III-15, Uses of Historic Structures V-23.)

Park Development Zone - Lands in this zone will be managed to support nonhistoric park development and intensive public use which substantially alter the natural environment. Parking lots, public use roads, aggregations of buildings, and park utilities will be included in this zone. Developments permitted on other zones do not constitute a development zone. Development zones shall be restricted to the smallest area necessary to accommodate required major development and intensive use. New development zones will be designated only after considering alternative sites (including locations outside the park) and alternative levels of use, facilities, and services.

Special Use Zone - This zone includes lands and waters to be used by other agencies or interests for purposes not permitted in natural, historic, or development zones. Examples include reservoirs, private development, non-Federal open space, and areas supporting or proposed for mining, ranching, and lumbering.

(See Grazing IV-5, Mineral Exploration, Leasing, and Mining IV-6, Utility and Transportation Corridors and Rights of Way VII-15.)

Reference: Planning Process Guideline NPS-2, November 1975, release No. 2, (for issuance in early 1978).

ASSESSMENT OF ALTERNATIVES

An assessment of alternatives will be prepared as the agency's record of the consequences of alternative actions considered during the development of the general management plan or its components. The assessment of alternatives will serve as the source for briefing statements, information documents, and environmental impact analyses for use within the agency or review by other agencies and the public. It provides an objective basis for selecting alternatives as the plan's proposals.

If the actions proposed in the plan constitute a major Federal action significantly affecting environmental quality, an environmental statement will be prepared in accordance with Section 102(C) of the National Environmental Policy Act of 1969, and applicable guidelines of the Department, the Council on Environmental Quality, and the National Park Service. The proposed action will also be weighed against the criteria of effect established by the Advisory Council on Historic Preservation and will be subject to the Council's Procedures for the Protection of Historic and Cultural Properties.

COOPERATIVE REGIONAL PLANNING

The plans of outside agencies and interests affect and are affected by proposed actions within units of the National Park System. Cooperative planning, therefore, is needed to integrate the park into its regional environment and to ensure that potential conflicts between interdependent actions are minimized or eliminated.

Joint agency planning may be undertaken when a park is adjoined by Indian reservations, other Federal lands, State lands, or lands subject to State, regional or local planning or regulation. Formal written agreements to establish joint planning efforts with planning agencies and other governmental agencies shall be negotiated where appropriate.

Cooperative planning on specific proposals will be done to ensure that various points of view are considered in formulating proposals and that potential sources of conflict are discovered and, if possible, resolved. Cooperative planning normally will be accomplished utilizing periodic informal workshops in which park planners and representatives of affected interests can frankly discuss matters of mutual concern.

Informal cooperative planning and occasionally formal coordinated planning may be needed in many areas, including but not limited to:

- the provision of facilities and services for visitors within and outside the park, including those provided by NPS concessioners;

- access to and circulation within the park and region;

- zoning and other land use controls on lands in the park's vicinity;

- protection and preservation of natural and cultural resources in the park and its region;

- provision of technical assistance by other agencies to the National Park Service to facilitate preparation of NPS plans that are relevant to their concerns;

- development of needed Federal, State, or local legislation;

- management of historic districts;

- management planning or regulation of facilities or activities by other agencies within the park or its region which have effects on the park's environment, such as reservoirs, highways, flood control projects or pollution control.

(See Cooperation for Preservation I- 9, Coordinating Transportation Systems III- 3, Cooperative Trail Planning III- 5.)

PUBLIC PARTICIPATION IN PLANNING

Parks are public properties and the opportunity for the public to voice their concerns regarding planning and management of the parks must not be abridged. The National Park Service will take positive actions to involve the public as individuals and through public interest groups and organizations at the earliest possible stage in the planning process before the planning decisions have been made. The following sections describe opportunities for public involvement that may be available for any particular plan.

FORMAL PUBLIC WORKSHOPS AND MEETINGS

Public workshops and meetings may be held to inform the public that a plan is being prepared; to exchange information during the planning process; and to bring to light public concerns, particularly with regard to controversial issues. These workshops and meetings will be announced in the Federal Register, regional newspapers and public media. A record will be kept of the proceedings.

INFORMAL WORKSHOPS

Once the planning process is underway, informal workshops may be held between the multidisciplinary planning team and members of the public to acquire information on technical aspects of the plan, public concerns, and matters of existing or potential conflict.

PUBLIC REVIEW OF THE ASSESSMENT OF ALTERNATIVES

An opportunity for public review of the Assessment of Alternatives will be provided so that the public can evaluate various alternatives considered during the planning process up to this point; present other alternatives for consideration; comment on the content of the analysis; and uncover discussion issues of existing or potential conflict. Assessments of Alternatives will be available for public review for a period of no less than 30 days (60 days is recommended).

PUBLIC COMMENT ON THE DRAFT ENVIRONMENTAL STATEMENT

The draft environmental statement, when prepared, will be circulated to the public in accordance with Departmental Manual Part 516 DM 2 and applicable guidelines of the Council on Environmental Quality and the National Park Service. The public will have the opportunity to provide written comments on the draft environmental statement to which the National Park Service will respond in writing. Changes in the plan and its draft environmental statement will be made as appropriate in light of public comments. The draft environmental statement will be available for public review for a period of no less than 45 days prior to a public meeting or an administrative decision.

ADDITIONAL MEETINGS

Public meetings on the plan and its draft environmental statement may be held to obtain additional public comments, particularly on major controversial proposals or public concerns.

WILDERNESS STUDY REVIEW

In compliance with the Wilderness Act (September 3, 1964) and the National Environmental Policy Act of 1969, the National Park Service will provide an opportunity for the public to comment at formal hearings on preliminary wilderness proposals prior to their recommendation to the Congress. Hearings will be held in the State(s) in which the Wilderness is proposed, and notice will be published in the Federal Register and in regional newspapers at least 30 days prior to the hearings. In addition to this advance notice, the hearing record will remain open for 30 days following the date of the hearing to permit inclusion of written comments from interested parties.

(See Wilderness Reviews VI- 2.)

Reference: Guidelines for Public Involvement in the Planning Process, to be released in early 1978.

REQUIRED CONSULTATIONS

In addition to cooperative planning activities and public participation, certain consultations with other parties are required by law.

ADVISORY ORGANIZATIONS

Many parks have legislatively established park advisory boards, and regional advisory commissions have been established by the Secretary of the Interior. These citizen advisory organizations will be consulted frequently during the development of significant plans. Requirements of the Federal Advisory Committee Act, (P.L. 92-463, 86 Stat. 770) will be observed.

PLANS AFFECTING CULTURAL RESOURCES

Plans and other actions affecting cultural resources require compliance with procedures established under Section 106 of the National Historic Preservation Act of 1966 or Executive Order 11593, as appropriate. The Advisory Council on Historic Preservation and the State Historic Preservation Officer will be given an opportunity to review and comment on any environmental statement or Service plan affecting cultural resources before a planning decision is approved.

(See Proposal Formulation Affecting Cultural Preservation V-11.)

REVIEW OF ENVIRONMENTAL STATEMENTS BY GOVERNMENTAL AGENCIES

The National Environmental Policy Act of 1969 requires consultation with any other Federal agency which has jurisdiction by law or special expertise with respect to the plan's environmental impacts. Formal written comments from these agencies will be solicited. Review of the statement by State and local agencies will follow procedures established by Office of Management and Budget Circular No. A-95.

CHAPTER III

PARK FACILITIES

Management Policies of the National Park Services
United States Department of the Interior

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Park Facilities

THE NATIONAL PARK SERVICE WILL PROVIDE APPROVED FACILITIES NECESSARY FOR THE ENJOYMENT, RESOURCE PROTECTION, AND MANAGEMENT OF THE PARKS.

Provision of facilities in a park must be consistent with approved plans and National Park Service policies. Facilities are limited to those necessary to carry out the approved management objectives for each park. Their provision, location, design, and construction and construction materials will be consistent with the perpetuation and protection of the resources and aesthetic values of the parks.

Application of the criteria of effect promulgated by the Advisory Council on Historic Preservation and compliance with the Council's Procedures for the Protection of Historic and Cultural Properties (36 C.F.R. Part 800) will precede any development.

PARK ACCESS AND CIRCULATION

Commensurate with its mandate for resource protection, the National Park Service will seek reasonable access to and ensure circulation within the areas of the National Park System to provide for visitor use and enjoyment and park management.

Depending upon park size, location, resources, and degree of use, the access and circulatory system may provide a mix of use by automobile, public transportation, walks, trails, bicycles, horses, boats, aircraft, or other means. Protection of the park environment, quality of park experience, cost, and conservation of energy, will be primary determinants in choosing any particular type, or mix of types, of access and circulation. The Service will employ variety in park transportation, with emphasis, wherever reasonable, on non-motorized means.

(See Energy Management X-1.)

AUTOMOBILE ROAD SYSTEMS

For most existing parks, a road system has usually already been constructed in accordance with previous policies. In updating plans for these parks, the Service will question the continued validity of the existing road system, whether the system needs to be curtailed, expanded, or supplemented by other circulatory modes. Where roads are chronically being used to capacity, the use of public transit or limitations on use must be considered as an alternative to road improvements.

In considering the provision, expansion or upgrading of a road as a means of access, professional determinations must be made that:

- access to an area is necessary;

- the road is the best alternative for necessary access;

- the resulting effects on the park environment--including wildlife mobility and habitat, rare and endangered plant and animal life, archeological and historic resources, drainage, stream flow, erosion, cuts and fills--will be kept to the minimum feasible;

- the road is intimately and harmoniously related to the landscape through which it passes; and that

- it takes maximum advantage, consistent with the foregoing criteria, or interpretive and scenic values.

Based on these policy criteria, the Service will develop and keep current "Park Road Standards" to guide specific road design

(See Cooperative Regional Planning II-5 , Historic Roads V-23, Wilderness--Roads VI-8 .)

Parking Areas - The placement of parking areas and overlooks where they unnecessarily intrude, by sight or sound, on significant features must be avoided. Moreover, parking areas should be limited to the smallest size appropriate to the park experience they are to serve. Where large parking areas are needed, they should be designed to soften the visual impact of the facility.

Non-Park Roads - Existing non-park traffic arteries are to be removed where feasible. Purposes of park roads are different from those of Federal and State systems. They are not, and should not be, continuations or connecting links in the State or Federal highway system. Commercial traffic, except for the purpose of serving park visitors, will be discontinued on roads within parks wherever feasible.

VISITOR TRANSPORTATION SERVICES

The Service will provide safe visitor transportation services, within selected park areas, wherever such systems are deemed a desirable alternative to the construction of additional roads, parking, and support facilities in prime resource areas that would otherwise be needed to accommodate private vehicles, and where visitor transportation services will improve park experiences by:

- offering new and/or improved interpretive opportunities;

- reducing traffic congestion;

- reducing noise and air pollution;

- conserving energy;

- improving visitor use patterns;

- better resource protection.

The Park Service may conceptually consider all alternative modes of transportation, however, they will place high priority on developing transportation systems using rubber-tired vehicles operating on existing roads for land transportation and standard displacement boats for waterborne systems. The consideration of any modes that require the construction of surface or elevated trackage, suspended cables, and advanced technologies, will not go beyond a conceptual status without approval from the Secretary of the Interior and the Director of the National Park Service.

(See Facilities for the Handicapped III-7 .)

Coordinating Transportation Systems - The Service will work with the Department of Transportation, AMTRAK, other Federal agencies, State, local and regional planning bodies, citizen groups, and others in developing and coordinating access to and within the park for the purpose of facilitating use of the parks via public transit systems. As a means of conserving energy, the Service will work with transportation agencies and others to encourage use of public transportation to the parks wherever feasible.

(See Cooperative Regional Planning II-5 .)

Interpretation for Visitor Transportation Systems - The National Park Service may develop, either through direct employment or by contract or agreement, appropriate interpretive programs for use in conjunction with public transit systems operating within a park area. The Service will, in all instances, retain control and be responsible for supervision over the program content, quality, and methods.

(See Interpretive Activities VII-3 .)

TRAILS AND WALKS

Trails and walks will be planned and provided as an integral part of the park access and circulation system. Most park lands are at present accessible only by trail and with the passage of wilderness legislation for various parks, approximately half of the acreage of the System will be legally restricted to non-motorized access. Trails, like roads, should provide enjoyable access to interesting park environments without endangering fragile resources or ecological patterns. Trail location, design, and construction call for an interdisciplinary approach. Heavily used walking trails may be surfaced as necessary to conform with visitor safety, access for the handicapped, resource protection, and erosion conditions. However, this does not apply in backcountry or wilderness areas, where regulation of use and trail relocation would be the desired solutions. In the interest of safety and enjoyment of the park experience and, where the level of use indicates, hiking, horse, and bicycle trails will be separate.

Trail heads and trail access points, from which trail use can begin, should be carefully tied into other elements of the park development and circulatory system to facilitate trail use and management.

Hiking Trails - Since the predominant use of trails is by hikers, hiking trails should be given first consideration as serving the greatest number with the least impact on the environment.

Horse Trails - Horse trails may be provided where resource conditions and other circumstances indicate, but must be carefully located, designed and managed to avoid erosion and incompatibility with hikers, and to protect fragile ecosystems from unregulated use.

Bicycle Trails - Bike trails may be provided where the potential for use allows and where resource considerations permit. Bike lanes on or along park roads are also encouraged when it has been determined that such use can be provided with reasonable safety to bicyclists and without causing traffic congestion. Bicycles are a viable alternative to the automobile in many parks for many people, providing healthy recreation and an enjoyable, energy-conserving way to use the parks. Bicycle trails will ordinarily need some form of paving or stabilization for the safety and convenience of the user.

Interpretive Trails - Interpretive trails and walks, both guided and self-guiding, are encouraged as a means of providing controlled access into interesting park environments for purposes of appreciation and understanding of park values.

(See Interpretive Program VII-2 .)

Cooperative Trail Planning - The Service will cooperate with others to facilitate trail and bicycle access to parks. In the case of bicycles, various states now have, or are planning, programs for bike trails. Where parks are abutted by other public land, interagency trail planning is encouraged. Where an effective trail system is a reality, consideration should be given to the provision of hostels or similar low-cost overnight facilities--where permitted--to encourage bicycle and hiking use.

(See National Trails System I-13, Cooperative Regional Planning II-5 , Overnight Accommodations III-8 , Hostels and Low Cost Accommodations III-9 .)

Backcountry Trails - Trail planning for backcountry portions of parks will serve as a management tool to help control distribution and intensity of use and avoid undesirable impacts on the environment. Trails should provide access to a representative sampling of the backcountry.

In large parks, different levels of trail construction and maintenance standards should be applied to accommodate a range of trail users. However, backcountry trails should be unsurfaced and of modest primitive character, except where permitted horse travel requires a more durable surface. No artificiality in the form of non-native materials should remain visible in a final trail product.

(See Wilderness-Trails VI-8 , Backcountry Use VII-10 .)

Trail Bridges - Trail bridges may be placed in backcountry areas for stream crossings involving high or swift water constituting a safety hazard or where the absence of a bridge would require crossing hazardours terrain. Bridges will be kept to the minimum in number and size to serve trail users. Bridges should be in harmony with the surrounding natural scene and as unobtrusive as possible.

DESIGN AND CONSTRUCTION CONSIDERATION

DESIGN QUALITY AND CONTROL

Only those physical facilities needed for management and appropriate public use and enjoyment shall be provided in a park area, and then only at sites designated on approved plans.

Where new facilities are needed, the Service will employ quality design of a high aesthetic and functional caliber. Facilities will be integrated into the park landscape so as to cause minimum impact.

Within small parks, or in developed areas of large parks, there will be a consistent design unity complementing the purpose, spirit and theme of an area rather than competing with or dominating park features. In historic zones, new structures erected for visitor or administrative use shall be of contemporary design but in harmony with the area and its historic resources in proportion, color, and texture. No attempt shall be made to duplicate or mimic a historic design, nor shall any modern construction be portrayed to the public as historic. Adaptive use of existing historic or nonhistoric buildings shall be considered before new facilities are constructed.

In carrying out its development programs the Service will assure compliance with all safety, accessibility, and environmental protection laws, Executive Orders, and codes where applicable.

(See Management Zoning - Historic Zone II-4, Uses of Historic Structures V-15, Energy Management X-1.)

CONSTRUCTION

Construction of park facilities shall be rigidly controlled to preclude undue damage to vegetation, soils, and archeological resources through excessive grading and alteration of contours to fit developments, and to reduce air, water, and noise pollution. The Service will adhere to all applicable Federal, State and local environmental laws, standards and emission of effluent limitations.

Facilities and structures shall not be located in areas where natural processes pose a persistent threat to the facilities or structures, or to people using them, except where no practicable alternative exists for the use, enjoyment and management of a park and all safety and hazard probability factors have been considered. Such areas include, but are not limited to, unstable shorelines; unstable geological areas subject to mud slides, landslides, rock slides, or soil creep; active dunes; thermal areas; and 100 year floodplains including coastal areas. Because of potential loss of life, injury or loss of essential or irreplaceable records and objects, structures such as schools, hospitals, and museums should not be located within 500-year floodplains.

Because of the fragility and natural resource values of wetlands and floodplains, impact from construction activities shall be avoided, except where no reasonable alternative exists to meet the management objectives of the park.

Where new facilities and structures must be located in such areas, their design and siting shall be based upon scientific, engineering and architectural studies; consideration to protection of human life, natural processes and cultural resources; and consideration to their planned life

span. Existing structures or facilities located in such areas and needing rehabilitation, restoration or replacement will be subjected to the same scrutiny as those prescribed for new facilities or structures. In the case of historic structures, this scrutiny will be but one factor in determining their preservation. Before development in floodplains and wetlands is provided, the requirements of Executive Order 11988, "Floodplain Management," and Executive Order 11990, "Protection of Wetlands," must be fulfilled. When structures or facilities are removed from floodplains and wetlands, the area will be restored and preserved in its natural state.

Where practical, soils and plants, that are moved from a site prior to actual construction, should be stockpiled for use in back-filling and the final site grading. Any surplus soils and plants can be used for the restoration of other degraded areas within the park. If additional soil and plants are needed for the construction site, they may be obtained from other sites in the park only when it is determined that use of an in-park source will not significantly affect cultural and natural resources and ecological processes.

(See Shoreline Processes IV-22)

BORROW PITS

Only when economic factors make it totally impractical to import materials will borrow pits be created in the parks, or present pits

further utilized. Furthermore, such pits, as well as spoil areas, shall be created only in park locations devoid of historic or archeological resources or of altered or low natural resource value which are not generally viewed or used by the visitor. Such areas will be restored to fit compatibly with the surrounding environment following abandonment of use.

(See Landscape and Vegetative Manipulation, IV-19.)

UTILITIES

Where feasible, utility lines should be placed underground, except where such placement would cause significant damage to the natural ecological associations or the geological, historical and archeological resources of the area. When placed above ground, utility lines and appurtenant structures should be carefully planned and located to minimize their impact on park resources and visual enjoyment of the scene. Whenever possible, all utilities should be in a common corridor and combined with transportation corridors. In historic zones, utilities that were present during the historic period are historic resources and shall be governed by the same policies as for other historic resources. Where modern needs require upgraded lines and facilities, such modern utilities shall conform insofar as possible to the appearance and location of the historic utilities.

