

Management Policies 2001



Management of National Park Service Programs

This volume of Management Policies focuses exclusively on management of the national park system. Beyond managing the national park system, the National Park Service administers a broad range of programs that serve the conservation and recreation needs of the nation and the world. Examples include the—

- National Register of Historic Places;
- National Historic Landmarks Program;
- National Natural Landmarks Program;
- Land and Water Conservation Fund Grants Program;
- Historic American Building Survey;
- Historic American Engineering Record;
- American Battlefield Protection Program;
- National Maritime Heritage Grants Program;
- Rivers, Trails and Conservation Assistance Program; and
- Tribal Heritage Preservation Grants Program.

Although these programs operate mainly outside the national parks, they form a vital part of the National Park Service mission. Information about the policies and procedures that govern these programs will be incorporated into a companion volume which will be issued as soon as practicable. Until the companion volume is issued, information may be obtained from the appropriate NPS program managers (who are generally located in Washington, D.C.), or by visiting the NPS web site at www.nps.gov.



U.S. Department of the Interior

The mission of the Department of the Interior is to protect and provide access to our Nation's natural and cultural heritage and honor our trust responsibilities to tribes. We:

- encourage and provide for the appropriate management, preservation, and operation of the Nation's public lands and natural resources for use and enjoyment both now and in the future;
- carry out related scientific research and investigations in support of these objectives;
- develop and use resources in an environmentally sound manner, and provide an equitable return on these resources to the American taxpayer; and
- carry out trust responsibilities of the U.S. Government with respect to American Indians and Alaska Natives.

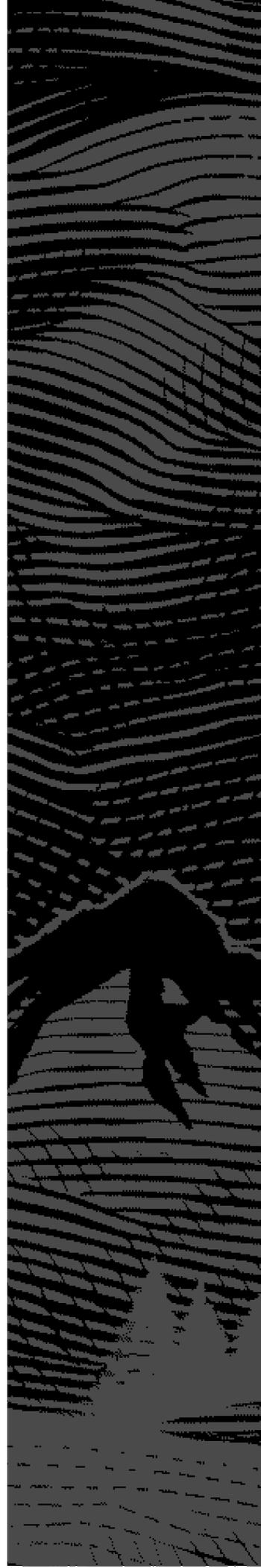


National Park Service

The National Park Service is a bureau within the Department of the Interior. We preserve unimpaired the natural and cultural resources and values of the national park system for the enjoyment, education, and inspiration of this and future generations. We also cooperate with partners to extend the benefits of natural and cultural resource conservation and outdoor recreation throughout this country and the world.