(See Wilderness--Utility Lines VI-4 , Utility Services VII-17, Utility Rates VIII-7 .)

FACILITIES FOR THE HANDICAPPED

Accessibility to and use of park facilities by physically and mentally handicapped visitors will be provided in conformance with applicable provisions of the Design and Construction of Public Buildings to Accommodate the Physically Handicapped Act (P.L. 90-480, 82 Stat. 718), and other applicable laws and regulations.

To the greatest extent possible, commensurate with their physical limitations, the handicapped should be able to enjoy the park using the same facilities as the non-handicapped visitor. Park design will facilitate this goal. Special interpretive facilities and programs for the physically and mentally handicapped are encouraged where good potential for participation is indicated.

In providing for access to and enjoyment of historic properties by the physically handicapped, the provision of handrails or wheelchair paths may be necessary. Care shall be taken that the physical and visual effect of such facilities is minimized.

Park visitor transportation services will be adapted for the accommodation of the handicapped in that the schedules will have extra time at stops to assist the handicapped in entering and leaving, and where possible, vehicles will have double doors for the convenience of the handicapped. In park areas with transit service where the use of private vehicles has been prohibited, the severely handicapped, who cannot conveniently be accommodated on the transit vehicles, will be issued permits to use their special private vehicles.

(See Trails and Walks III-4 , Additions to Historic Structures V-19, Limitations on Use of Historic Structures V-23, Protection of the Historic Scene V-25, Interpretive Program VII- 2.)

VISITOR FACILITIES

The Service will provide needed visitor facilities for the use and enjoyment of the park as identified in the general management plan and associated planning documents, commensurate with park purpose, objectives, the requirements of applicable laws, and Service policy.

OVERNIGHT ACCOMMODATIONS

The location and use of many parks is such that visitors need overnight accommodations in or near the park in order to enjoy their visit. Certain park uses, such as backcountry use, may require overnight stays. Overnight facilities will be restricted to the kinds and minimum levels necessary to achieve each park's purpose consistent with the protection of park resources, and will be provided only when the private sector or other public agencies cannot adequately provide for them in the park vicinity. Overnight accommodations may vary from unimproved backcountry campsites to more substantial lodging, as appropriate.

(See Cooperative Regional Planning II- 5, Compatible Use of Historic Structures V-24Wilderness--Chalets and Concessioner Camps VI- 9, Camping VII-12, Private Enterprise Out-of-Park VIII- 2, Concessions--Overnight Accommodations VIII- 4.)

Formal Campgrounds - New formal campgrounds for tents and recreation vehicles may be provided in parks only in line with the above policy.

Campground design will be flexible. Terrain, climate, predominant method of camping and type of user, and other relevant factors will enter into the design. However, the Service will not attempt to provide the full range of technological amenities and utility hookups associated with some private campgrounds.

Location of campgrounds which attract large recreation vehicles or buses should take into consideration whether available park access roads are capable of accommodating the increased traffic load. Campgrounds should not be located where they would necessitate upgrading of roads to assure visitor safety or where the presence of large vehicles could cause traffic jams.

Campgrounds will be limited to 250 sites, except where a larger number of sites is approved by the Director. Modest-sized play areas containing swings and other playground equipment for small children are permissible, as are informal areas for field sports. Provision will be made for the use of charcoal or other fuels, or of central cook sheds where necessary by reason of fire danger, air pollution, or other hazards, or to restrict the use of wood for fires at individual campsites. Where desirable for purposes of management, tent camping may be provided in separate campgrounds or in separately designated areas within campgrounds. Sanitary dump stations will be provided at Class A campgrounds accommodating recreation vehicles.

(See Camping VII-12)

Group Campgrounds - Provision may be made for accommodating organized camping groups in separate campgrounds or in campsites adjacent to, but separated from, individual sites within formal campgrounds.

(See Group Camping VII-12.)

Boaters' Campgrounds - In parks with water areas subject to recreational boating, boaters' campgrounds may be provided. The nature of the body of water (river, lake, reservoir, salt water, etc.); the capacity of the environment to accept the use without adverse effects on the resource; the feasibility of providing and maintaining docking beaching, mooring, camping, and sanitary facilities; and legal and policy considerations will determine the size, location, and number of planned campgrounds. Where facilities cannot be provided, or circumstances warrant boating use may be regulated.

Backcountry Campsites - Backcountry and wilderness campsites may be provided to permit, but not exceed, acceptable limits of use determined for each park in the resources management plan.

(See Wilderness-Overnight Use VI-5, Backcountry Use VII-10.)

Hostels - Hostels are defined as low cost, usually non-profit, supervised accommodations which facilitate and encourage energy-efficient, nonmotorized enjoyment of parks and their surrounding regions by individuals and families. Such facilities will at a minimum contain sheltered overnight sleeping accommodations and sanitary facilities and will usually contain cooking, eating and recreation space. Hostels may be used for other park programs such as environmental education or interpretation. Although the emphasis is on the encouragement of nonmotorized forms of transportation, motorized transportation is not excluded by this definition. Hostel-like accommodations, such as huts and shelters, are encouraged where they facilitate trail systems and other park uses.

Hostels are encouraged as an appropriate park use. They should be considered along with other forms of overnight accommodations as part of the park planning process. The Service will cooperate with other agencies, non-profit organizations, park concessioners, etc. to plan for and provide hostels, where appropriate, as part of hostel systems.

Hostels will be provided consistent with planning and management guidelines. Existing Service or concessioner structures when available may be used for hostels, including historic structures in compliance with the Service's management policy on adaptive use. Consistent with the policy on overnight accommodations, new structures may be provided for hostels or hostel-like use when indicated in an approved plan, and when they cannot be provided outside the park. Existing and new facilities shall be made accessible to handicapped visitors.

Hostels will be managed by others under provisions of standard concessioner language or by the Service where management by others is not prudent or feasible.

(See Cooperative Trail Planning III-5, Facilities for the Handicapped III-7, Uses of Historic Structure, V-24, Concessions-Overnight Accommodations VIII-4)

COMFORT STATIONS

Where adequate water supplies exist, and where the level of use requires waste disposal systems, comfort facilities should be equipped with flush toilets and easily cleaned sanitary floor and wall surfaces. Low water use or waterless (oil) systems should be considered in locations where water supply and wastewater disposal problems are critical. Showers may be provided in comfort stations serving overnight visitors only when there are no alternative shower or bathing facilities reasonably available. Chemical toilets in portable enclosures may be used where necessary, and pit privies, vault toilets, or other alternatives which meet public health standards may suffice in little used areas where utility services are not readily available.

(See Solid Waste IV-18, Wilderness-Toilets VI-9, Backcountry Sanitation VII-12, Backcountry Camping VII-11.)

INTERPRETIVE FACILITIES

The Services will provide facilities for informational, interpretive, and visitor use programs in order to help the visitor appreciate and enjoy the park and understand its significance. Innovation and experimentation are encouraged in park interpretive and visitor use programs where they are not inconsistent with policy, park purpose, and objectives.

(See Interpretive Trails III-4, Facilities for the Handicapped III-7, Interpretation and Visitor Services VII-2.)

Visitor Center - Where necessary to provide essential visitor use information, interpretation and certain administrative functions, visitor centers may be constructed at locations identified on approved plans.

Visitor centers must not be a substitute for personal and self-guiding interpretation that is provided on the site of prime park resources. Accordingly, new visitor centers will be constructed

only when it has been determined that indoor media are the most effective means of communicating major elements of the park interpretive story story and that a central public contact point is needed.

To minimize visual intrusion upon natural or historic resources, visitor centers normally are not located within close proximity to major park features.

As appropriate, a visitor center may include facilities for audio-visual programs, museums, visitor transportation facilities, and other staffed or self-help programs necessary for a quality visitor experience.

Historic structures may be used for visitor centers when compatible with their preservation, park purpose, and management. Consistent with policies on treatment and use of historic structures, adaptive use of structures other than those in Category Ia for visitor centers is ordinarily preferable to the development of modern facilities and the corresponding burden of preserving historic structures not open for visitation.

(See Categories of Significance V- 3, Compatible Use of Historic Structures V-24, Interpretive Program VII-2 , Traveling Exhibits VII-6 .)

Amphitheaters - Amphitheaters may be provided at campgrounds and other locations where the provision of formal interpretive programs is desirable. Campfire circles may be provided in campgrounds for a variety of evening programs and to encourage informal social gatherings.

Wayside Exhibits - Wayside exhibits may be provided along roads and heavily-used walks and trails to interpret park resources on site.

(See Interpretive Trails III- 4.)

ACTIVITIES AND FACILITIES FOR ARTS AND CULTURE

The National Park Service does not support the establishment of further units of the National Park System specifically for the performing arts. However, various cultural facilities and events (concerts, plays, etc.) do occur in the parks, particularly in the National Capital Region. Cultural productions and programs are permissible. These may include but need not be limited to musical productions, films, lectures, plays, crafts (modern and traditional), and art exhibits. Artist-in-the-park programs are encouraged, as are other activities designed to give perspectives on the parks

through the arts. Cultural productions and other cultural activities must be consistent with each park's purpose and objectives.

Permanent facilities should be built specifically for cultural activities in units of the National Park System only when all of the following criteria are met:

- It is impossible or impractical to use demountable or temporary facilities.

- It is impossible to adapt the activities to other park facilities not provided expressly for this purpose.

- The permanent facility is required for programs of primary importance in conveying the park story.

- Neither the construction of the facility nor its operation impairs cultural or natural resources or hinders the use of the park for its intended purpose.

- The facility cannot feasibly be provided by others adjacent to, or out of, the park.

(See Proposal Formulation Affecting Cultural Resources V-11, Compatible Use of Historic Structures V-24, Interpretive Presentations VII- 3, Special Events and Uses of Government-Owned Property VII-17, Conventions VII-18, Motion Picture and Still Photography VII-19, Public Assembly VII-21, Concessions Management--Conventions VIII-6 .)

MEMORIAL SITE DEVELOPMENT

Units or parts of units of the National Park System that in purpose and composition are memorials rather than historic sites require special management and development considerations. Such areas, regardless of designation, have been created principally to encourage public remembrance of historic events or persons, rather than to preserve and interpret cultural resources. Resources from the historic period are often absent, unidentifiable, or severely impaired. Where a memorial structure or setting itself provides appropriate commemoration, the Service shall limit its activities to housekeeping, preservation, and maintenance of an atmosphere suitable for contemplation. At most memorial sites, Service development and activity shall be limited to that essential for visitor understanding of the subjects memorialized and shall not attempt, or claim, to recreate historic settings.

MANAGEMENT FACILITIES

Management facilities, commensurate with law and administrative directives, should be located where best suited for the particular management function to be served, except that such facilities shall not be located where they interfere with the visitor's appreciation of the cultural and natural features of the park. Where consistent with effective management, management facilities should be located out of, or adjacent to, park boundaries.

ADMINISTRATIVE OFFICES

Location of administrative offices will be predicated upon conditions peculiar to each park. In locating such offices, consideration will be given to the effect on the park environment, adequacy of lease space in adjacent communities, relationship to the affairs of adjacent communities, convenience to visitors, climatic and environmental conditions in the park, cost differential of providing such facilities in or out of the park, energy considerations, commuting distance for employees, considerations of management effectiveness, and related factors.

Historic structures may be used for administrative offices where such use does not deprive the visitor of the appreciation and understanding of historic values or have an adverse effect on the historic resource.

(See Compatible Use of Historic Structures V-24, Energy Management X-1.)

PARK HOUSING

Provisions of permanent or seasonal residences for Service or concessioner employees shall be permitted only in accordance with Bureau of Budget (OMB) Circular No. A-18, October 18, 1957 and A-45, October 31, 1964, and Departmental regulations. Park housing should not be provided for support personnel, such as school teachers and doctors, except where these services are not available within reasonable distances from the park. Those people not involved with management of the park should not be permitted to rent park housing. Where Service and concessioner employee housing is provided in a park, it will be located and designed to minimize impacts on park values by careful selection of low resource value sites, by clustering, and as appropriate, by construction of multi-family units. Service and concessioner housing, if not mixed, should be kept adjacent or otherwise carefully planned to prevent sprawl. The use of modular, pre-cut, or prefabricated housing is encouraged, but must comply with requirements of quality design. A standard plan shall not be used without professional consideration of regional design and construction influences.

(See Use of Incidentally Acquired Housing Units, III-14, Compatible Use of Historic Structures V-24, Energy Management X-1.)

Housing in Historic Structures - Historic houses may be made available for park housing when such use is compatible with their preservation, park purpose, and the park management program. When consistent with the policies on treatment and use of historic structures, adaptive use of structures other than those in Category Ia for residential use is ordinarily preferable to the development of modern housing and the corresponding burden of preserving historic structures not open for exhibition. However, the fact that a historic house exists in a park is not a reason to make it available for employee housing unless such housing is justified in accordance with OMB Circular A-18.

(See Categories of Significance V-3 .)

Trailer Villages - Trailer villages for concession or Service employees are discouraged. Where concessioner trailer villages presently occur in a park, contracts or supplemental agreements should control and specify conditions under which long-term occupancy may be permitted. Any future concessioner employee trailer village--determined to be necessary in a park--may be provided only for transient occupancy.

USE OF INCIDENTALLY ACQUIRED HOUSING UNITS

Final disposition of acquired housing units will be predicated on the park general management plan. Housing units acquired as part of the land acquisition process for a park may be used for employee quarters when consistent with the requirements of OMB Circular A-18. If acquired non-historic housing units are not necessary or suitable for park management purposes, they should be disposed of by sale and removal from the park, or by demolition.

(See Park Housing, III-13; Compatible Use of Historic Structures, V-24.)

TRAFFIC AND NAVIGATION AIDS

Needed water navigation aids should be planned in collaboration with the U.S. Coast Guard and must be installed and used in conformity with the standards established by that agency, jointly modified as necessary to meet specific park needs. Traffic signs and pavement markings shall conform to good traffic engineering practices and should be installed and used in conformity with the "Manual on Uniform Traffic Control Devices," and "National Park Service Sign Systems Specifications."

MISCELLANEOUS MANAGEMENT FACILITIES

Installations such as fire towers, weather monitors, research stations, communication towers, pump houses, etc., shall be located and designed with equal concern for site and visual appearance. Wherever possible and efficient, such installations shall be located within, and made part of, other park developments to reduce sprawl.

(See Wilderness--Management Facilities VI- 8 .)

MAINTENANCE STRUCTURES

Maintenance structures shall be designed to the same quality as that of visitor facilities if they are necessarily located within sight of visitor use areas along a main park access road. Otherwise they may be screened, but removed from public use areas.

Prefabricated or unitized construction systems will be used only if form, color, and design are carefully considered and adjusted as required to conform--insofar as possible--with the general architectural character of other park structures.

Historic structures may be used for maintenance purposes when compatible with their preservation, park purpose, and the park management program. Consistent with policies on treatment and use of historic structures, adaptive use of structures other than those in Category Ia for maintenance facilities is ordinarily preferable to the development of modern facilities and the corresponding burden of preserving historic structures not open for public use.

(See Categories of Significance V- 3, Compatible Use of Historic Structures V-24.)

MEMORIALS

Congress has authorized the placing of monuments at certain battlefield sites by States whose units were involved in the engagements that the parks commemorate. Legislation relating to certain other parks contains similar provisions. In general, monuments or plaques of a memorial nature commemorating individuals or events may be erected in a park, or physical features or structures, e.g., visitor centers, therein may be named for individuals, when the association between the area and the individual or event is of transcendent importance. Except for existing memorializations, generally individuals should not be so honored until 20 years have

elapsed since their death.

Memorials that would be aesthetically intrusive or that would adversely affect cultural or natural resources are not permitted. Plaques or other memorial devices shall not be affixed to the historic fabric of structures.

(See Wilderness--Plaques, Memorials and Burial Plots VI- 10, Cemetaries and Burials VII- 18.)

SIGNS

Signs of all types should be held to the minimum number, size, and wording required to serve their intended function without loss of scale or readability. Signs, as applicable, shall conform to the graphic standard system as described in "National Park Service Sign System Specificiations." Entrance signs should be distinctively designed to suit the park at hand.

(See Traffic & Navigation Aids III- 14, Wilderness--Signs and Markers VI- 9.)

CHAPTER V

CULTURAL RESOURCE MANAGEMENT AND PRESERVATION

Management Policies of the National Park Service
United States Department of the Interior

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Cultural Resource Management and Preservation

THE NATIONAL PARK SERVICE SHALL FAITHFULLY PRESERVE THE CULTURAL RESOURCES ENTRUSTED TO ITS CARE AND PROVIDE FOR THEIR UNDERSTANDING, APPRECIATION, AND ENJOYMENT THROUGH APPROPRIATE PROGRAMS OF RESEARCH AND INTERPRETATION.

The mandate to preserve cultural resources for the benefit, enjoyment, and understanding of this and succeeding generations is contained not only in the National Park Service organic act of 1916, but also in five other significant legislative enactments. These laws, which have significant impact on the policies, programs, activities, and procedures of the Service as they relate to cultural resources, are:

The Antiquities Act of 1906, June 8, 1906 (P.L. 59-209, 34 Stat. 225)

The Historic Sites Act of 1935, August 21, 1935 (P.L. 74-292, 49 Stat. 666)

The National Historic Preservation Act of 1966, October 5, 1966 (P.L. 89-665, 80 Stat. 915), as amended by P.L. 94-422.

The National Environmental Policy Act of 1969, January 1, 1970 (P.L. 91-190, 83 Stat. 852)

The Archeological and Historic Preservation Act of 1974, an amendment, May 24, 1974 (P.L. 93-291, 88 Stat. 174)

In addition, the below listed references further elaborate on the requirements of these laws and provide detail upon which Service policies are based:

"Protection and Enhancement of the Cultural Environment," Presidential Executive Order 11593, May 13, 1971 (36 F.R. 8921)

"Procedures for the Protection of Historic and Cultural Properties," Advisory Council on Historic Preservation (36 C.F.R. Pt. 800)

"National Register of Historic Places," National Park Service (36 C.F.R. Pt. 60)

"Procedures for Requesting Determinations of Eligibility," National Park Service (36 C.F.R. Pt. 63)

"Guidelines for the Preparation of Environmental Impact Statements," Council on Environmental Quality (40 C.F.R. Pt. 1, Pt. 1500)

"Preparation of Environmental Statements: Guidelines for Discussion of Cultural (Historic, Archeological, Architectural) Resources," U.S. Department of the Interior, August 1973 (Revised, April 1974)

"Uniform Rules and Regulations Prescribed by the Secretaries of the Interior, Agriculture and War to Carry Out the Provisions of the Act for the Preservation of American Antiquities," December 28, 1906.

The laws, Executive order, and guidelines taken in total impose a special obligation on the Service to locate, identify, evaluate, preserve, manage, and interpret qualified cultural resources in every park in such a way that they may be handed on to future generations unimpaired. The management policies that follow are those essential to the Service's exercise of this stewardship of the cultural resources entrusted to its care. Consistent with the requirements of law, resources managers and professionals at all levels shall taken positive action to perpetuate unimpaired the cultural resources of the National Park System; to prevent adverse effects on these resources by development, visitor use, or resource management activities; and to prohibit vandalism or unauthorized excavation, collection, or appropriation of cultural resources.

EXPLANATION OF TERMS

In general references to resources significant in the human past, the term "cultural" is now preferred to "historic" as more broadly denoting the inclusion of prehistoric, archeological, and architectural properties. The term "historic" (and its various forms) is still often used in a broad sense to refer to both prehistoric and historic periods, to the anthropological concept of culture, and to the processes, events, places, and objects related to the human past. There follows a brief explanation of the use of selected terms.

CULTURAL RESOURCES

Cultural (or historic) resources are sites, structures, districts, and objects significantly associated with or representative of earlier people, cultures, and human activities and events.

Site - a distinguishable piece of ground or area upon which occurred some historic event, or which is significantly associated with historic events, persons, or cultures, or which was subjected to sustained human activity. Human activity may be reflected in the topography or ecosystem. Examples of historic sites (apart from other types of historic resources they may encompass) are battlefields, campgrounds, trails, middens, and farms.

Structure - a work of humans consciously created to serve some form of human activity, usually by nature or design immovable. Examples are buildings of various kinds, dams, canals, bridges, stockades, forts and associated earthworks, Indian mounds, fences, gardens, roads, and mill races.

Object (or artifact) - a material thing of functional, aesthetic, cultural, symbolic, or scientific value, usually by nature or design movable. Historic objects are ordinarily regarded as museum specimens. If, however, they are large and not readily portable (e.g., nautical vessels, statues), they are treated as structures.

District - a geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of historic sites, structures, or objects, unified by past events or aesthetically by plan or physical developments or by similarity of human use. A district also may be composed of individual elements that are separated geographically but are linked by association or history. Historical areas of the National Park System are ordinarily districts in themselves.

HISTORIC SCENE

The overall appearance of all cultural resources and their surroundings as they were in the historic period constitutes the historic scene. It is at once the environment in which a historic place reposes and the appearance of that historic place in its environment. To the extent that modern developments, exotic or altered vegetation, and topographic changes have intruded upon the environment of a historic place, or that the cultural resources themselves have visibly changed, the historic scene has been altered.

CATEGORIES OF SIGNIFICANCE

Individual cultural resources in units of the National Park System shall be assigned to the following categories of significance on the basis of professional evaluation:

Category Ia - Resources that individually possess national significance, in terms of the criteria for evaluating proposed National Historic Landmarks (e.g., the Adams House at Adams NHS, Fort San Carlos de Barrancas at Gulf Islands NS, Cliff Palace at Measa Verde NP). Except for individually significant resources which are clearly essential to the established national significance of historical parks, such as Independence Hall at Independence NHP, final assignment to Category Ia shall depend on evaluation by the National Park System Advisory Board and approval by the Secretary of the Interior. Those few Category Ia resources unrelated to the primary purposes or themes of their parks, such as the Second Bank of the U.S. at Independence NHP, shall be designated National Historic Landmarks.

Category Ib - Resources that, while not individually possessing national significance, contribute to the established national significance of a historical park or a nationally significant historic district elsewhere (e.g., the Carriage House at Adams NHS, the locks in Chesapeake and Ohio Canal NHP, the buildings at Fort Davis, the battlefield farmhouses and commemorative monuments at Gettysburg NMP, and most subsidiary structures and resources contributing to the historic scene in historical areas).

Category IIa - Resources that meet the basic criteria for listing in the National Register of Historic Places and are of State or regional significance (e.g., Old Point Loma Lighthouse at Cabrillo NM, Floyd Bennett Field at Gateway NRA).

Category IIb - Resources that meet the basic criteria for listing in the National Register of Historic Places and are of local or park significance (e.g., the 19th-century Howser House at Kings Mountain NMP, most early park administrative and visitor use structures at Yosemite NP).

Categories IIa and IIb will include all historical area resources of less-than-national significance which are unrelated to the primary themes of their parks, and most cultural resources in other areas.

INVENTORY, CLASSIFICATION, AND REGISTRATION OF CULTURAL RESOURCES

As required by law, the National Park Service shall inventory and appropriately classify for protection and use the cultural resources of all the parks.

(See Information Base II- 1.)

INVENTORY OF CULTURAL RESOURCES

The cultural resources of every park shall be located, inventoried, and evaluated for significance in accordance with the requirements of Executive Order 11593. The resulting evaluative inventory will provide the substantive data needed to formulate historic preservation and resources management proposals; to guide planning, development, interpretation, and maintenance activities; and to comply with legal requirements. The cultural resources inventory is an essential part of the park's Information Base. As a basic resources management tool, it shall be periodically reviewed and updated in a progressive effort toward completion.

LIST OF CLASSIFIED STRUCTURES

The National Park Service shall maintain a central List of Classified Structures (LCS), identifying all historic structures within the units

of the National Park System that may meet the criteria of the National Register of Historic Places or are elements of sites, districts, or structural complexes that may meet the National Register criteria. (A few other structures determined to warrant preservation for their cultural values may also be included in the LCS.) The LCS shall record the Category of Significance and level of treatment (preservation, restoration, reconstruction) for each structure and shall provide a basis for programming and executing the prescribed level of treatment.

(See Historic Structures V- 15.)

NOMINATION OF CULTURAL RESOURCES TO THE NATIONAL REGISTER

All cultural resources in all units of the National Park System that meet the criteria of the National Register of Historic Places shall be nominated to the National Register by the responsible Regional Directors, in consultation with the appropriate State Historic Preservation Officers. Although the historical areas of the System are automatically listed in the National Register, inventory/nomination forms must be submitted to define their cultural resources in the same way that such resources in other areas are defined when nominated. Eligible historical area resources unrelated to the primary themes of their parks should be nominated separately.

Periodic review shall be undertaken to insure that all National Register forms are current and complete. In particular, forms shall be revised to reflect all relevant boundary revisions.

(See Management Zoning II- 3 , Proposal Formulation Affecting Cultural Resources V- 11.)

CONTROL OF HISTORIC OBJECTS

The Service shall develop and maintain a comprehensive Servicewide evaluative inventory of all historic objects for which it is responsible and shall periodically verify their existence, location, and condition. Objects of national significance, objects susceptible to unauthorized appropriation as collector's items, and marketable commodities and objects of an appraised value over $100 shall be treated as controlled property under appropriate property management procedures. The Service shall appraise and offer positive identification on all objects known to be traded in various collectors markets. Every park shall maintain a complete accession record and museum catalog of historic and/or scientific objects for which it is responsible, as prescribed in the National Park Service Manual for Museums.

(See Acquisition and Care of Historic Objects V-11 , Historic Objects--Preservation V- 14.)

HISTORICAL DATA

The Service shall develop and maintain a comprehensive data bank for recordation, retrieval, and storage of all primary and synthesized data resulting from its programs of cultural resources investigation and preservation.

RESEARCH INVOLVING CULTURAL RESOURCES

The Historic Sites Act of 1935 recognizes the importance of research by placing it first among the authorities granted the Secretary of the Interior to carry out the national historic preservation policy. Accordingly, the Service shall conduct and support research necessary to evaluate, preserve, and interpret the cultural resources of the National Park System.

(See Information Base II-1, Science Program IV-2.)

PURPOSES OF SERVICE RESEARCH INVOLVING CULTURAL RESOURCES

Service research on cultural resources within the National Park System shall be mission-oriented, supporting their preservation, development, interpretation, and management. Research shall precede planning and development affecting the cultural resources of any unit of the System. The depth of research conducted shall be appropriate to the level of importance of the end to be served.

Research may be directed to a particular planning or management problem, or may be conducted to provide fundamental data for preservation, management, or interpretation. Research that does not contribute directly to these needs of the Service is properly the province of non-Service scholars and shall not be conducted by the Service.

QUALITY OF HISTORICAL, ARCHEOLOGICAL, AND ARCHITECTURAL RESEARCH

Historical, archeological, and architectural research shall employ current professional concepts, methods, and techniques in order to make optimum use of funds and resources, and contribute effectively to preservation, development, interpretation, and management. All research shall be preceded by, and be consistent with, a comprehensive and professionally adequate research design based on standards that are consistent with current professional expectations and capabilities. These standards shall be periodically reviewed by qualified Service and non-Service professionals.

ARCHITECTURAL RESEARCH

Architectural research shall be conducted by experienced professionals to synthesize physical evidence found in the analysis of a structure and such architectural prototypes of the period and region needed to fully understand the structure with documentation and evidence supplied by historians and archeologists. Professional study and evaluation shall precede any changes in use of a historic structure and intervention into its fabric for maintenance or preservation treatment. Architectural research shall be continuously employed to evaluate all new information, materials, and practices that may affect the preservation of historic structures.

ARCHEOLOGICAL RESEARCH

Archeological research involving excavating or collecting, no matter how well conceived or executed, is a destructive process representing an irreversible and irretrievable commitment of cultural resources. Accordingly, any Service proposal for research physically affecting cultural resources shall:

1. be based on an approved research design closely defining the scope and methodological basis of the research;

2. establish that the research is essential to the acquisition of data needed by management, or to visitor understanding of the purpose for which the park was established, or to the preservation of in situ historic remains;

3. establish that the purpose of the work proposed can be substantially met only by archeological work at the site(s) proposed;

4. provide for appropriate recordation of data, dissemination of results, and preservation of cultural resources affected.

Non-Service proposals for archeological research in parks involving excavating or collecting shall:

1. provide a research design closely defining the scope and methodological basis of the proposed work;

2. establish that the research is essential to the acquisition of data directly related to current significant anthopological concerns that cannot reasonably be accomplished by investigation of archeological resources outside the park;

3. establish that sufficient institutional commitment and capability exist to fully recover, analyze, synthesize, and publish the results of the work; to meet curatorial responsibilities for the archeological materials and artifacts removed; and to provide for appropriate preservation of the *in situ* remains;

4. establish that the principal investigator has a serious, long-term commitment to the archeological resources proposed for the study.

All archeological research proposals shall comply with the requirements of Executive Order 11593, Section 106 of the National Historic Preservation Act of 1966, and the provisions of the Antiquities Act of 1906.

SALVAGE OF CULTURAL RESOURCES

When it has been determined, in conformance with the Procedures for the Protection of Historic and Cultural Properties promulgated by the Advisory Council on Historic Preservation, that overriding development or other considerations require the destruction of cultural resources listed or eligible for listing in the National Register of Historic Places, provision shall be made for salvage of data and remains. In the case of resources not meeting the National Register criteria and in accordance with recommendations of appropriate professionals, provision shall be made for the salvage and/or recordation of data and remains that will be destroyed or altered. If it is established that in a particular situation total salvage will be too expensive in relation to the value of the data and remains, or if total salvage will involve unwarranted duplication, then less-than-full salvage may be approved. All salvage shall be based on an appropriate research design and shall conform to the extent possible with Service research policies and Department of the Interior regulations.

PRESERVATION OF FIELD NOTES AND COLLECTIONS

Field notes and collections of artifacts and structural features retrieved in the conduct of research in archeology and historic architecture, or during restoration projects, shall be preserved for the benefit of future investigators and as an aid to continued preservation.

Where practicable, structural elements shall be left in place. If they must be removed for preservation, significant or representative samples shall be carefully tagged, cataloged, and stored.

COOPERATIVE RESEARCH

The Service shall promote and encourage cooperative research relationships in history, historic architecture, and archeology with recognized educational and scientific institutions. Through appropriate means, such as memorandums of agreement and personnel exchanges, the Service shall encourage such institutions and scholars to direct their research interests toward Service objectives. In furtherance of this policy, the Service may align its cultural resources preservation and research facilities with appropriate institutions.

Because the Service also needs information gathered apart from the constraints of its policies and expectations, it shall seek out outside research pertinent to park themes and resources and shall encourage independent researchers to undertake studies related to interpretation and management.

The physical and documentary resources of the Service and its facilities and assistance shall be made available to qualified scholars, whether professional or amateur, to the extent consistent with the Service's mission and operational requirements.

INVESTIGATION OF CULTURAL RESOURCES BY QUALIFIED INVESTIGATORS

Direct archeological and architectural investigation of cultural resources in any manner that physically affects such resources shall be undertaken only by professionally qualified Service employees or contractors or collaborators in the conduct of their official assignments, or by accredited scholars from recognized institutions bearing Antiquities Act permits.

PROTECTION OF RESEARCH POTENTIAL

No action shall be taken that in any way unnecessarily reduces the potential for future research on cultural resources in any park. Proposals for archeological excavation shall be preceded by a thorough professional evaluation of the impact on research potential. In addition, affirmative steps shall be taken in every park to insure that (a) routine park activities or development do not impair cultural resources; (b) no action is undertaken that alters the fabric of a historic structure for any purpose other than approved forms of its preservation, and then only under appropriate professional supervision; (c) structural materials and historic objects recovered during treatment or excavation of cultural resources are recorded and preserved. Where warranted by their importance, susceptibility to adverse effects from visitation, or the necessities of ongoing research efforts, cultural resources (including historic structures and areas of archeological value) may be closed to public access and reserved solely for research purposes.

CULTURAL RESOURCE RESEARCH PLAN

The status of research in history, archeology, historic architecture, and related disciplines in each unit of the National Park System shall be defined in a Cultural Resource Research Plan. The plan will indicate work that has been accomplished and lay out an orderly program for accomplishment of additional research needed to support park development, interpretation, and management.

ARCHIVES AND COLLECTIONS

The National Park Service shall provide for the appropriate care, storage, disposition, and selective display of the historic objects, items, and materials entrusted to its care and shall acquire, as needed, those historic objects and materials essential to the achievement of park purposes and objectives, or directly related to research requirements.

DOCUMENTARY RECORDS

The disposition of official records generated in the course of park operations is governed by records management schedules jointly agreed on by the National Park Service and the National Archives and Records Service and periodically reviewed to insure their consistency with archival standards. Regional offices are responsible for transferring official records from both their offices and parks to the records centers. When records maintained in parks have served their purpose as operating records and are eligible for disposal according to the National Park Service Records Disposition Schedule, parks are encouraged to retain notes or copies of historically significant records relevant to management and interpretation and such materials as are needed for exhibit or to document museum collections.

The acceptance and retention of private collections of relevant historical material by parks is encouraged, provided they are confined to printed matter, photographs, maps, and copies of original documents. Original archival material shall not be acquired unless specifically authorized by the Director. The criteria for acquisition are: (1) adequate storage facilities which meet archival standards, (2) a continuity of trained archival personnel, and (3) ready access for research. When original documentary collections are offered to or are already in a park which does not meet the above criteria, effort should be made to have them placed in an appropriate public repository, such as a state or university library or the National Park Service Historic Collection in the Division of Reference Services, with copies only retained in the park. If the collection is a major historical resource, as at Edison and Morristown, retention of the collection on site entails a responsiblity to provide perpetual professional care.

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Where park archival or library collections contain rare printed items on fragile sulfide paper, preservative treatment and photocopying shall be undertaken.

ACQUISITION AND CARE OF HISTORIC OBJECTS

A scope of collection statement, in which the limits of museum collection are detailed, must be prepared and approved for every park.

Historic objects related directly to the history of an area may be acquired by gift, loan, exchange, or purchase, in conformance with legal authorizations, and existing procedures, and preserved in the area for study and interpretive purposes. A reasonable number of specimens not related directly to the history of an area may be included in a collection for purposes of comparative study. Historic or archeological objects may be collected from the area only in conformance with historical research policies by professionally qualified persons operating within the scope of assigned duties, under contract, or under provisions of an Antiquities Act permit. The original fabric of historic structures shall not be mutilated to secure specimens for museum collections. Where some original fabric is removed incidental to structural repair, representative portions of the removed elements shall be preserved in the museum collection if they reveal significant facts about the structure.

The Service shall document, record, and protect for optimum preservation all historic objects entrusted to its care. It may cooperate with other qualified institutions in the accession, protection, and preservation of historic objects and, under appropriate circumstances, may place objects on loan to such institutions.

Reference: Ralph H. Lewis, *Manual for Museums*, Part I, Washington, U.S. Department of the Interior, 1976.

PROPOSAL FORMULATION AFFECTING CULTURAL RESOURCES

Proposals for the restoration, reconstruction, removal, or neglect of historic sites and structures shall be advanced only as part of the planning process.

Proposals for any park purpose affecting cultural resources shall be implemented only when consistent with the following criteria.

1. The proposed action is consistent with the purposes for which the park was established, and there is no prudent or feasible alternative to a proposal that will affect cultural resources adversely.

Where park archival or library collections contain rare printed items on fragile sulfide paper, preservative treatment and photocopying shall be undertaken.

ACQUISITION AND CARE OF HISTORIC OBJECTS

A scope of collection statement, in which the limits of museum collection are detailed, must be prepared and approved for every park.

Historic objects related directly to the history of an area may be acquired by gift, loan, exchange, or purchase, in conformance with legal authorizations and existing procedures, and preserved in the area for study and interpretive purposes. A reasonable number of specimens not related directly to the history of an area may be included in a collection for purposes of comparative study. Historic or archeological objects may be collected from the area only in conformance with historical research policies by professionally qualified persons operating within the scope of assigned duties, under contract, or under provisions of an Antiquities Act permit. The original fabric of historic structures shall not be mutilated to secure specimens for museum collections. Where some original fabric is removed incidental to structural repair, representative portions of the removed elements shall be preserved in the museum collection if they reveal significant facts about the structure.

The Service shall document, record, and protect for optimum preservation all historic objects entrusted to its care. It may cooperate with other qualified institutions in the accession, protection, and preservation of historic objects and, under appropriate circumstances, may place objects on loan to such institutions.

PROPOSAL FORMULATION AFFECTING CULTURAL RESOURCES

Proposals for the restoration, reconstruction, removal, or neglect of historic sites and structures shall be advanced only as part of the planning process.

Proposals for any park purpose affecting cultural resources shall be implemented only when consistent with the following criteria.

1. The proposed action is consistent with the purposes for which the park was established, and there is no prudent or feasible alternative to a proposal that will affect cultural resources adversely.

2. The proposal has been formulated with the active participation of professional specialists in history, archeology, and historic architecture, as appropriate.

3. Sufficient historical, archeological, and/or architectural data have been gathered to permit a professional judgment of the validity of the proposal. If such data have not been gathered, proposals shall be conditioned on their subsequent acquisition.

4. The proposal is so conceived and defined that it is consistent with the applicable Service policy and criteria.

5. The effects of the proposal on all historic resources and other elements of the human environment have been assessed through interdisciplinary analysis, and all reasonable measures to minimize harm and avoid adverse effects have been incorporated in the proposal, including salvage of data and materials.

6. The Advisory Council on Historic Preservation and the appropriate State Historic Preservation Officer(s) have been presented an opportunity to comment on the proposal in accordance with the Council's Procedures for the Protection of Historic and Cultural Properties established under Section 106 of the National Historic Preservation Act and Section 2(b) of Executive Order 11593; compliance shall be documented by letter or memorandum of agreement as applicable.