Management Policies

2001



Contents

Introduction	
Law, Policy, and Other Guidance	5
Hierarchy of Authorities	6
Policy Development	6
Compliance and Accountability	6
The Directives System	6
Other Sources of Guidance	7
National Park Service Program Policies	7
1 The Foundation	9
1.1 The National Park Idea	10
1.2 The National Park System	10
1.3 Criteria for Inclusion	10
1.3.1 National Significance	10
1.3.2 Suitability	10
1.3.3 Feasibility	11
1.3.4 Direct NPS Management	11
1.4 Park Management	11
1.4.1 The Laws Generally Governing Park Management	11
1.4.2 "Impairment" and "Derogation": One Standard	12
1.4.3 The NPS Obligation to Conserve and Provide for Enjoyment of Park Resources and Values	12
1.4.4 The Prohibition on Impairment of Park Resources and Values	12
1.4.5 What Constitutes Impairment of Park Resources and Values	12
1.4.6 What Constitutes Park Resources and Values	13
1.4.7 Decision-making Requirements to Avoid Impairments	13
1.5 External Threats and Opportunities	13
1.6 Environmental Leadership	13
1.7 Managing Information	14
1.7.1 Information Sharing	14
1.7.2 Proprietary Information	14
1.7.3 Information Confidentiality	14
1.8 Accountability	14
1.8.1 Management Accountability	14
1.8.2 Government Performance and Results Act	15
1.9 Partnerships	15
1.10 An Enduring Message	15
2 Park System Planning	17
2.1 General Principles	18
2.1.1 Logical Decision-making	18
2.1.2 Scientific, Technical, and Scholarly Analysis	18
2.1.3 Public Participation	18
2.1.4 Goal Orientation	18
2.2 Major Elements of NPS Park Planning and Decision-Making	18
2.3 Levels of Park Planning	19
2.3.1 General Management Planning	19
2.3.2 Strategic Planning	21
2.3.3 Implementation Planning	21
2.3.4 Park Annual Performance Planning and Annual Performance Reporting	22
3 Land Protection	23
3.1 General	24
3.2 Land Protection Methods	24
3.3 Land Protection Plans	24
3.4 Addressing Threats from External Sources	25
3.5 Boundary Adjustments	25
3.6 Land Acquisition Authority	26
3.7 Land Acquisition Funding	26
4 Natural Resource Management	27
4.1 General Management Concepts	28
4.1.1 Planning for Natural Resource Management	29
4.1.2 Natural Resource Information	29
4.1.3 Evaluating Environmental Impacts	29
4.1.4 Partnerships	29
4.1.5 Restoration of Natural Systems	30
4.1.6 Compensation for Injuries to Natural Resources	30
4.2 Studies and Collections	30
4.2.1 NPS-conducted or -sponsored Inventory, Monitoring, and Research Studies	31
4.2.2 Independent Studies	31
4.2.3 Natural Resource Collections	31
4.2.4 Collection Associated with Development of Commercial Products	32
4.3 Special Designations	32
4.3.1 Research Natural Areas	32
4.3.2 Experimental Research Areas	32
4.3.3 Wilderness Areas	32
4.3.4 National Wild and Scenic Rivers System	32
4.3.5 National Natural Landmarks	32
4.3.6 Biosphere Reserves	32
4.3.7 World Heritage Sites	33
4.4 Biological Resource Management	33
4.4.1 General Principles for Managing Biological Resources	33
4.4.2 Management of Native Plants and Animals	34
4.4.3 Harvest of Plants and Animals by the Public	36
4.4.4 Management of Exotic Species	37
4.4.5 Pest Management	37
4.5 Fire Management	38
4.6 Water Resource Management	39
4.6.1 Protection of Surface and Ground Waters	39
4.6.2 Water Rights	39
4.6.3 Water Quality	39
4.6.4 Floodplains	39
4.6.5 Wetlands	40
4.6.6 Watershed and Stream Processes	40
4.7 Air Resource Management	40
4.7.1 Air Quality	40
4.7.2 Weather and Climate	41
4.8 Geologic Resource Management	41
4.8.1 Protection of Geologic Processes	41
4.8.2 Management of Geologic Features	42
4.9 Soundscape Management	44
4.10 Lightscape Management	44
4.11 Chemical Information and Odors	45
5 Cultural Resource Management	47
5.1 Research	48
5.1.1 National Park Service Research	48
5.1.2 Independent Research	49
5.1.3 Identification and Evaluation of Resources	49
5.1.3.1 Inventories	49
5.1.3.2 Evaluation and Categorization	50
5.2 Planning	50
5.2.1 Consultation	51
5.2.2 Agreements	52
5.2.3 Confidentiality	52