To comply with the foregoing conditions, the following measures shall be taken before or during proposal formulation. Prior to construction, demolition, or other activity that will disturb the ground or that otherwise might affect any (including unidentified) cultural resources in any unit of the National Park System, the area affected shall be examined by qualified historians, archeologists, and historical architects, as needed, to locate and evaluate any cultural resources existing therein. Any that appear to qualify shall be nominated to the National Register of Historic Places. Any resources that do not appear to meet the National Register criteria shall be evaluated by appropriate professionals for salvage, reuse and recycling potential. The proposal shall be considered or reconsidered in light of the accumulated information and shaped, modified, or dropped to avoid, to the extent possible, adverse effects on historic resources. Should such effects prove unavoidable, and conditions 1 and 5 above are met, review procedures under Section 106 or Section 2(b) shall be completed prior to initiation of the proposed action.

These same cautions shall be observed prior to the transfer of lands from the National Park Service to other agencies or owners. In such

cases the additional requirements of Section 2(f) of Executive Order 11593 must also be met.

(See Plans Affecting Cultural Resources II- 8 , Activities and Facilities for Arts and Culture III- 11, Nomination of Cultural Resources to the National Register V- 5 , Interpretive Presentations VII- 3.)

TREATMENT OF CULTURAL RESOURCES

For purposes of preservation treatment, the Service recognizes three classes of cultural resources: historic sites, historic structures, and historic objects (which differ from structures in being generally movable). Perpetuation of these resources will be accomplished by one or more of the following methods: preservation, restoration, or reconstruction.

Preservation - involves the application of measures to sustain the existing terrain and vegetative cover of a site and the existing form, integrity, and material of an object or structure. It includes initial stabilization work, where necessary, as well as ongoing maintenance.

Restoration - is the process of recovering the general historic appearance of a site or the form and details of an object or structure by the removal of incompatible natural or human-caused accretions and the replacement of missing elements as appropriate. For structures, restoration may be for exteriors and interiors and may be partial or complete.

Reconstruction - involves the accurate reproduction of an object or structure, in whole or in part.

All cultural resources shall be preserved (except where a determination is reached in accordance with the procedures of the Advisory Council on Historic Preservation that a particular resource need not be preserved). Consequently, prior to any other approved treatment, or following restoration or reconstruction, preservation treatment is required.

All forms of treatment described above shall be carried out only by, or under the direction of, competent Service professionals in conformance with approved supplemental criteria, standards, guidelines, and technical instructions.

All forms of treatment may be carried out in an area as applicable. Significance of the resource, its condition, its interpretive value, and the cost of treatment are all factors that must be weighed in determining the appropriate treatment.

HISTORIC SITES

Preservation - A historic site shall be preserved in its existing form on the basis of the following criteria:

1. The site, upon acquisition, already possesses the integrity and authenticity required; or

2. Restoration is indicated but must, for reasons of cost or the lack of sufficient data, be postponed; or

3. The site has been restored and now must be preserved.

Restoration - The goal of historic site restoration is usually to recapture the general appearance of the surface and vegetative cover of the site during the historic period. A site may be restored when both the following criteria are met:

1. Restoration is essential to visitor understanding of the historical values associated with the site.

2. Sufficient historical and archeological data, and necessary supporting natural science data, exist to permit an accurate restoration with a minimum of conjecture.

HISTORIC OBJECTS

Preservation - All historic objects that come into the possession of the National Park Service shall be accessioned, cataloged, given appropriate preservation treatment, and stored or exhibited in ways that will insure their continued survival with minimal deterioration. Such storage or exhibit shall include periodic inspection, cleaning and preservation treatment as necessary, and such conditions of atmospheric control as are most conducive to the survival of the objects.

Restoration - When needed to interpret properly the historical values of an area, a historic object may be fully or partially restored by the removal of nonhistoric additions and the replacement of missing members. In no case shall restoration include the removal of elements of the object such as integral parts or original finishes, except where such removal is necessary for the survival of the object as a whole. In such a case, removed elements shall not be discarded unless their removal occasioned their total destruction. To the extent possible, work accomplished in the restoration shall be reversible. Restoration of a historic object may be authorized on the basis of the following criteria:

1. Restoration is necessary for the survival of the object as a whole; or

2. The object is necessary for display purposes but cannot be properly understood without restoration, and sufficient data exist to permit an accurate restoration with a minimum of conjecture. In such a case the nonhistoric elements shall be distinguishable from the historic and removable.

Reconstruction - Reconstruction of a historic object may be authorized when all the following criteria are met:

1. The object is essential for public understanding and appreciation of the historical associations for which a park was established, or it is an integral part in interpreting a facet of the park's story.

2. No original exists, or an original that may exist is unobtainable or too delicate or valuable for the display or use intended.

3. Sufficient data exist to permit an accurate reproduction.

(See Control of Historic Objects V- 5.)

HISTORIC STRUCTURES

In its treatment of historic structures, the National Park Service shall heed the following internationally accepted maxims, adopted in 1936 by the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments (now the National Park System Advisory Board):

- "Better preserve than repair, better repair than restore, better restore than reconstruct."

- "It is ordinarily better to retain genuine old work of several periods, rather than arbitrarily to 'restore' the whole, by new work, to its aspect at a single period."

The restoration of a historic structure to reflect an earlier period of its existence usually involves the impairment or destruction of some of its original fabric and a degree of conjecture in the replacement of missing fabric. Alterations to a structure are often of historical or architectural value in themselves and convey a desirable sense of evolution over time. No matter how well conceived and executed, a restoration will be an artificial modern interpretation of the past rather than an authentic survival from it. Accordingly,

the preservation of a historic structure in its existing form shall always be given first consideration.

A historic structure, whether preserved in existing form, restored, or reconstructed, may be subject to adaptive use. Adaptive use may be appropriate for structures that are visually important in the historic scene but do not otherwise qualify for exhibition purposes. In such cases the facade, or so much of the exterior as is necessary, is treated to achieve the management purpose so that it will be properly understood from the public view. The interior is usually converted to modern functional use, but original fabric is retained wherever practicable.

Preservation - A historic structure shall be preserved in its existing form on the basis of the following criteria:

1. The structure, upon acquisition, already possesses the integrity and authenticity required; or

2. Restoration is indicated but must, for reasons of cost or the lack of sufficient data, be postponed; or

3. The structure has been restored or reconstructed and now must be preserved.

Restoration - Full restoration of a historic structure may be undertaken when essential for public understanding and appreciation of the historical or cultural associations of the park. Partial restoration (usually for adaptive use) may be undertaken when necessary to insure preservation of the structure or to restore the historic scene, or when desirable for interpretive purposes. In all cases, sufficient historical, architectural, and archeological data must exist to permit accurate restoration, with a minimum of conjecture.

Every restoration shall be preceded by detailed documentation of the structure, and any changes made during restoration shall be carefully documented. Original historic fabric shall be safeguarded to the extent possible during and after restoration. Important structural features, samples of surviving historic paint, and other elements of the structure removed during restoration and important to a technical understanding of the structure shall be preserved.

(See Preservation of Field Notes and Collections V-8 .)

Reconstruction - The reconstruction of a vanished historic structure shall be authorized only when the following criteria are met:

1. There are no significant preservable remains that would be obliterated by reconstruction.

2. Historical, archeological, and architectural data are sufficient to permit an accurate reproduction with a minimum of conjecture.

3. The structure can be erected on the original site.

4. All prudent and feasible alternatives to reconstruction have been considered, and it is demonstrated that reconstruction is the only alternative that permits and is essential to public understanding and appreciation of the historical or cultural association for which the park was established.

All reconstructions shall be clearly identified as such to the public.

All reconstructions shall be intended to reproduce structures existing on the site during the historic past. Reconstructions to provide "typical" or "commemorative" or "suggestive" examples of historic structures, or intended primarily to serve as stages for demonstrations or other activities, are not permitted. The reconstruction of vanished structures to portray them in a ruined, damaged, or partially demolished state is prohibited, even when such may have been their condition during the historic period.

SPECIAL POLICIES FOR HISTORIC STRUCTURES

Historic structures constitute a major component of the cultural resources entrusted to the National Park Service. The continued integrity of these resources, based upon their classification, appropriate treatment, management, and use, is a primary concern of the Service.

(See Wilderness--Historic Features VI- 3.)

HISTORIC STRUCTURE PRESERVATION GUIDES

Historic Structure Preservation Guides, prescribing preservation procedures, treatments, materials, and schedules, shall be prepared to direct the continuing preservation of individual structures in the National Park System.

ACQUISITION OF HISTORIC STRUCTURES

The purchase or acceptance of a historic structure for placement in a historical area is permitted only when a similar structure existed in the area historically but does no longer, and when the structure is important in restoring the visual integrity of the area. No

structure that merely approximates a vanished structure that would qualify for Category Ia shall be acquired or moved to replace it. In general, the acquisition of historic structures for placement within historical areas shall be governed by the considerations governing reconstructions of historic structures.

MOVING HISTORIC STRUCTURES

The movement of a historic structure affects the structure, the environment from which it is moved, and the environment to which it is moved. Any proposals for the movement of a historic structure shall fully consider each effect and shall be subject to the Procedures for the Protection of Historic and Cultural Properties promulgated by the Advisory Council on Historic Preservation.

Category I structures bear important relationship to their sites and shall be preserved in situ. If such a structure has been previously moved, however, it may be returned to its original location provided that the previous move and subsequent location of the structure are not important to its historical significance.

A Category II structure may be moved when it cannot practicably be preserved on its present site. Otherwise it may be moved only if its significance is not directly related to its location and its movement is essential to interpretation of the historical or cultural values of the area.

No historic structure shall be moved if its structural integrity or preservation would be adversely affected thereby.

In moving a historic structure, every effort shall be made to reestablish its historic orientation, immediate setting, and general relationship to its environment. If it is necessary to move a number of buildings, they may be arranged in an ensemble appropriate to their historic character, subject to the following considerations.

Movement of Category I structures for the purpose of assembling them in a complex or community is not permitted except for the reassembly of the original structures on their original sites. Category II structures may be moved to historic complexes or communities to replace vanished historic structures when all the following criteria are met:

1. The policies for movement of such structures are met.

2. The structures moved are similar in type, appearance, and original purpose to the historic structures they replace in the areas to which they are moved.

3. Replacement of structures in the historic community is essential for interpretation of the historical or cultural values of the area, or to restore the historic scene.

The movement of structures to establish complexes or communities where none existed historically is permitted only when all the following criteria are met:

1. The policies for movement of historic structures are met.

2. Movement of the structures is essential to their preservation.

3. The structures moved are appropriate in design and function to those that would have existed in such a complex or community.

4. All feasible alternatives have been considered, and it is demonstrated that assembly of the complex or community best meets the needs of preservation and interpretation of the cultural resources.

5. Historical and archeological investigations have demonstrated that the site selected for the assembly of structures possesses no important historical or cultural values or resources that will be adversely affected by creation of the complex or community.

Communities or complexes created by the movement of structures not present historically shall be clearly identified to the public as artificial assemblies.

ADDITIONS TO HISTORIC STRUCTURES

Modern additions, such as lightning protection, security equipment, heating and air conditioning equipment, are permitted in Category Ia structures to the extent they can be concealed within the structure or its setting and do not damage or destroy significant original fabric. Structural additions, such as additional wings, rooms, or other appendages, may not be added to Category Ia structures except as replacements of deteriorated or missing original members during an authorized preservation or restoration project.

Modern construction may be added to other historic structures when essential to their continued use. A modern addition should be readily distinguishable from the older work; however, the new work should be harmonious with the old in scale, proportion, materials, and color. Such additions shall be as inconspicuous as possible and shall not intrude upon the important historic scene.

Proposals for additions to historic structures are subject to the Procedures for the Protection of Historic and Cultural Properties promulgated by the Advisory Council on Historic Preservation.

(See Facilities for the Handicapped III- 7 .)

DAMAGED OR DESTROYED HISTORIC STRUCTURES

Historic structures that are damaged or destroyed by fire, storm, earthquake, modern war, or other accident may be preserved as ruins, restored, or reconstructed in accordance with the restoration and reconstruction policies stated herein.

(See Shoreline Processes IV-22 .)

REMOVAL OR ALTERATION OF STRUCTURES

No structure in the National Park System may be removed or significantly altered without professional evaluation of its historical, architectural, and archeological value according to National Register criteria. Where any doubt exists of potential eligibility for the National Register, a determination shall be sought from the Register as required by Section 2(b) of Executive Order 11593. Removal or alteration of a property listed or potentially eligible for listing in the National Register shall be proposed only within the planning process and shall be subject to compliance with the Procedures for the Protection of Historic and Cultural Properties promulgated by the Advisory Council on Historic Preservation.

(See Proposal Formulation Affecting Cultural Resources V-11, Plans Affecting Cultural Resources II-11.)

NEGLECT OF CULTURAL RESOURCES

Although all cultural resources should ideally be preserved, the costs of preservation may occasionally outweigh the benefits to be derived therefrom. When it has been determined during the planning process, or on the basis of a thorough professional review, and in conformance with 36 C.F.R. Part 800, "Procedures for the Protection of Historic and Cultural Properties," that active measures to preserve a resource listed on or eligible for the National Register are unwarranted, the resource shall be professionally investigated and the significant data it contains duly recorded in accordance with Executive Order 11593 and Service standards. The resource then shall be permitted to deteriorate naturally, unless earlier demolition or removal is determined necessary for public safety or to eliminate unacceptable intrusion on dominant park values.

(See Plans Affecting Cultural Resources II- 8 , Proposal Formulation Affecting Cultural Resources V- 11)

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(See Proposal Formulation Affecting Cultural Resources V- Plans Affecting Cultural Resources II-11.)

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(See Plans Affecting Cultural Resources II- 8 , Proposal Formulation Affecting Cultural Resources V- 11)

RUINS

By definition, ruins are classified as historic structures and shall be accorded treatment as indicated herein for the several classes of historic structures.

The preservation techniques designed to arrest further deterioration of ruins are encompassed by the term "ruins stabilization."

Ruins stabilization destroys basic archeological data. Accordingly, appropriate research on the original fabric of a structure, conforming to Service research policies, must precede stabilization.

Ruins on unexcavated sites should be stabilized only to the extent necessary to preserve them for further investigation. Sites to be interpreted shall not be excavated until adequate provisions have been made for stabilization of the ruins as they are exposed. The deliberate creation of ruins out of whole structure is prohibited, as is the reconstruction of missing structures to portray them in a ruined state.

(See Historic Structures--Reconstruction V-16.)

HISTORIC FURNISHINGS

The perpetuation or re-creation of historic furnished interior spaces shall be governed by the standards of appropriateness and integrity that apply to the treatment of historic structures themselves. In either case the Service seeks--when appropriate--to perpetuate or restore with demonstrable accuracy fabric and appearances that existed at a past period.

The refurnishing of spaces whose historic contents are partially absent is analogous to the restoration of structures and shall be considered in the light of the policies for such restoration. When most or all historic contents are missing, refurnishing becomes analogous to reconstruction and is guided by correspondingly restrictive criteria. In general, given the frequency with which furnishings change over time and the relative complexity of interior appointments, the accurate re-creation of historic interior spaces is even more difficult than the restoration or reconstruction of buildings. Refurnishing is the preferred interior treatment only when it can be accomplished with minimal conjecture and when it contributes significantly to visitor understanding of a primary park theme.

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The following criteria shall apply:

1. When the historic furnishings of a structure are present in their original arrangement, no substitutions or rearrangement shall occur unless required for their preservation and as prescribed in an approved furnishing plan.

2. When the historic furnishings of a structure are not present but are available for acquisition, they should be acquired for refurnishing if

   a. sufficient evidence of their historic placement exists to permit refurnishing with a reasonable degree of locational accuracy; and

   b. the structure is significantly related to a primary park theme, and it is demonstrated in an approved planning document that furnishing is the best way to communicate that relationship to the public.

3. When all or most of the historic furnishings of a structure are missing, the structure may be refurnished (in whole or part) if

   a. sufficient evidence of the design and placement of the historic furnishings exists to permit accurate refurnishing with minimal conjecture; and

   b. period pieces or reproductions closely comparable to and representing a visual majority of the furnishings present historically may be obtained; and

   c. the structure is significantly related to a primary park theme, and it is demonstrated in an approved planning document that furnishing is essential to communicate that relationship to the public.

Historic furnishings, when present, must be documented to authenticate their origin and placement. The acquisition and installation of replacement pieces must be governed by a documented furnishing plan reflecting current curatorial policies and standards.

Original historic furnishings and period pieces shall not be displayed unless they will be adequately protected from damage and deterioration. When such protection cannot be assured, reproductions shall be used for display.

Significant extant original pieces that cannot be acquired by the Service may be reproduced for display consistent with the foregoing provisions.

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Replacement pieces shall be identified as such to the public.

(See Control of Historic Objects V-5, Acquisition and Care of Historic Objects V-11, Treatment of Historic Objects V-14-15, Security Measures for Cultural Properties V-25, Interpretive Presentations VII-3.)

HISTORIC GARDENS

Historic gardens, by definition, are classified as historic structures and shall be accorded treatment as indicated herein for the several classes of historic structures. Gardens shall be intensively maintained to preserve their correct historic character.

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HISTORIC ROADS

By definition, historic roads are classified as historic structures and shall be accorded treatment as indicated herein for the several classes of historic structures. Historic roads shall be preserved to the extent possible from the destructive effects of natural events such as erosion or growth of trees or major brush. Historic roads shall be intensively maintained to preserve their correct historic character and appearance.

EARTHWORKS

Earthworks are historic structures and shall be governed by the same criteria as other structures. However, certain problems associated with earthworks preservation, restoration, and reconstruction require special consideration. For preservation, a sod covering is desirable to prevent erosion, even where the historic condition may have been bare earth. Restorations or reconstructions of earthworks can destroy surviving original remains and are often difficult to maintain. Every alternative, including methods of identifying to the public the location and surface evidence of earthworks, shall be considered before restoration or reconstruction.

USES OF HISTORIC STRUCTURES

Where consistent with their preservation and enjoyment, historic structures may under appropriate safeguards and conditions be used for other purposes, consistent with policy, that will further park objectives.

LIMITATIONS ON USE OF HISTORIC STRUCTURES

Requirements of structural preservation, protection of historic fabric and contents, and public safety take primacy over all uses of historic structures. All prudent measures shall be taken to protect the safety of the public using historic structures, but public use shall not be permitted if provisions for safety necessitate significant alterations compromising the visual integrity of the structure. Such safety devices as handrails and fire protection systems shall be designed and installed to minimize visual and structural intrusion on original fabric.

No structure or portion of a structure shall be subjected to a greater load, either static or periodic, than it is physically capable of supporting. Any use, including visitation, that would place greater stress on a historic structure than it can safely bear without damage is not permitted. Structural modifications to accommodate greater loads shall not visibly alter the appearance of

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rearrangement shall occur unless required for their preservation and as prescribed in an approved furnishing plan.

2. When the original furnishings of a historic structure are not present but are available for acquisition, they should be acquired for refurnishing if

   a. they constitute the visual majority of the original furnishings in the spaces to be refurnished;

   b. sufficient evidence of their original placement exists to permit accurate refurnishing with minimal conjecture; and

   c. the structure is significantly related to the park's primary themes, and it is demonstrated that furnishing is the best way to communicate that relationship to the public.

3. When all or most of the original furnishings of a historic structure are missing, the structure may be refurnished (in whole or part) if

   a. sufficient evidence of the design and placement of the original furnishings exists to permit accurate refurnishing with minimal conjecture;

   b. period pieces or reproductions closely comparable to and representing a visual majority of the furnishings present historically may be obtained; and

   c. the structure is significantly related to the park's primary themes, and it is demonstrated that furnishing is essential to communicate that relationship to the public.

Original furnishings, when present, must be documented to authenticate their origin and placement. The acquisition and installation of replacement pieces must be governed by a documented furnishing plan reflecting current curatorial policies and standards.

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By definition, historic roads are classified as historic structures and shall be accorded treatment as indicated herein for the several classes of historic structures. Historic roads shall be preserved to the extent possible from the destructive effects of natural events such as erosion or growth of trees or major brush. Historic roads shall be intensively maintained to preserve their correct historic character and appearance.

EARTHWORKS

Earthworks are historic structures and shall be governed by the same criteria as other structures. However, certain problems associated with earthworks preservation, restoration, and reconstruction require special consideration. For preservation, a sod covering is desirable to prevent erosion, even where the historic condition may have been bare earth. Restorations or reconstructions of earthworks can destroy surviving original remains and are often difficult to maintain. Every alternative, including methods of identifying to the public the location and surface evidence of earthworks, shall be considered before restoration or reconstruction.

USES OF HISTORIC STRUCTURES

Where consistent with their preservation and enjoyment, historic structures may under appropriate safeguards and conditions be used for other purposes, consistent with policy, that will further park objectives.

LIMITATIONS ON USE OF HISTORIC STRUCTURES

Requirements of structural preservation, protection of historic fabric and contents, and public safety take primacy over all uses of historic structures. All prudent measures shall be taken to protect the safety of the public using historic structures, but public use shall not be permitted if provisions for safety necessitate significant alterations compromising the visual integrity of the structure. Such safety devices as handrails and fire protection systems shall be designed and installed to minimize visual and structural intrusion on original fabric.

No structure or portion of a structure shall be subjected to a greater load, either static or periodic, than it is physically capable of supporting. Any use, including visitation, that would place greater stress on a historic structure than it can safely bear without damage is not permitted. Structural modifications to accommodate greater loads shall not visibly alter the appearance of

a structure nor harm significant fabric. An engineering analysis of structural safety must precede any decision to open any historic structure to public use, storage, or administrative use.

Visitation shall be limited to structures or portions of structures that permit immediate evacuation in the event of fire or natural catastrophe. Access to the upper floors of structures containing only one staircase shall, for safety reasons, be limited and, if advisable, closed. Structures too delicate to sustain visitor use, and those important primarily for their research value, shall be closed to visitors.

(See Facilities for the Handicapped III- 7.)

COMPATIBLE USE OF HISTORIC STRUCTURES

Use of historic structures for political, religious, or educational meetings shall be governed under conditions established in "Limitations of Use on Historic Structures." Such uses are permitted when compatible with the primary purposes of the area and consistent with the preservation of the historic resource. They must not conflict with ordinary public use of the area and must usually be scheduled to avoid the hours of maximum visitation. The topical content of meetings--political, religious or otherwise--shall not be a factor in issuing permits.

The use of a historic structure for social gatherings or entertainments may be permitted only if the use is compatible with the primary purposes of a park, if it does not threaten impairment of the structure or its contents, and if it does not conflict with ordinary use of the park.

Historic structures other than those in Category Ia may be utilized for commercial and residential purposes when compatible with the primary purpose of the area and consistent with their preservation. Reasonable fees may be charged for the use of facilities.

(See Administrative Offices III-13, Park Housing III-13, Interpretive Presentations VII- 3, Public Assembly VII-21.)

THE HISTORIC SCENE

The historic scene--the landscape and its condition, the plant and animal life, and the miscellaneous marks of human activity--constitutes an important park cultural resource. The Service will perpetuate the historic scene in a manner appropriate to each historic place.

PROTECTION OF THE HISTORIC SCENE

Conscious efforts shall be made to insure that routine park operations, interpretation and visitor use, maintenance and storage, conduct of activities, and provision of services do not unnecessarily intrude on the historic scene by introducing visible, audible, or atmospheric elements that are out of character with the historic environment. To the extent possible, trash disposal, storage of materials, parking of Service and public vehicles, and other incompatible activities shall be conducted out of sight of cultural resources.

(See Facilities for the Handicapped III- 7.)

AESTHETICS AND THE HISTORIC SCENE

To the extent possible, cultural resources and their environments shall be preserved in their historic form and appearance and shall not be modified to suit modern aesthetic tastes. Any attempt to "beautify," "improve," "enhance," or otherwise alter the appearance of a historic scene through decorative plantings, lawn seeding, watering, landscaping, adornment, repainting, or any other action that does not accurately reflect the historic character of the resources or the historic scene as a whole is prohibited. To the extent possible, however, the aesthetic adornments that may have been present during the historic period shall be preserved or restored in conformance with applicable criteria.

SECURITY MEASURES FOR CULTURAL PROPERTIES

In the management and maintenance of its cultural resources the National Park Service shall employ the most effective concepts, techniques, and equipment to protect them against fire, theft, and other threats without compromising their integrity.

SECURITY SURVEYS AND PRECAUTIONS

The physical security of a park cultural resource is the responsibility of each employee, regardless of job assignment. An annual on-site physical security survey by designated professionals shall be made to identify existing security needs in order to deter, delay, and/or detect unauthorized entry, vandalism, theft, and fire.

Security precautions shall be determined by the significance or value of the cultural resource to be protected and the nature of the potential threats to its integrity. The implementation of security procedures shall not impair or compromise the integrity of the resource.

Any intruder detection system selected shall have direct response capability with local enforcement authorities and/or park protection personnel.

The implementation of security precautions shall neither unduly harass nor intimidate the legitimate visitor nor cause any unnecessary reduction in visitor service.

BUILDING AND FIRE CODES

In the preservation of historic structures, every attempt shall be made to comply with local building and fire codes, to cooperate with local officials, and to provide protection from lightning. However, compliance shall not be allowed to destroy or impair the integrity of a structure. Where it is not possible to meet local public safety regulations without altering original fabric or architectural integrity, the use and operating procedures for the management of the structure shall be modified to mitigate the potential hazards to life and property.

FIRE DETECTION AND SUPPRESSION

Where warranted by the significance or value of a historic structure or its contents, adequate fire detection, warning, and suppression systems shall be installed. Where a manned fire station exists near the structure, a detection system providing a signal directly to the local fire authorities shall be installed whenever local ordinances permit. Otherwise, the signal shall have the capability of being monitored day and night by a central alarm station and/or park staff.

Fire personnel shall be advised of any peculiarities or dangers inherent in the structure, and the features and contents whose value warrants the greatest care in the event of fire.

Where local fire equipment and personnel are not readily available, the detection system shall trigger a suppression system. A halogenated system is preferable. Water sprinkler systems shall be used only in structures whose fabric and contents are not likely to be irreparably damaged by water. Foam systems shall be used only when the structure can be swiftly vacated. All equipment, devices, or systems shall meet the criteria or recommendations of the National Fire Protection Association (NFPA) and Underwriters Laboratories (UL Approved).

In planning and installing detection or suppression systems, the integrity of the structure and the requirements of its interpretation shall be respected.

Park maintenance, protection, administrative, and interpretive personnel shall be instructed in the proper prevention and fighting of fires in historic structures, in the protection or rescue of historically important contents, and in emergency evacuation and protection of visitors in case of fire, earthquake, or other emergency.

Smoking shall not be permitted in historic structures other than those adapted for residential, office, or other modern functional uses.

(See Structural Fire Prevention and Fire Protection VII-26.)

HUMIDITY AND TEMPERATURE CONTROL

When necessary for the conservation of a structure or its contents--e.g., paintings, documents, fabrics, and furniture--an atmospheric control system may be installed to help their preservation by providing constant humidity and temperature. Such systems shall be installed and regulated for the purpose of protecting the cultural resources, and not primarily for the comfort of visitors or park personnel. In planning and installing atmospheric control systems, the structural and visual integrity of the structure and the requirements of its interpretation shall be respected.

CHAPTER VII

USE OF THE PARKS

Management Policies of the National Park Service
United States Department of the Interior

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Use of the Parks

THE NATIONAL PARK SERVICE IS CHARGED WITH PROVIDING FOR THE ENJOYMENT, APPRECIATION, AND UNDERSTANDING OF PARK RESOURCES AND VALUES BY THE PEOPLE: WITH CONTROLLING USES THAT COULD IMPAIR PARK RESOURCES OR THEIR ENJOYMENT BY VISITORS: AND WITH VISITOR PROTECTION AND SAFETY.

The Service's mandate requires that it carefully plan and regulate the use of the parks so that park resources are perpetuated and maintained unimpaired for the enjoyment of future generations. Thus, the limits and kinds of use are circumscribed by requirements of resource management and protection. Use of the National Park System is essentially resource based but is not consumptive of the resource. In order for public use to be safe, lawful, and of minimum adverse impact, park visitors need to be informed of their options for use of the parks, and they need help in planning their park visit. This requires that the Service analyze and plan for acceptable forms of park use and help the visitors structure their time to the appropriate activities.

In order to promote and regulate appropriate park use, the Service will ensure provision, in or near most parks, of a variety of services which satisfy the health, safety, sustenance, and accommodation needs of the public.

LIMITATION OF VISITOR USE

In order to provide an enjoyable park experience, to meet its mandate to preserve "the scenery and the natural and historic objects and the wildlife" of the parks, and to comply with the intent of the Wilderness Act, the Service will, whenever necessary, regulate the amount and kind, and time and place, of visitor use in the parks. Such limitation will be fully explained to those affected and will be based upon adequate study and research.

Proposals for park uses shall also be assessed in terms of total costs and public benefits and weighed against the "criteria of effect" established by the Advisory Council on Historic Preservation. They shall be subject to compliance with the Council's "Procedures for the Protection of Historic and Cultural Properties," applicable laws, executive orders, and Departmental regulations.

(See Limitations on Use of Historic Structures V-23, Regulation of Recreational Use VII-7, River Use VII-10, Backcountry Camping VII-11.)

INTERPRETATION AND VISITOR SERVICES

The Service will plan, carry out, and appropriately update programs of information, interpretation, and visitor use of the parks to assure a variety of appropriate uses consistent with the protection of park resources and the quality of the visitor experience.

INFORMATION AND ORIENTATION

The objectives of the park visitor services program are (1) to make visitors aware before, at the outset of, and during their visit of the use opportunities available in the park; and (2) the time, equipment, physical capabilities, safety precautions, regulations and considerations of resource protection necessary for knowledgeably engaging in these activities. The park staff, with Regional Office and other assistance as needed, should help visitors plan the use of their time to meet their particular desires. Visitors should not have to seek out each bit of information; rather, through strategically placed facilities and through park personnel, graphics, and literature, this information should be readily available. The Service may provide, in cooperation with others, information on recreational opportunities of the surrounding region, and the Service may plan and jointly manage, with others, information centers in the recreation region of which the park is a part.

(See Information on Wilderness Use VI-4 .)

INTERPRETIVE PROGRAM

The purpose of interpretation in the National Park System is (1) to encourage thoughtful minimum impact use of the park's resources; (2) to promote public understanding of the policies and programs of park management; and (3) to provide visitors with a foundation on which they can build an understanding and appreciation of parks and their significant natural, historic, and cultural values. The interpretive program is an integral function of park management, and interpretation should be employed as one of the primary means for achieving those objectives that directly relate to or are affected by the visiting public.

The content of interpretive programs should relate to the diversity of visitor interests and backgrounds, including those of minority subcultures, the disabled, the elderly and children. Parks should strive for a balance in interpretation, with personally conducted services carried out by a professional staff at the hub of the program, supplemented by exhibits, audiovisual presentations, self-guiding facilities, publications and other appropriate media.

All parks exhibit aspects of some dynamic natural or cultural ecosystem and are, therefore, excellent settings for the presentation of environmental/energy messages, both in program content and more importantly by example. In all cases the content of these messages must be accurate and relevant to the area's interpretive themes and resources.

Interpretive programs are developed and conducted in accordance with the guidelines contained in each park's Statement for Management, the General Management Plan, and the Annual Statement for Interpretation and Visitor Use. Standards for ensuring an acceptable quality of interpretive programs are prescribed in the document, Interpretation Guidelines, NPS-6, as revised.

(See The General Management Plan II-2 , Interpretive Trails III-4 , Facilities for the Handicapped III-7 , Interpretive Facilities III-10, Energy Management X-1.)

INTERPRETIVE ACTIVITIES

Interpretive activities constitute the front line of contact with the visiting public in the parks. Personal services provided by park rangers, naturalists, historians, archeologists, and interpretive technicians should be designed to provide necessary resource protection and visitor safety (e.g., guided tours of caves, historic buildings, archeological ruins, fragile natural areas and highly complex or confusing areas). They should offer visitors the foundation on which they can build an understanding and appreciation of park values, management policies and programs (e.g., conducted walks, discussions, evening programs, field trips, and other planned experiences). Whenever possible, these activities should strive to involve visitors as participants rather than merely as spectators. Innovative methods, particularly suited to each park, are encouraged where they can be economically implemented.

Conducted tours and caravans that incorporate canoeing, bicycling, and other non-motorized locomotion are encouraged. Interpretation will be provided on established visitor transportation systems, where such services can offer a genuine learning experience to people as they move about the park.

(See Interpretation for Visitor Transportation Systems III-3 .)

INTERPRETIVE PRESENTATIONS

Living history programs, living farms, interpretive demonstrations, programs utilizing the creative and performing arts, arts and crafts, or the demonstration and teaching of recreational skills and other non-traditional activities that are designed to enhance the

understanding of a park's resources or enrich the experience of the park visitor are encouraged when they directly relate to an important site-related resource or theme identified in an approved planning document. Interpretive presentations complement, but do not replace other means of accomplishing interpretive objectives.

Because of their potential impact on visitor experiences and the park's resources, interpretive presentations entail special obligations and, therefore, when adopted shall be consistent with the following criteria:

- Such programs must be safe for participants and spectators and must comply with all Service standards for demonstration safety.

- Presentations interpreting the history of an area must achieve high standards of historical accuracy, both in content and in the costumes, equipment, etc., used, and must directly support the central historical theme or associations of the park.

- Presentations involving the use of creative or performing arts or arts and crafts, media and techniques must be of a quality that meets the professional standards in that technique or media.

- Any construction or other development of cultural or natural resources necessary for interpretive presentations must be consistent with the Service's policy, and in all cases the presentation must be conducted in a manner that protects the resources from damages or destruction.

- Large-scale, complex reenactments, especially of battles, are not permitted.

- An evaluation of possible impact of presentations on original historic objects will be made by qualified professionals, and accurate reproductions will be substituted whenever there is any significant possibility of wear, breakage, or theft.

- Presentations designed to teach or upgrade outdoor recreational skills or leisure time activities should be limited to those activities relevant to the resources or themes of the area; should include safety and emergency preparedness information germane to that activity; and should be designed to help minimize possible impacts on the resources that can result from that activity.

(See Plans Affecting Cultural Resources II-8 , Activities and Facilities for Arts and Culture III-11, Proposal Formulation Affecting Cultural Resources V-11, Limitations on Use of Historic Structures V-23, Display of Ethnographical Items VII-6 .)

ENVIRONMENTAL EDUCATION

Achievement of the Service's dual mandate of resource preservation and provision for public enjoyment is dependent on the attitudes of visitors toward parks, and the way in which each visitor experiences and uses the park's resources. To these ends the Service will plan and carry out environmental education programs that offer visitors the opportunity to learn, at the conscious level, about the forces that shape and maintain our environment and to realize that people are an integral part of that environment, and that any single action any individual takes has an uncountable number of impacts.

In addition to our regular interpretive programs and the examples we set by the way we use and manage the resources of our parks, the Service will provide assistance to teachers, organized groups, and educational institutions which use the park resources in their environmental studies through such programs as:

- The National Environmental Education Development (NEED) Program

- The National Environmental Study Area (NESA) Program

- The National Environmental Living Program

The Service will also provide technical assistance and information to others in developing their own environmental study areas and programs, and in establishing National Environmental Education Landmarks (NEELs).

(See Fishing IV-8 , Outdoor Sports VII-9 , Youth Camps VII-13, Research and Collecting Permits VII-20 .)

VOLUNTEERS IN PARKS

The National Park Service encourages volunteer service for the fulfillment and enhancement of authorized park activities under the authority of the Volunteers in the Parks Act of 1969 (P.L. 91-357, as amended by P.L. 94-128, 84 Stat. 472).

COOPERATING ASSOCIATIONS

Foundation and operation of cooperating associations or agencies or existing associations to facilitate the conservation, education, and interpretive programs of a park, as authorized under the National Park Service Functions Act, August 7, 1946 (P.L. 79-633), shall be encouraged where they contribute to the management of the park. Based on a written cooperative agreement, cooperating associations

may produce and sell interpretive items such as publications, maps, visual aids, handicrafts, and other objects that are directly related to the understanding and interpretation of the park.

SALE OF HANDICRAFT ITEMS BY NATIVE AMERICANS

Native American cultural demonstrators who are not employees of the Service may be permitted to sell to the visiting public, on-site, modern handicraft items they have made and keep the proceeds for themselves. Where this practice is permitted all materials used in producing such items must be the private property of the demonstrator, and the products must be associated with and interpretive of the park. The Superintendent will authorize this practice through a cooperative agreement, special use permit, concessioner permit, or other legal contract.

(See Sale of Archeological Specimens and Native Handicraft VIII-5 .)

DISPLAY OF ETHNOLOGICAL ITEMS

The viewpoints and beliefs of people with various cultural backgrounds must be considered before deciding to exhibit human burials and sacred objects; to display photographs of such objects or of sacred rituals; or to describe beliefs, customs, or mythologies. The use of such materials in an interpretive program is not only a matter of taste, appropriateness, and respect, but also of relevance and necessity to the primary park story.

Human skeletal and mummified remains should not be displayed in exhibits, audiovisual programs, or publications intended for the general public unless no other means of interpretation will convey a message that is required for an understanding of the park or area.

Photographs or actual ethnic objects of a sacred nature to indigenous people should not be displayed. When there is a question concerning the appropriateness of exhibiting an object or photograph, recognized religious leaders of the affected group legitimately concerned with such display should be consulted.

(See Activities and Facilities for Arts and Culture III-11, Acquisition and Care of Historic Objects V-11, Proposal Formulation Affecting Cultural Resources V-11.)

TRAVELING EXHIBITS

Traveling exhibits produced by the Service or other agencies may be used in NPS buildings. Parks may borrow them for temporary use in other appropriate buildings such as schools and museums. Exhibit subjects should relate closely to the parks' interpretive

themes. Offsite exhibit locations must be opened to the public without charge. Standards for design and content should be as high as those established for more permanent exhibits.