5.3 Stewardship 52	7.5 Requirements for All Interpretive and Educational Services 75	9 Park Facilities 99
5.3.1 Protection and Preservation of Cultural Resources 52	7.5.1 Access to Interpretive and Educational Opportunities 75	9.1 General 100
5.3.1.1 Emergency Management 52	7.5.2 Interpretive and Educational Services Beyond Park Boundaries 76	9.1.1 Facility Planning and Design 100
5.3.1.2 Fire Detection, Suppression, and Post-fire Rehabilitation and Protection 52	7.5.3 Resource Issue Interpretation and Education 76	9.1.2 Accessibility for Persons with Disabilities 102
5.3.1.3 Compensation for Damages 53	7.5.4 Research 76	9.1.3 Construction 102
5.3.1.4 Environmental Monitoring and Control 53	7.5.5 Consultation 76	9.1.4 Maintenance 103
5.3.1.5 Pest Management 53	7.5.6 Cultural Demonstrators 76	9.1.5 Utilities 104
5.3.1.6 Carrying Capacity 53	7.5.7 Historic Weapons 76	9.1.6 Waste Management and Contaminant Issues 105
5.3.2 Physical Access for Persons with Disabilities 53	7.5.8 Re-enactments 77	9.1.7 Energy Management 106
5.3.3 Historic Property Leases and Cooperative Agreements 53	7.6 Interpretive and Educational Partnerships 77	9.1.8 Structural Fire Protection and Suppression 106
5.3.4 Stewardship of Human Remains and Burials 54	7.6.1 Volunteers in Parks 77	9.2 Transportation Systems 106
5.3.5 Treatment of Cultural Resources 54	7.6.2 Cooperating Associations 77	9.2.1 Road Systems 107
5.3.5.1 Archeological Resources 55	8 Use of the Parks 79	9.2.2 Alternative Transportation Systems 108
5.3.5.2 Cultural Landscapes 56	8.1 General 80	9.2.3 Trails and Walks 108
5.3.5.3 Ethnographic Resources 57	8.2 Visitor Use 80	9.2.4 Traffic Signs and Markings 109
5.3.5.4 Historic and Prehistoric Structures 58	8.2.1 Visitor Carrying Capacity 81	9.2.5 Parking Areas 109
5.3.5.5 Museum Collections 60	8.2.2 Recreational Activities 82	9.2.6 Navigation Aids 110
6 Wilderness Preservation and Management 63	8.2.3 Use of Motorized Equipment 83	9.3 Visitor Facilities 110
6.1 General Statement 64	8.2.4 Accessibility for Persons with Disabilities 84	9.3.1 Informational and Interpretive Facilities 110
6.2 Identification and Designation of the Wilderness Resource 64	8.2.5 Visitor Safety and Emergency Response 85	9.3.2 Overnight Accommodations and Food Services 111
6.2.1 Assessment of Wilderness Suitability or Non-suitability 64	8.2.6 Recreational Fees and Reservations 86	9.3.3 Comfort Stations 112
6.2.2 Wilderness Studies 65	8.3 Law Enforcement Program 86	9.3.4 Other Visitor Facilities 112
6.2.3 Recommended Wilderness 65	8.3.1 General 86	9.3.5 Advertising 112
6.2.4 Designated Wilderness 65	8.3.2 The Context for Law Enforcement 87	9.4 Management Facilities 112
6.3 Wilderness Resource Management 65	8.3.3 Shared Responsibilities 87	9.4.1 Administrative Offices 113
6.3.1 General Policy 65	8.3.4 Enforcement Authority 87	9.4.2 Museum Collections Management Facilities 113
6.3.2 Responsibility 66	8.3.5 Jurisdiction 87	9.4.3 Employee Housing 113
6.3.3 Consistency 66	8.3.6 Use of Force 88	9.4.4 Maintenance Structures 114
6.3.4 Wilderness-Related Planning and Environmental Compliance 66	8.3.7 Public Information and Media Relations 88	9.4.5 Miscellaneous Management Facilities 114
6.3.5 Minimum Requirement 66	8.4 Overflights and Aviation Uses 88	9.5 Dams and Reservoirs 114
6.3.6 Scientific Activities in Wilderness 67	8.4.1 Alaska and Remote Areas 88	9.6 Commemorative Works and Plaques 114
6.3.7 Natural Resources Management 68	8.4.2 Education 88	9.6.1 General 114
6.3.8 Cultural Resources 68	8.4.3 General Aviation 88	9.6.2 Interpretive Works That Commemorate 114
6.3.9 Fire Management 68	8.4.4 Administrative Use 88	9.6.3 Approved Commemorative Works 115
6.3.10 Management Facilities 68	8.4.5 Military Aviation 89	9.6.4 Pre-existing Commemorative Works 115
6.3.11 Wilderness Boundaries 69	8.4.6 Commercial Air Tour Management 89	9.6.5 Donated Commemorative Works 115
6.4 Wilderness Use Management 70	8.4.7 Permitted Overflights 89	9.6.6 Commemorative Works in National Cemeteries 115
6.4.1 General Policy 70	8.4.8 Airports and Landing Sites 89	10 Commercial Visitor Services 117
6.4.2 Wilderness Interpretation and Education 70	8.5 Native American Use 89	10.1 General 118
6.4.3 Recreation Use Management in Wilderness 70	8.6 Special Park Uses 90	10.2 Concessions 118
6.4.4 Commercial Services 71	8.6.1 General 90	10.2.1 Concession Policies 118
6.4.5 Special Events 71	8.6.2 Special Events 90	10.2.2 Commercial Visitor Services Planning 118
6.4.6 Existing Private Rights 71	8.6.3 First Amendment Activities 91	10.2.3 Concession Contracting 118
6.4.7 Grazing and Livestock Driveways 71	8.6.4 Rights-of-way for Utilities and Roads 91	10.2.4 Concession Operations 119
6.4.8 Rights-of-way 71	8.6.5 Access to Private Property 92	10.2.5 Concessions Financial Management 121
6.4.9 Mineral Development 72	8.6.6 Filming and Photography 92	10.2.6 Concession Facilities 121
6.4.10 Accessibility for Persons with Disabilities 72	8.6.7 Agricultural Uses 93	10.2.7 Concessioner Employees and Employment Conditions 122
7 Interpretation and Education 73	8.6.8 Domestic and Feral Livestock 93	10.2.8 National Park Service Employees 122
7.1 Interpretive and Educational Programs 74	8.6.9 Military Operations 94	10.3 Commercial Use Authorizations 123
7.2 Interpretive Planning 74	8.6.10 Cemeteries and Burials 94	Appendix A: Laws Cited in Text 124
7.2.1 General 74	8.6.11 Other Special Park Uses 95	Appendix B: Executive Orders and Memoranda 126
7.2.2 Comprehensive Interpretive Plan 75	8.7 Mineral Exploration and Development 95	Appendix C: Director's Orders 127
7.3 Personal and Non-Personal Services 75	8.7.1 Mining Claims 95	Glossary 128
7.3.1 Personal Services 75	8.7.2 Federal Mineral Leases 95	Index 132
7.3.2 Non-personal Services 75	8.7.3 Non-federally Owned Minerals 95	
7.3.3 Electronic Interpretation 75	8.8 Collecting Natural Products 96	
7.4 Interpretive Competencies and Skills 75	8.9 Consumptive Uses 96	
	8.10 Natural and Cultural Studies, Research, and Collection Activities 96	
	8.11 Social Science Studies 97	
	8.11.1 General 97	
	8.11.2 NPS-supported Studies 97	
	8.11.3 Independent and Commercial Studies 97	
	8.11.4 Management and Conduct of Studies 97	