WILDLIFE OBSERVATION

Opportunities should be provided for visitors to view park wildlife (meaning, as defined here, all forms of animal life--not just mammals). Overlooks adjacent to park roads, wildlife trails, special tours, improved information techniques, and special publications are encouraged. Activities which harass wildlife and misuse wildlife habitat are not permitted.

It is intended that wildlife should be viewed in their natural environment. However, when ascertained as desirable in the park's interpretive program and approved by the Regional Director, small species of wildlife, mainly reptiles, fish, amphibia, and invertebrates, may be kept in various kinds of enclosures or otherwise tastefully displayed for interpretive and educational purposes only. Care of such species must be exemplary, and, when no longer needed for display, they should be returned to their native habitat.

RECREATIONAL ACTIVITIES

The Service encourages those recreational uses which draw their meaning from association with, and direct relation to, park resources, and which are consistent with the protection of such resources. Recreation uses which do not fit the above description may be provided in certain areas under careful regulation and control, as spelled out in statements contained below.

REGULATION OF RECREATION USE

Each park area will develop, and publish as appropriate in the Code of Federal Regulations, regulations regarding any form of recreational use which are required in the interest of visitor safety and resource protection.

(See Limitation of Visitor Use VII-1 .)

NONTRADITIONAL RECREATIONAL USES

Certain outdoor recreational activities which are not necessarily dependent upon park resources for their realization, and which do not constitute traditional or customary park uses, may be permitted when they do not:

- interfere with normal park usage;

- constitute a consumptive form of use;

- have an undesirable impact on park resources;

- compromise the historic or natural scene; or

- present a danger to the public welfare and safety, including safety of the participants.

Such recreational uses shall be governed as follows:

1. The time and place for such activities shall be controlled, by permit if necessary, to avoid:

   - infringement upon the enjoyment and rights of other park visitors;

   - traffic congestion;

   - injury to nonparticipants and damage to property;

   - disruption of normal park operations; and

   - unwarranted risk to participants due to inadequate equipment, lack of qualifications, weather, or other factors.

2. Special areas and conditions may be designated to separate these activities from other park uses. When an activity is hazardous, minors may be required to have a parent's or guardian's permission to participate. Areas may be closed to such uses, in whole or in part, if it has been determined that the activity presents a substantial threat to life or a real possibility of bodily injury. The number of participants permitted to engage in an activity during a given period may also be regulated.

3. Participants may also be required to enter into an agreement for reimbursing the United States for search, rescue, and recovery, or to provide qualified personnel to assume that responsibility.

4. These uses shall not take the form of special events or be provided primarily for the benefit of spectators. They shall not be practiced for material or financial gain by the participants, either directly or indirectly, and there shall be no commercialization, advertising, or publicity by the participants.

5. This policy shall be compatible with and subject to:

   - the regulations imposed on any such activity by appropriate Federal and State agencies, and

   - applicable safety and equipment standards endorsed by responsible sanctioning organizations.

   It shall not be extended to permit the use of any type of motor-driven craft or vehicle not presently allowed in park areas. Special regulations may be promulgated to regulate these uses.

(See Off-Road Use of Vehicles and Motorized Equipment VII-14.)

DIVING

Diving is an entirely proper and appropriate visitor activity in all waters of the National Park System which lend themselves to this use. This use may be limited in time and area by the Park Superintendent, who may require a permit. SCUBA or surface supplied diving must be conducted in such a way as to preserve all natural, historic and scientific features and it must be compatible with other primary visitor uses. Superintendents shall formulate supplementary guidelines complete with necessary rules and regulations to cover specific situations and underwater projects existing in individual Service areas.

All dives undertaken by Service employees regardless of their purpose, will be conducted in a manner most likely to minimize accidental injury or occupational illness. Requirements and standards for training and certification are included in the Diving Management Guideline, NPS-4. Reciprocity of diver certification among the various Service areas and other recognized organizations such as NOAA agencies, State fish and game departments, universities, etc., are encouraged.

All SCUBA and surface supplied diving and related support operations conducted in connection with all types of work and employments, except that which is performed solely for instructional purposes or for the purpose of search and rescue recovery, shall be completed with 29 CFR 1910, Subpart T, Commercial Diving Operations.

Reference: Diving Management Guideline, NPS-4, (8/1/78).

(See also Visitor Safety and Protection VII-24.)

SKIING FACILITIES

It is Service policy not to permit new downhill skiing facilities and associated structures in any unit of the National Park System. Where such facilities have been provided based on previous policy, their use may continue.

Any proposal for the elimination or expansion of these existing facilities must be accomplished through the National Park Service planning process, including public participation and an environmental impact statement on the effects of any proposed expansion.

OUTDOOR SPORTS

In designated portions of urban recreational parks, such as those in the National Capital Region, participation in active outdoor sports is a desirable form of park use, and opportunities will be provided for such use. These activities may include, but not be limited to: field sports (baseball, softball, soccer, stick hockey, etc.), golf, tennis, badminton, and shuffleboard.

These activities may be provided for in combination with developed areas, swimming areas, or other intensive use areas, or may be provided separately. Such activities will be provided only to the extent that they are not inconsistent with the protection and perpetuation of natural or historic features of an area, and do not interfere with normal park use.

Historic zones with sizable areas of open meadow land may accommodate outdoor sports and activities where no facilities are required and where such use does not impair the historic environment or interfere with the use and appreciation of the historic resources.

Facilities for outdoor sports are generally inappropriate in natural zones but may be provided on a modest scale (i.e., volley ball areas, unimproved ball fields, etc.) in connection with overnight youth camps or environmental education facilities.

(See Formal Campgrounds III-8, Youth Camps VII-13.)

RIVER USE

In order to enhance visitor enjoyment and safety, and to preserve environmental quality, the National Park Service will regulate the use of rivers, as necessary, within units of the National Park System.

Using scientific research and other applicable data, the Service will establish the level of boating and related use that each river system can sustain without causing unacceptable changes in the ecosystem or degradation of the environment or the park experience.

A river management plan will be developed for each unit of the National Park System having significant river use or the potential for such use.

Persons or private companies may be authorized to provide river boating experiences for park visitors. Such authorization will be limited to the number necessary to provide adequate visitor services in conformity with established visitor use capacities. Where public demand exceeds an established river use ceiling, use may be rationed.

(See Limitation of Visitor Use, VII-1, Establishment via Prospectus VIII-3.)

PICNICKING

Picnicking is an approved use, except in historic zones it should be confined to modest lunching areas, if needed, and should not adversely intrude upon the historic scene.

BACKCOUNTRY USE

The Service encourages backcountry use, but because of the increasing popularity of this activity, finds it necessary to control and direct use in the interest of protecting park resources and the visitor's enjoyment of the backcountry.

BACKCOUNTRY MANAGEMENT PLAN

Backcountry management plans will be prepared for parks with significant amounts of backcountry use. The purpose of the plan is to

regulate and direct visitor use and to identify necessary facilities for backcountry and wilderness use consistent with applicable policies.

(See The General Management Plan II-2 , Wilderness Use VI-4 .)

BACKCOUNTRY CAMPING

Based on individual park conditions and levels of backcountry visitor use, campsites may be designated to protect park resources from deterioration from indiscriminate camping. Other improvements, such as fireplaces, shelters, privies, and picnic tables, may be provided if they aid in protection of the resources. The use of open camp and cooking fires may be prohibited in areas where the management goal is wide dispersion of users, restoration at overused sites, or where the evidence of previous campers (charcoal, fire rings, etc.) would detract from the quality of experience, or where sufficient firewood is not generally available. Management of the backcountry requires a system for limiting and directing use where overuse is adversely affecting the resources or the user's experience.

The number of nights in one campsite and the total number of camp-days a year may be specified by the Superintendent. Restrictions may be limited to heavy use periods or to periods when the environment is particularly sensitive to impact damage.

(See Backcountry Campsites III-9 , Wilderness--Overnight Use VI-5 , Limitation of Visitor Use VII-1 , Backcountry Sanitation VII-12.)

BACKCOUNTRY GROUP CAMPING

Specific sites in the backcountry for group use will be identified in the backcountry management plan when deemed desirable for backcountry management, and group camping will be limited to those sites. Minimal sanitary facilities will be provided where necessary for public health and resource protection. Group size will be governed by the impact on the environment, and restrictions on size will be specified by each park.

Reservations for group camping and commercial camping groups in the backcountry will be treated under the provisions of the policy on Group Camping.

(See Group Camping VII-12.)

BACKCOUNTRY COMMERCIAL SERVICES

Commercial touring use of the backcountry will be authorized as any other concession service--on the basis of need following appropriate planning and assessment of the impact on the environment.

(See Wilderness--Commercial Services VI-5 , Private Enterprise Out-of-Park VIII-2 .)

BACKCOUNTRY SANITATION

Backcountry management should attempt to regulate use at a level that can be accommodated by the natural system's ability to absorb human waste, rather than by constructing sanitary facilities. This should be done by establishing and controlling the visitor capacity of a particular spot and providing only those sanitary facilities required for the approved level of use. Refuse containers, garbage pits, or trash collection points should be eliminated and visitors required to pack out all solid wastes.

(See Comfort Stations III-10 , Solid Waste IV-18 , Wilderness--Toilets VI-9 .)

CAMPING

Camping has long been a traditional use in the National Park System but has changed markedly in the last 100 years. At present, more campers use mechanized recreation vehicles tied closely to park roads than tents or bedrolls. The desire for additional comforts of electricity, hot water, showers, and so forth, has led to a rapid growth of private commercial campgrounds.

The Service will continue to operate its formal campgrounds in the parks but may reduce the number of sites or close specific campgrounds as part of the planned cyclical rehabilitation of campsites, or if deemed desirable to improve the quality of the park experience and protect park resources. Adequate provision of quality camping by the private sector outside park boundaries, as determined through the planning process, may justify phasing out campgrounds in certain parks.

(See Formal Campgrounds III-8 , Group Campgrounds III-9 , Boaters' Campgrounds III-9 , Backcountry Campsites III-9 , Wilderness--Overnight Use VI-5 .)

GROUP CAMPING

Organized group campsites or campgrounds may be developed and managed in parks where such use is desirable and beneficial to the enjoyment

of the park resources. Such campsites are provided for larger organization sponsored groups which are traveling together and require common parking, sleeping, cooking, and eating areas.

Organized group campsites will be available for use by touring school classes, clubs, churches, camps, youth organizations, etc., under such conditions as will permit reasonable and equitable use by all such visitor groups. Parks may manage group sites under a reservation system and permit non-reserved sites to be allocated on a first-come, first-served basis. If necessary to promote equitable use, park managers may limit the amount of use by any organization during a year or season.

(See Group Campgrounds III-9 .)

CAMPGROUND RESERVATIONS

The Service may institute campground reservation systems of its own or join in a larger system including other Federal, State, local, and private campgrounds. Reservation systems may be employed when the demand for camping periodically or chronically exceeds the number of campsites. Such systems may involve reservations for certain parks, certain campgrounds in certain parks, or a certain percentage of campsites in a park.

(See Limitation of Visitor Use VII-1 .)

YOUTH CAMPS

The development, ownership, or exclusive use of new youth camps by persons, corporations, organizations, or governments requiring dedicated structures, buildings, and facilities in the parks is not permitted. Such existing camps, accepted as a condition of park establishment and acquisition, may continue to operate under arrangements worked out between the owners and the National Park Service.

The Service may provide overnight youth camping facilities on a non-exclusive basis for environmental education and park recreational programs. Such facilities may be operated by the Service or by others under cooperative agreements or special use permits.

(See Group Campgrounds III-9 , Environmental Education VII-5 .)

REGULATION OF SPECIAL USES

AIRCRAFT OPERATIONS

National Park Service aircraft operations will be authorized only in the performance of functions which cannot be efficiently performed by more conventional means. They will be performed in accordance with with applicable bureau, Office of Aircraft Services, and Federal Aviation Administration policies and regulations.

Service use of fixed-wing aircraft for management or administrative purposes will be scheduled at such times and at such altitudes so as to cause a minimum disturbance of visitor enjoyment.

Service use of helicopters for management and administrative purposes will be similarly conducted with minimum disturbance, except that, where such use involves landing within the park, it must have previous approval, be justified by an emergency, or occur at spots designated for such purposes.

Private or commercial seaplanes may land in water-oriented parks, at sites designated by special regulations, to provide visitor access to selected areas. Private land-based aircraft may land within parks only at those locations designated by special regulations. Such sites shall be designated only where they have been established through previous use or where they provide the only reasonable access needed for approved management and use of remote park areas other than wilderness areas (existing or proposed).

When commercial, military or private aircraft adversely affect the enjoyment or resources of the park area, cooperation of agencies exerting flight control will be sought to institute such measures as will minimize or eliminate the disturbance.

(See Wilderness--Motorized or Mechanical Equipment VI-7 , Wilderness--Heliports, Helipads, Helispots, and Airstrips VI-8 .)

OFF-ROAD USE OF VEHICLES AND MOTORIZED EQUIPMENT

All vehicles used by the public in units of the National Park System shall be confined to designated park roads or other designated overland routes exclusive of foot and bridle trails.

Designated overland routes will be consistent, where applicable, with the provision of Executive Order 11644, "Use of Off-Road Vehicles on the Public Lands," as amended by E.O. 11989. Overland routes will be designated only where it can be demonstrated that they will cause the least adverse effect on plant and animal life, where the protection of historic or archeological resources will

be ensured, and where they are not in conflict with other visitor uses. Such uses may not pose the danger of fire, pollution, or erosion, and noise levels will be controlled.

All vehicles used on designated overland routes shall have, where State law requires, a current State license and safety inspection sticker.

The off-road use of vehicles and motorized equipment for official purposes shall be restricted to that required for emergency search and rescue, and necessary construction, maintenance, and resource protection activities which cannot reasonably be accomplished by other means.

(See Wilderness--Motorized or Mechanical Equipment VI-7, Nontraditional Recreational Uses VII-7.)

SNOWMOBILES

In the coterminous United States, snowmobiles may be permitted in units of the National Park System as a mode of transportation to provide the opportunity for visitors to see, sense, and enjoy the special qualities or features of the park in winter. Snowmobiling shall be consistent with the park's Statement for Management, General Management Plan, EIS, applicable laws, Executive Orders, regulations, and Departmental policy.

Snowmobiles shall not be permitted except where designated by the Service when such is consistent with the parks's natural, cultural, scenic and aesthetic values; safety considerations; park management objectives; and will not disturb the wildlife or damage other park resources.

Where permitted, snowmobiles shall be confined to properly designated routes and water surfaces which are used by motorized vehicles or motorboats during other seasons.

Routes and water surfaces to be designated for snowmobile use shall be promulgated as special regulations in the CFR (Title 36, Part 1, Section 7).

PORTABLE POWER EQUIPMENT

Public use of portable power equipment such as generators may be permitted only in specifically designated areas.

(See Wilderness -- Motorized or Mechanical Equipment VI-7.)

UTILITY AND TRANSPORTATION CORRIDORS AND RIGHTS-OF-WAY

Except where necessitated as a condition of establishment, or where specifically permitted by applicable law, or where required to serve park utility systems or valid existing non-park lands and developments within the exterior boundaries of any park areas,

transportation corridors and rights-of-way for private or corporate entities are not allowed in areas of the National Park System.

Some National Recreation Areas contain, through provision of law, multipurpose reservoir projects. Other park areas may legally contain villages or similar enclaves of privately owned property. To serve such developments in a manner most compatible with maintenance of a quality park environment, needed utility and transportation corridors should be planned, considering all alternative methods and routes and their impact on the environment.

Where feasible, utility lines and pipelines allowed within park areas should be placed underground. All structures and facilities above ground, whether in utility and transportation corridors or other rights-of-way, shall be located and designed to minimize their impact on park values and visitor enjoyment of the same.

The installation of electrical power transmission lines, gas and oil pipelines, railroads, etc., are permitted as authorized by applicable law--preferably within utility and transportation corridors--where necessary to serve a multipurpose reservoir project within a National Recreation Area. When it is necessary to authorize electrical power transmission lines in any National Park System area, the authorization will conform with the applicable requirements and stipulations of Part 2800, Title 43, Code of Federal Regulations.

In National Recreation Areas, access roads from private lands outside of park boundaries across Federal lands to reach bodies of water--for example, a subdivision adjacent to the "take line" at a reservoir--should be authorized, as a rule, only when the road is available to the general public and serves, also, an intensive-use site available to the general public. In those few cases where such an access road does not serve an intensive-use site, but access for limited recreational use is desirable, such access roads may be authorized only on condition that they are available for public use. Access roads which do not meet the above criteria should not be authorized.

Rights-of-way from public roads across Federal land to private lands within National Recreation Area boundaries may be granted private parties when necessary to provide reasonable access to such private property if no feasible alternative exists. On this same right-of-way, where practical, private parties may provide such utility lines as may be reasonably necessary to their use and enjoyment of their property. Depending upon aesthetic and resource considerations, such lines may be required to be placed underground.

All construction shall be in accord with plans prepared by or for the permittee at his expense and approved by the Service. Moreover, such permits shall require costs of construction, maintenance, etc., to be borne by the premittee.

(See Utilities III-7, Wilderness--Utility Lines VI-4 , Continuing Private Uses IX-4 .)

UTILITY SERVICES

The National Park Service may provide utility services to concessioners or others who operate park-related public-use and administrative facilities when it has been determined such services are not available from outside sources and the services are necessary to meet public health and other park management requirements. Utility services will not be provided to private parties (inholdings) within park boundaries unless necessary for protection of the environment.

(See Utilities III-7 , Wilderness--Utility Lines VI-4 , Utility Rates VIII-7 .)

SPECIAL EVENTS AND USES OF GOVERNMENT-OWNED PROPERTY

The use of park lands or facilities for organized athletic events or competitive recreational events characterized as public spectator attractions is not permitted except in some National Recreation Areas and the National Capital Region, and then only under regulations promulgated by each such area. Pageants, anniversaries, and other observances are permitted when there is a meaningful association between the area and the event; when the observance contributes to visitor understanding of the significance of the park; and when the event can be staged without undue impact on the area's resources.

In some portions of some National Recreation Areas and National Capital Region, spectator sports and special events, such as regattas and water ski competitions, as a part of a total recreation program, are permitted pursuant to the provisions of an official authorization for each case. Such events shall be sponsored only by public or non-profit organizations. To defray a portion of the cost of sponsorship, such organizations may be permitted to charge for admission to specially designated areas reserved for such events. However, in these areas recreational emphasis is on individual participation in active, outdoor activities. Accordingly, spectator sports and special events should be complementary to, and not supersede, first-priority activities involving individual participation of visitors.

(See Activities and Facilities for Arts and Culture III-11, Compatible Use of Historic Structures V-24, Interpretive Presentations VII-3, Nontraditional Recreational Uses VII-7, Outdoor Sports VII-9.)

Conventions--The use of park and concessioner facilities for conventions, group meetings, and the like, during seasons of heavy vacation travel, will be discouraged and, if permitted, will not interfere with access to the park or infringe on the public use of the facilities involved.

(See Concessions Management--Conventions VIII-6.)

Religious Activities--National Park Service actions relating to religious activity shall pass the three-part test articulated by the Supreme Court in the case of the Committee on Public Education and Religious Liberty v. Nyquist, 413 U.S. 756 (1973). They must:

- reflect a clearly secular purpose;

- have a primary effect that neither advances nor inhibits religion; and

- avoid excessive governmental entanglement with religion.

Religious activities are premitted on parklands so long as they do not interfere with normal park uses. Areas or facilities made available for religious purposes shall be utilized on a first-come first-served basis, with all groups and individuals treated equally. Permits may be required for religious activities, and the policy on Public Assembly shall apply (p.).

Employees of the National Park Service may not engage in religious activities while on duty.

(See Compatible Use of Historic Structures V-24.)

Authorization of Special Uses--Authorization for special uses of Government-owned property (lands, structures, or other facilities) administered by the Service shall be in writing, utilizing forms and administrative procedures prescribed by the Service for such purposes.

CEMETERIES AND BURIALS

National Cemeteries--Most national cemeteries in the National Park System are administered as integral parts of larger historical parks and are historically significant in their own right. The enlargement of such a cemetery for additional burials constitutes

a modern intrusion compromising the historical character of both the cemetery and the historical park.

Burials in national cemeteries will be permitted, pursuant to applicable regulations, until available space has been utilized.

Reference: National Cemeteries Act of 1973, June 18, 1973, (P.L. 93-43, 87 Stat. 75)

Family Cemeteries--Burial of family members in family cemeteries that have been acquired by the Service in the establishment of parks will be permitted, pursuant to applicable regulations, until space defined and allotted to the cemeteries has been utilized.

Cremated Remains--Cremated remains may be scattered in parks only in conformance with State laws.

Burials Outside Established Cemeteries--Burials or reinterments in the National Park System outside established cemeteries are not permitted.

(See Memorials III-15; Plaques, Memorials and Burial Plots VI-10.)

MOTION PICTURE AND STILL PHOTOGRAPHY

The making of still and motion pictures or television productions, involving the use of professional casts, settings, and crews, may be permitted under conditions that protect the resources of the park and do not conflict with the public's normal use of the park.

Major motion pictures should not be authorized without the concurrence of the appropriate management official and be consistent with appropriate Service regulations covering this activity.

PETS

Resident or visitor pets are permitted in park areas consistent with an approved general management plan for each park. The area policy shall have the effect of:

- assuring that the pets in no way detract from or impair the resources of the park;

- assuring compliance with applicable Federal, State, and local regulations;

- prohibiting the keeping of pets at Government expense;

- protecting the visitor or other park or concessioner employees from physical threat from pets or from persistent annoyance from noise or other offensive conditions.

RESEARCH AND COLLECTING PERMITS

Scientists may use parks for studies that cannot be performed outside the parks. Those studies should contribute to better understanding of park resources and environments and of their use by people, and must not interfere with other public uses nor have a lasting or significant physical impact on park resources. Where manipulative research occurs on lands both in and outside of parks, the unmanipulated control area will be in the park. Superintendents will issue permits for all research conducted in park areas. Issuance of such permits will be based on scientific validity of the research proposal and on potential conflicts with other resource uses. Conditions to be included in the permit may include restrictions as to locations, timing, methods, and number of specimens to be collected. The permit must include agreement that the researcher submit to the park a research proposal, annual progress reports, a final report, and, as appropriate, copies of all theses, dissertations, and publications resulting from the research.

Research permits may include collection of plants, animals, rocks, and other natural objects when specimens of such objects are essential for conducting a bona fide research project substantiated by an approved research proposal. This proposal must be consistent with the scope of collections statement prepared for each park. Collectors must comply with all applicable State and Federal laws regulating collecting and associated activities, including the provisions of the Antiquities Act of 1906, where vertebrate fossils are concerned. The collection of specimens for use in off-site educational programs and/or the development of general study collections will be discouraged in instances where specimens can be obtained outside the boundaries of parks.

Collecting for personal use or profit will not be permitted.

Collecting by Service employees in the performance of their authorized duties shall conform to all applicable rules governing collection of specimens and their disposition. Where objects are not obtainable from a park, or additional objects are needed to supplement existing Service collections, such may be acquired by gift, loan, exchange, purchase, etc., in conformance with legal authorization and procedure.

Limited collecting by students at environmental study areas and in science classes sponsored by public elementary and secondary schools, and colleges and universities, may be permitted in

natural environment subzones at the discretion of the superintendent when the students' activities are closely supervised by responsible adult instructors and/or Service employees, and the collecting and capture and release are considered essential to the learning process. Such collecting will be restricted to common plants and invertebrates and will be carried out in accordance with the terms of a special use permit or memorandum of understanding between the institution and the Service.

The collecting of threatened or endangered plant and animal species will comply with these policies and also be in accordance with provisions of the Endangered Species Act of 1973, as amended, and will be strictly limited according to applicable rules of the U.S. Fish and Wildlife Service and National Park Service.

(See Science Program IV-2 , Resource Utilization IV-3 , Threatened and Endangered Plants and Animals IV-11, Environmental Education VII-5 .)

COLLECTING WITHOUT PERMIT

Collecting for individual private use, and not for profit or distribution to others, may be permitted for certain renewable resources such as flotsam and jetsam along beaches, or for berries, fruits, mushrooms, and similar edibles taken for consumption in the area. This must be in conformance with a General Management Plan or regulations for each park area, which will specify what items may be collected and under what terms.

(See Resource Utilization IV- .)

BOATS AS RESIDENCES

Vessels permanently anchored, docked, or otherwise moored for residential purposes are not permitted on waters under the jurisdiction of the Service unless authorized in specific park legislation.

PUBLIC ASSEMBLY

The right of access to park lands for the expression of views has long been considered a part of our basic constitutional jurisprudence. The Supreme Court has stated:

> . . . Wherever the title of streets and parks may rest, they have immemorially been held in trust for the use of the public and, time out of mind, have been used for purposes of assembly, communicating thoughts between

> citizens, and discussing public questions. Such use of the streets and public places has, from ancient times, been a part of the privileges, immunities, rights, and liberties of citizens . . . Hague v. C.I.O., 307 U.S. 496, p. 515 (1939)

This right of access, however, is not unlimited and may be restricted by regulations narrowly drawn so as not to abridge First Amendment rights while protecting a legitimate countervailing public interest. In Hague, supra, the Supreme Court further stated:

> The privilege of a citizen of the United States to use the streets and parks for communication of views on national questions may be regulated in the interest of all; it is not absolute, but relative, and must be exercised in subordination to the general comfort and convenience, and in consonance with peace and good order; but it must not, in the guise of regulation, be abridged or denied. p. 516

A second corollary to the principle that access may be regulated to protect a legitimate public interest is that, when the Service permits one group to use a facility for expression of views, it must accord all other groups a similar opportunity. In Women Strike for Peace v. Morton, 472 F.2d 1273 (D.C.Cir.1972), the United States Court of Appeals for the District of Columbia Circuit stated:

> The only reason why the courts will permit a restriction on communicative conduct is because the state has asserted an independent legitimate interest which can be vindicated only by such a restriction. But if the state has allowed some to invade that interest, it is obvious that the purpose of a restriction on others is to suppress their speech rather than to vindicate any independent interest. p. 1285

Consistent with the protection of constitutionally guaranteed rights, the Service observes the following guidelines concerning demonstrations and other forms of peaceable assembly and freedom of speech:

- Parks may be used for public assembly and for the exercise of freedom of speech, provided that those wishing to assemble obtain a permit from the superintendent or other official in charge of such park specifying the occasion for the assembly, the expected number of participants, the manner

in which the assembly will be conducted, and the length of time the assembly is to last.

- Superintendents of urban areas may designate certain parks or parts of parks as public assembly areas wherein permits are not required for individual speakers or small groups.

- In other than historic zones, assemblies may be confined to areas open to the general public and regulated in such a manner as to protect the natural features. In historic zones, assemblies should be held where they do not threaten imminent danger, by virtue of crowding and related normal circumstances of assemblies, to historic properties.

- No group wishing to lawfully assemble may be discriminated against or denied the right of assembly, provided they have met the above requirements.

- Persons or organizations seeking to sell or distribute printed matter in the parks will be permitted to do so under conditions established by NPS regulations on this subject.

The Service will be constantly mindful of the responsibility to protect the rights of all visitors, and equally alert to provide for the safety of all persons, as well as public and private property, in implementing the assurance of the rights of peaceable assembly and free speech. Nothing herein contained shall be construed as preventing arrest by any peace officer of any individual committing, or attempting to commit, a criminal act. By the same token, Service personnel on duty at an area in which a demonstration is conducted shall be "neutral" toward the demonstration activities, and will perform official duties only.

(See Religious Activities VII- 18.)

RECREATION FEES

The policy of Congress, as expressed in the Land and Water Conservation Fund Act of 1965, is that those persons who take advantage of Federal facilities and services provided for outdoor recreation should pay a greater share of the cost of providing these opportunities than the population as a whole. This is the basis for the Federal recreation fee program, a program in which the National Park Service is a major participant.

Under guidelines and criteria established by law and regulation, the National Park Service will collect recreation fees of the appropriate type for parks, facilities, and programs operated by

the Service. No fees will be collected under circumstances where the costs of collection would be disproportionate to revenue or where prohibited by law or regulation. Fees charged shall be reasonable and shall be determined in accordance with criteria and schedules contained in Departmental regulations.

The basic authority for the recreation fee program is contained in Section 4 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-6a), as amended by Public Laws 92-347, 93-81, and 93-303. For the Department of the Interior, this legislation has been implemented by regulations in Part 18 of Title 43, Code of Federal Regulations.

Fees collected, when appropriated back to the Service, will be used for specific programs in the development and management of units of the National Park System, including costs directly attributable to the collection of recreation fees.

VISITOR SAFETY AND PROTECTION

Protection of the visitor, and park and concessioner employees, from violations of laws and regulations and from hazards inherent in the park environment, is a prime responsibility of the National Park Service. The saving and safeguarding of human life takes precedence over all other park management activities, whether the life is of the visitor, concessioner, or park employee. The Service will work closely with other responsible Federal, State, and local agencies in carrying out this responsibility.

Reference: Health and Safety of Park Visitors, NPS Special Directive 76-9, October 5, 1976.

SAFETY

The Service, in the operation and management of the parks, will provide for the safety of park visitors in their use of park facilities and services.

It is also the policy of the Service to insure a safe and healthful work environment for park, concessioner, permittee, and contractor employees by not requiring any employee, in the performance of his or her duty, to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to his or her health or safety.

The safety and accident prevention program shall be an integral part of management and operations at all levels within the Service by making safety and health an inherent responsibility of each

supervisor and of each employee. Sufficient resources shall be provided at each organizational level within the Service to effectively carry out the safety program for employees and for protection of Service, concessioner, permittee, and contractor property. In carrying out this policy, Service employees will, as applicable, use procedures in compliance with the Occupational Safety and Health Act of 1970.

EMERGENCY PREPAREDNESS AND SEARCH AND RESCUE

The National Park Service will develop and execute a program of emergency preparedness (and search and rescue) in accordance with the Federal Civil Defense Act of 1950 (P.L. 81-920, 64 Stat. 1245), as amended, and other considerations, as pertinent, at the Washington and Regional Offices and the parks. This program will include a systematic method for alerting visitors to potential disasters. In addition, an educational program should be instituted to prepare visitors to safely enjoy and utilize the various units of the National Park System.

(See Environmental Education VII- 5.)

EMERGENCY TRANSPORTATION

It is the responsibility of the Service to insure that adequate emergency transportation services are available for visitors who become injured or ill. This responsibility may be fulfilled by emergency transportation services available in nearby communities, provided that advance arrangements are made to insure the availability of the service on call. At locations where such services are not available, the Service will provide emergency medical services (equipment and personnel) to meet the standards prescribed in the "Highway Safety Program Manual, Volume II, Emergency Medical Services." In this instance all costs related to the emergency transportation of an injured or ill visitor from the point of injury or illness to the nearest medical facility where professional medical care is available will be borne by the Service. Should the nature of the injury require emergency treatment beyond the capability of the medical facility to which delivered, the Service may assume the responsibility for further emergency transportation of the injured only if a professional medical practitioner (doctor, nurse, or EMT) accompanies the injured to the second facility.

Any transportation of injured or ill visitors from a medical facility at their convenience will be by commercial ambulance at the expense of the injured or ill visitor. Transportation of deceased persons will normally be by commercial operators, not at the expense of the Service.

CRIME PREVENTION (PHYSICAL SECURITY)

Law enforcement actions shall be carried out as specified in P.L. 94-458 (October 7, 1976) and in consonance with the law enforcement guidelines as promulgated in NPS-9 (October 1975).

An important aspect of the National Park Service resource protection function is the establishment of an interdisciplinary crime prevention program within the Regional Office, park, Denver Service Center, and Interpretive Design Center operations. The objective is to reduce the opportunity for criminal activity, and the program has direct application to all job disciplines and employees; it should not be construed solely as a law enforcement function. The program provides for:

1. The appointment of a crime prevention coordinator for each Regional Office, park, the Denver Service Center, and the Interpretive Design Center.

2. The development of a comprehensive program designed to reduce criminal opportunity by educating park visitors, employees, and concession personnel as to crime prevention techniques.

3. The training of personnel responsible for enacting crime prevention programs.

4. The review by qualified personnel of all plans and specifications for new construction and renovation of structures, displays, or facilities, to insure that adequate crime prevention measures have been included.

5. The purchase or lease of alarm devices and other equipment that meets the testing criteria established by Underwriters Laboratories, i.e., U.L. Approved.

6. A biannual security survey of structures, displays, and facilities.

7. The annual review by each region and park of its respective crime problems, and the initiation of action to reduce probability of recurrence.

(See Security Measures for Cultural Properties V-25.)

STRUCTURAL FIRE PREVENTION AND FIRE PROTECTION

The National Park Service will provide a fire prevention and fire protection program to ensure the safety of park visitors and of

park, concessioner, permittee, and contractor employees, and to control property damage. The program, at all levels, shall provide for:

1. Assignment of fire safety responsibilities to appropriate personnel at all echelons of the Service.

2. Advice and assistance on fire prevention and fire protection matters to supervisors.

3. Review of all plans and specifications for new construction, alterations, and additions of facilities, to assure adequate fire protection measures are included.

4. Periodic testing and maintenance of all fire safety equipment to guarantee its proper operation when needed.

5. Periodic fire inspections to detect potential fire loss situations, either to life or property.

6. Adequate training for structural fire control.

7. Employee instruction in first-aid, evacuation, and fire exit drills..

All fire prevention and fire protection program standards, equipment, and procedures will be in compliance with the Occupational Safety and Health Act of 1970 and the National Fire Codes; and the NFPA and Underwriters Laboratories (UL) and/or Factory Mutual (FM) guidelines, where applicable, will apply. All fire training activity will be in accordance with the International Fire Service Training Association training manuals.

(See Building and Fire Codes V- 26 Fire Detection and Suppression V-26 .)

CHAPTER VIII

CONCESSIONS MANAGEMENT

Management Policies of the National Park Service
United States Department of the Interior

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Concessions Management

THE NATIONAL PARK SERVICE WILL PROVIDE, THROUGH THE USE OF CONCESSIONS, THOSE COMMERCIAL FACILITIES AND SERVICES WITHIN THE PARKS NECESSARY FOR THE VISITORS' USE AND ENJOYMENT OF THE PARK. CONCESSION DEVELOPMENT SHALL BE LIMITED TO THOSE NECESSARY AND APPROPRIATE FOR PUBLIC USE AND ENJOYMENT OF THE PARK AREA AND BE CONSISTENT, TO THE HIGHEST DEGREE POSSIBLE, WITH ITS PRESERVATION AND CONSERVATION.

The congressional act establishing Yellowstone as the first national park in 1872 authorized the Secretary of the Interior to grant leases of small parcels of land for the erection of visitor accommodations. The language regarding leases was made more explicit in two subsequent acts effected in 1883 and 1894.

When the National Park Service was established in 1916, a provision granting the privilege for the use of land for visitor accommodations was included and thus was made applicable to all units of the System. In 1958, the 1916 act was amended, extending the maximum term of concession contracts from twenty to thirty years.

In 1965 the National Park Service Concessions Act established congressional policy designed to circumscribe the situations in which concessions should be provided, and to develop guidelines for concession management.

References:

Act to Establish Yellowston National Park, March 1, 1872
(P.L. 46-24, 17 Stat. 32)

Appropriations Act of March 3, 1883 (P.L. 47-143, 22 Stat. 603)

Yellowstone Park Lease Authorization Act, August 3, 1894
(P.L. 53-198, 28 Stat. 222)

Act to Establish a National Park Service, August 25, 1916
(39 Stat. 535)

Concessionaire Leases Act, May 29, 1958 (P.L. 85-434, 72 Stat. 152), amends the Act to Establish a National Park Service.

National Park Service Conccessions Act, October 9, 1965
(P.L. 89-249, 79 Stat. 969)

31 U.S.C. 483

OMB Circular A-25

PRIVATE ENTERPRISE OUT-OF-PARK

In considering the need for concession facilities in newly established parks or for the expansion of such facilities in existing areas, the Service is guided by the following policy.

If adequate facilities exist or can be developed by private enterprise to serve the park visitors' needs for commercial services outside of park boundaries, such facilities shall not be provided within park areas. The Service should cooperate with State and local governments to develop the recreational region around major parks in a manner designed to meet the visitors' needs without degradation of the nonpark environment or loss of quality of the visitor experience through uncontrolled and unregulated growth.

(See Cooperative Regional Planning II-5 .)

LOCATION AND CONTROL OF CONCESSIONS

In granting the privilege of a concession contract, it should be determined that any building program contained in the contract is in concert with the appropriate approved plan for the area in consideration. It should be determined that:

- the use of the facility or service will enhance the use and enjoyment of the park without substantially resulting in impairment of park values;

- the facility or service is located where the least damage to park values will occur; and

- the facility or service is situated upon the smallest parcel of land practicable consistent with proper spacing and the preservation of aesthestic values.

(See Park Development Zones II-4 , Design Quality and Control III-5 , Construction III- 6, Utilities III- 7, Wilderness--Commercial Services VI- 5, Backcountry Commercial Services VII-12.)

CONCESSION FACILITIES

The number of sites and the locations and sizes of the tracts of land assigned for necessary accommodations, as determined through the Service planning process, shall be held to the minimum essential for proper and satisfactory operation of the accommodations, consistent with proper

spacing and preservation of aesthestic values. Moreover, such developments as are permitted shall be constructed so as to be as harmonious as possible with their surroundings. To this end, plans and specifications for buildings and other structures to be erected by the concessioners, including plans for landscaping, shall be prepared at the expense of the concessioners and submitted to the appropriate Regional Director for approval at both the comprehensive design and project planning stage before construction is begun. Such plans must comply with planning and design standards applicable to the National Park Service, and when approved, shall be adhered to by the concessioners in erecting the structures authorized. Funds for the necessary Service support facilities for the concession should be appropriated and support requirements should be assured on a timetable which will permit the timely use of the concessioner's facilities before a concessioner is permitted to proceed with the building commitment.

When funds are available, the Service will provide roads, paths, and parking areas, general landscape improvement projects, and marine pumpout stations, and will extend the water, sewage, and electric distribution system to generally within five feet of the buildings within the tracts assigned to the concessioner.

All concession development shall be subject to compliance with the Procedures for the Protection of Historic and Cultural Properties promulgated by the Advsiory Council on Historic Preservation.

(See Design and Construction Considerations III-5.)

ESTABLISHMENT VIA PROSPECTUS

The Secretary is authorized by law to enter into concession contracts and permits without advertising and without securing competitive bids. However, it is the policy of the National Park Service to issue a prospectus to invite offers from those persons and corporation who may be interested and qualified to provide and operate the particular concession facilities and services. A prospectus is issued when there is a new concession opportunity, when an existing concessioner has been determined to be unsatisfactory, or when an existing concessioner requests the assistance of the Service in locating a successor because he no longer wishes to operate. Any deviation from this policy requires the prior approval of the Director.

OVERNIGHT ACCOMMODATIONS

Where overnight accommodations are to be provided in a park, the concessioners shall maintain a reasonable proportion of their accommodations at low prices.

(See Cooperative Regional Planning II-5, Overnight Accommodations III-8, Wilderness--Chalets and Concessioner Camps VI-9, Wilderness--Overnight Use VI-5, Backcountry Commercial Services VII-12.)

QUALITY OF SERVICE

Services offered to the public by concessioners must be satisfactory as judged by recognized standards for the industry and National Park Service evaluation policy. The rates for such services must be reasonable as judged by the services offered and statutory criteria.

(See Inspection of Concessioner Facilities VIII-7)

MINORITY BUSINESS

To assure maximum information and assistance to potential minority concessioners, the Service will advise the Office of Minority Business Enterprise of the Department of Commerce in advance of the public announcement as to the availability of concession opportunities.

> Reference: Cooperative Agreement on Minority Enterprise in the National Park System, between National Park Service and the Office of Minority Business Enterprise of the Department of Commerce, dated September 1973.

GOVERNMENT ACQUIRED OR CONSTRUCTED FACILITIES

When there is no acceptable response to a prospectus, or, if after appropriate analysis by the National Park Service, it is determined that an existing concessioner cannot sustain or improve its physical plant, and the facilities described therein are necessary for the accommodation of park visitors, such facilities may be constructed by the National Park Service upon approval of funds by the Congress, and made available through normal National Park Service procedures for operation by a concessioner.

Where capital improvements to Government acquired or constructed facilities are necessary, they should be made by the National Park Service. However, if the concessioner makes capital improvements in Government-owned facilities, it may amortize the costs of such improvements but may not acquire a possessory interest therein.

MAINTENANCE OF GOVERNMENT ACQUIRED OR CONSTRUCTED FACILITIES

Concessioners shall be required to maintain Government-owned facilities assigned for their use. An annual maintenance program for Government-owned facilities is required as a supplement to the contract.

In order that a high standard of physical appearance and operation will be assured, annual inspections will be carried out jointly by the National Park Service and the concessioner to determine maintenance and repair needs. The concessioner will be expected to carry out the maintenance and repair work which has been jointly agreed upon with a reasonable amount of time.

ADVERTISING

Billboard advertising is prohibited in areas administered by the National Park Service. Billboard advertising outside these areas shall be discouraged. All advertising and other public information materials shall be subject to prior approval by the National Park Service.

ALCOHOLIC BEVERAGES

The sale of alcoholic beverages may be permitted in park areas, subject to applicable Service regulations and State laws.

MERCHANDISE

The merchandise sold in areas administered by the Service is to be limited to those items appropriate and necessary for public use and enjoyment of the areas. The sale of souvenirs shall be limited to those items which serve the mission of the National Park Service and are appropriate for the public use and appreciation of the park.

SALE OF ARCHEOLOGICAL SPECIMENS AND NATIVE HANDICRAFT

The sale of appropriate modern handicraft articles associated with, or interpretive of, an area is encouraged. Such articles shall be clearly labeled as to origin and displayed separately from commercially or mechanically produced souvenirs. The sale of original prehistoric or historic archeological specimens, regardless of age, is inconsistent with the Service's conservation ethic and is, therefore, prohibited. The sale of clearly labeled replicas of artifacts is authorized.

(See Sale of Handicraft Items by Native Americans VII-6 .)

FOOD SANITATION

All food service facilities and operations in the National Park Service controlled areas, including YCC camps, youth hostels, and environmental education camps, shall meet the design, construction, and operational criteria recommended by the U.S. Public Health Service and, where applicable, shall conform with substantive requirements contained in State and local laws and regulations relating to such establishments.

CONVENTIONS

Services and facilities provided under contract with the Secretary of the Interior shall be available to all park visitors when open to the general public, and bookings of special groups may not exclude services to the general public. The use of concession facilities for conventions, group meetings and the like, during seasons of heavy vacation travel must be consistent with this policy. Conventions are not permitted if they would interfere with general public use and enjoyment of the area.

(See Conventions VII- 18.)

EMPLOYEES

Concessioners should have affirmative action programs to assure equal employment opportunities and should adhere to the Department's labor standards and to applicable Federal and State labor laws.

NONDISCRIMINATION

Concessioners and their employees shall not discriminate against any individual because of race, creed, color, sex, age, national origin, or physical or mental handicap.

INSURANCE

Concessioners should carry such insurance against losses by fire or other casualty of Government-owned facilities, public liability, employee liability, and other hazards as is customary among prudent operators of similar businesses under comparable circumstances. Coverage and limitations shall be subject to the approval of the Secretary on an annual basis, and shall comply with standard language which the Service uses in concessioner contracts.

UTILITY RATES

Rates for utility Services furnished to the concessioner by the National Park Service shall be established, wherever possible, on the basis of an average charge for comparable utility services for similar type operations in the same geographical area in which the concessions operation is located. It is the intent of Congress and the Office of Management and Budget that the resulting rates will recover costs to the fullest extent possible that is fair and equitable. Rates will be established by the Office of Quarters, Permits, and Utility Appraisals.

(See Utility Services VII-17.)

FINANCIAL STATEMENT

Concessioners whose operations gross $100,000 or more annually shall provide to the National Park Service audited financial statements on which an unqualified auditor's opinion has been expressed by independent licensed or certified public accountants.

FEES CHARGED FOR GOVERNMENT FACILITIES ASSIGNED TO CONCESSIONERS

All buildings, structures, or facilities assigned for concessioner use shall provide for a fair value return, which value will be determined in accordance with acceptable practices in the industry for the determination of a fair annual value. Adjustments may be made to the appraised value taking into consideration all of the judgmental factors regarding reasonable profit as stated in Public Law 89-246.

INSPECTION OF CONCESSIONER FACILITIES

Inspections of concessioner facilities will be conducted uniformly to assure that facilities are sanitary, safe and attractive. Regular and follow-up inspections will be made to ensure timely correction of deficiencies and will serve as a basis for determining satisfactory or unsatisfactory performance.

CONCESSIONER-SERVICE EMPLOYEE RELATIONS

No employee, or member of the employee's immediate family, may solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing or monetary value, from a concessioner or other person who, conducts operations or activities that are regulated by this Department. This does not apply to contractual arrangements the Park Service has with concessioners under which Federal employees on

official travel and business away from their regularly assigned stations may receive reduced rates on accommodations at the concessioner's facility.

EMPLOYMENT BY CONCESSIONERS OF SPOUSES AND MINOR CHILDREN OF SERVICE EMPLOYEES

It will be the general policy of the National Park Service to grant approval of employment by concessioners of spouses and minor children of National Park Service employees, except for the spouses and minor children of park superintendents, assistant superintendents, or other Service employees who have official responsibilities for concession management or concession contract compliance concerning the concessioner for whom the spouse or minor child proposes to work. Any exceptions for such excepted employees under this policy will require the specific concurrence of the Director of the National Park Service in writing, based on a full disclosure of all the facts and circumstances attendant therewith.

Service employees whose spouse or minor children qualify for employment with concessioners under this policy shall notify the official in charge of the organizational entity in which they work (Superintendent, Manager, Regional Director, Director) and no such employment may begin until written approval is received from the appropriate official.

CHAPTER IX

LAND ACQUISITION

Management Policies of the National Park Service
United States Department of the Interior

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Land Acquisition

LAND ACQUISITION POLICY STATEMENT

THE NATIONAL PARK SERVICE WILL ACQUIRE LANDS AND WATERS IN FEE SIMPLE OR LESS-THAN-FEE INTEREST WITHIN AREAS OF THE NATIONAL PARK SYSTEM, CONSISTENT WITH LEGISLATION OR OTHER CONGRESSIONAL GUIDELINES AND EXECUTIVE ORDERS, TO ASSURE THE PROTECTION OF THE NATURAL, SCENIC, CULTURAL, RECREATIONAL, OR OTHER SIGNIFICANT RESOURCES AND TO PROVIDE FOR ADEQUATE VISITOR USE.

In carrying out this policy, each park area with an active land acquisition program shall have a land acquisition plan which conforms to Departmental and Park Service policies and all applicable laws. The plan shall be simple, concise and prepared with public participation.

In terms of the various park authorizing acts and other Congressional mandates, areas of the National Park System are divided into three categories for purposes of land acquisition policy. These three categories are as follows:

Newly Authorized Areas

In these areas, authorized since July 1959, acquisition is carried out in accordance with the policies prescribed by Congress in the authorizing legislation.

Inholding Areas

In these areas, authorized prior to July 1959, the Service shall pursue an opportunity purchase program, acquiring those lands offered for sale by property owners. The Service shall also acquire land to prevent uses which would damage the resources that the park areas was established to protect. On undeveloped tracts the threat of development or subdivision will cause the Service to initiate acquisition.

Areas Where Acquisition is Limited to Donation or Exchange

In these areas, land is acquired by donation or exchange as opportunities occur.

Policy Implementation

Land acquisition in all areas of the National Park System is executed in accordance with the provisions of applicable legislation, including Public Law 91-646, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. This latter-cited statute requires fair and equitable treatment of owners from whom property is acquired and provides many benefits to both owners and tenants.

The land acquisition policy implementation guideline contains detailed information on the individual park area acquisition plan, responsibilities of NPS officials, the authority and procedures for land acquisition and various land protection methods. The guideline also contains a complete listing of park areas by category.

properties are to be devoted to new and different uses not compatible with the primary purpose for which the area was established or if the present uses are materially expanded the Service will attempt to negotiate with the owner for the acquisition of the property in order to eliminate a use or avoid development of a use adverse to the management of the area.

In the event all reasonable efforts at negotiation fail, and the owner persists in his efforts to devote the property to a use deemed by the Service to be adverse to the primary purpose for which the area was established, the United States may institute eminent domain proceedings to acquire the property.

(See Water Rights IV-16 .)

DONATIONS AND EXCHANGES

In areas of the System which have no authority for purchase with appropriated funds, donations of land within the authorized boundary will be solicited and equal land value exchanges under the authority of the Land and Water Conservation Fund Act, as amended, will be pursued within the authorized boundary for purposes of improved park management.

CONTINUING PRIVATE USES (NEW AREAS AND INHOLDINGS)

In some areas it is not essential to eliminate all private uses within exterior boundaries. The important consideration in the land acquisition program is that adequate lands be acquired by the Federal Government for public use and enjoyment and effective administration, accompanied by suitable control of the remaining lands to insure that the resource values of the area are preserved and that private uses are not maintained or developed in a manner that would impair the primary purpose of the area.

The Congress has provided that private uses in some areas may be continued as long as individuals, villages, or communities observe appropriate zoning or development restrictions in accordance with standards established by the Secretary of the Interior. In other instances, the Congress has authorized the Secretary to acquire scenic or development easements over private lands to insure that the continued private use shall be compatible with the primary purpose of the area. Also, under recent authorities of the Congress, the Secretary of the Interior may, in areas other than national parks and monuments of scientific significance, with regard to lands acquired in fee, lease or sell back private development

rights subject to terms and conditions which assure use of the property in a manner consistent with the primary purpose for which the area was established.

(See Pollution Control and Abatement IV-17, Utility and Transportation Corridors and Rights-of-Way VII-15.)

PROGRAM EXECUTION

The entire land acquisition program is executed in accordance with the specific legislative policies, if any, set forth in the act authorizing the area. In the absence of specific legislation, the program is executed as follows:

1. Purchases are negotiated on the basis of competent appraisals of fair market value, and not less than the approved appraised value is offered to any landowner.

2. Less than fee interests may be acquired when they will meet the needs of the Service and are justified on cost.

3. Reserved use and occupancy by the owner for life or for a term of years is allowed if purchase on this basis will meet the needs of the Service and is justified on cost.

4. Eminent domain proceedings are used only as a last resort, when all reasonable efforts of negotiation have failed.

As funds permit, an active land acquisition program will be pursued to avoid unnecessarily high cost of escalation and incompatible use of the land.

Early detection of an incompatible act is necessary to allow time for review by the Solicitor's office of a potential condemnation suit and to obtain authority from the appropriate congressional committees for the filing of a declaration of taking.

Each area manager will develop an alert system which will assure appropriate steps are taken when an incompatible use of the resource is threatened. In this regard any development of unimproved lands or substantial alteration to existing improvements including major additions to existing structures constitutes an incompatible act. The construction of small facility type outbuildings (tool sheds, garages, etc.) normally would be permitted. Structures containing additional living accommodations or those that can be readily converted to living quarters, or expansions of commercial operations are not to be permitted. Likewise, the application for a building or sewer permit or the filing of a subdivision plat must be viewed

as evidence of an incompatible act. Regarding the latter, it must be assumed that the subdivision is done for subsequent conveyance to other parties for development purposes. Cases which are not clear cut should be referred to the Washington Office for resolution.

Repair or reconstruction of residential dwellings is allowed when damaged or destroyed by fire or other natural phenomena, provided the replacement structure is of the same general size, use, and character as that destroyed or damaged.

When an incompatible act is detected, the landowner should be informed that the proposed action is in violation of these policies and, unless it is terminated (building or sewer permit or subdivision request cancelled), action will be initiated to acquire the property. If the landowner cancels the proposed action, no further steps should be taken to acquire the property unless the owner desires to sell to the Service. Conversely, if the owner refuses to withdraw the proposed action, permission to appraise the property should be requested. If permission to appraise is granted, an appraisal must be obtained promptly and negotiations undertaken. Every effort must be made to acquire the property through negotiated purchase. However, if negotiations are not successful, then the property must be acquired by condemnation. This will allow the value of the property to be established by a disinterested party--the court. If permission to appraise is refused, steps to acquire the property by condemnation with a declaration of taking should be initiated immediately.

The review process for requests for congressional approval to file declarations of taking is time consuming. These matters will be handled expeditiously by the Washington Office; however, as much lead time as possible must be provided. To allow for maximum lead time, a request for standby authority to file a declaration of taking should be initiated as soon as an incompatible act is detected. The request should clearly state that such authority will only be used if the landowner refuses to terminate the proposed action and after all efforts to acquire the property by negotiated purchase have failed. The review time required by the various offices involved will not permit a delay of a request for standby authority to a later stage of the process. If the landowner cancels the proposed action or if the property is acquired by negotiated purchase before congressional concurrence is received, the Land Acquisition Division, Washington Office, must be advised immediately by telephone followed by a brief memorandum covering the details.

It is imperative that these policies be implemented fairly and consistently throughout the Service. This is an obligation and a responsibility of the National Park Service to all taxpayers.

These policies are consistent with the intent of Congress--which has been expressed many times during the past several years--to acquire all of the privately-owned lands in areas administered by the National Park Service. This places an extra burden on Regional and Field managers to identify incompatible acts as they occur and to take necessary action in a timely manner so that approval of the congressional committees can be obtained before the incompatible act results in damage to the resource and the construction of expensive improvements. There can be no deviation from these policies. Allowing an action to go unnoticed or permitting an act which is incompatible with these policies must be avoided. Likewise, action to acquire property other than on an opportunity basis, must not be initiated unless an incompatible act is committed. In other words, all landowners must be treated equally.

The land acquisition program is executed in accordance with the above and is in accordance with the policies and procedures prescribed by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-464, 84 Stat. 1894) and the Land and Water Conservation Fund Act, as amended (P.L. 88-578, 78 Stat. 897), as they may from time to time be amended, which amendments shall prevail in all matters applicable thereto and supersede all policies and procedures otherwise expressed herein insofar as they may be inconsistent with those acts..

(See Water Rights IV-16, Pollution Control and Abatement IV-17.)

CHAPTER X

ENERGY MANAGEMENT

Management Policies of the National Park Service
United States Department of the Interior

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Energy Management

THE NATIONAL PARK SERVICE, AS THE FEDERAL CONSERVATION AGENCY RESPONSIBLE FOR THE PRESERVATION OF NATURAL ECOSYSTEMS AND HISTORIC ENVIRONMENTS, WILL MANAGE ALL COMPONENTS OF THE NATIONAL PARK SYSTEM TO ENSURE THE WISE USE OF ENERGY THROUGH SOUND ECOLOGICAL AND MANAGEMENT PRINCIPLES, TAKING CARE THAT NO NATURAL SYSTEM OR CULTURAL VALUE BE DEGRADED TO PROVIDE ENERGY FOR A HUMAN SYSTEM.

It is therefore, the policy of the National Park Service:

- to plan, design and carefully assess energy and life-cycle maintenance costs for all aspects of the National Park System to respect the integrity of the protected natural and built environments, and insure ecological and visual harmony between them;

- to construct only those facilities and access systems essential to the Service's mission; using materials and processes that require a minimum of non-renewable resources to produce and maintain; and reducing costs over the life-cycle of a facility;

- to operate the National Park System in an energy efficient manner, employing where appropriate, public and nonmotorized transportation for both park personnel and visitor use; drawing upon renewable energies where appropriate and non-disruptive; emphasizing energy-conscious adaptive use of existing facilities; and applying new developments in energy-efficient technology, including waste disposal and recovery systems when and where these may be effectively used in the parks;

- to maintain the units of the National Park System to reduce reliance on non-renewable fuels;

- to interpret to the public wise energy use through examples found in the natural and built environments; encouraging visitor activities designed to increase ecological and energy awareness; and enabling the public to understand, adapt and implement sound energy utilization within their own sphere of influence.

- to educate and motivate Service personnel to observe energy conserving practices and to recognize and reward individual initiative and action which reduces energy consumption in daily work activities or substitutes appropriate uses of renewable energy sources.

(See Park Access and Circulation III-1, Visitor Transportation Services III-2 , Design and Construction Considerations III-5 , Management Facilities III-13, Interpretive Program VII-2 , Environmental Education VII-5 .)

TRAINING

Training in energy management will be provided for all personnel within the Service to facilitate the achievement of this policy.

ENERGY MANAGEMENT PLAN

To enable execution of this policy, each unit within the System will develop and implement a comprehensive energy management plan, based on the Service's guidelines, that reflects these policy objectives, and draws upon materials, techniques, and ideas already developed in the fields of energy conservation, solar architecture, low energy technology, and energy analysis.

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