Introduction

Law, Policy, and Other Guidance

This volume is the basic Service-wide policy document of the National Park Service. Adherence to policy is mandatory unless specifically waived or modified by the Secretary, the Assistant Secretary, or the Director.



National Park Service policy for managing the parks must be consistent with the Constitution, public laws, Executive orders, and all other higher authorities.

In carrying out their responsibilities under the 1916 National Park Service¹ Organic Act and other pertinent statutes, all NPS officials and employees must be knowledgeable about the laws, regulations, and policies that pertain to their work. The property clause of the U.S. Constitution, which is the supreme law of the United States, gives Congress the authority to develop laws governing the management of the national park system. The property clause specifically directs that “The Congress will have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States” (article IV, section 3). Once laws are enacted, authority for interpreting and implementing them is delegated to appropriate levels of government. In carrying out this function, the Park Service, like other federal agencies, develops policy to interpret the ambiguities of the law and to fill in the details left undressed by Congress in statutes.

Hierarchy of Authorities

The management of the national park system and NPS programs is guided by the Constitution, public laws, treaties, proclamations, Executive orders, regulations, and directives of the Secretary of the Interior and the Assistant Secretary for Fish and Wildlife and Parks. NPS policy must be consistent with these higher authorities, and with appropriate delegations of authority. Many of the statutes and other guidance affecting the various facets of NPS administration and management are cited for reference purposes throughout *Management Policies*. Other laws, regulations, and policies related to the administration of federal programs, although not cited, may also apply. For example, many, but not all, of the legislative exceptions of the Alaska National Interest Lands Conservation Act (ANILCA) are cited at different places throughout *Management Policies*. The additional legislative exceptions of ANILCA, although not cited, must also be considered in the interpretation and application of these policies, as must all other applicable legislative exceptions and requirements. It is especially important that superintendents and other park staff review their park’s enabling legislation to determine whenever it contains explicit guidance that would prevail over Service-wide policy.

Policy Development

Policy sets the framework and provides direction for all management decisions. This direction may be general or specific; it may prescribe the process through which decisions are made, how an action is to be accomplished, or the results to be achieved. Policy initiatives may originate as a sudden, urgent response to an unanticipated problem or issue, or through a slow, evolutionary process as the Service gains increased experience or insight regarding a problem or issue. Sometimes the initiative does not originate within the Service, but rather with persons or organizations outside the Service who have a strong interest in how the Service manages the parks. However, NPS policy is usually developed through a concerted work-group and consensus-building team effort involving extensive field review, consultation with NPS senior managers, and review and comment by affected parties and the general public.

All policy must be articulated in writing and be approved by a National Park Service official who has been delegated authority to issue the policy. Policy must be published or otherwise made available to the public—particularly those whom it affects—and those who must implement it in the Washington office, regional offices, and parks. Unwritten or informal “policy,” and various understandings of NPS traditional practices, will not be recognized as official policy.

Compliance and Accountability

Service-wide policy is articulated by the Director of the National Park Service. Adherence to policy is mandatory unless specifically waived or modified in writing by the Secretary, the Assistant Secretary, or the Director. Waivers and modifications will be considered on a case-by-case basis, and previous waivers or modifications will not necessarily be regarded as precedents for future waivers or modifications. Park superintendents will be held accountable for their, and their staff’s, adherence to Service-wide policy. A request for a waiver or modification of policy must include a written justification and be submitted to the Director through the Office of Policy, which will coordinate with appropriate program offices.

The Directives System

This volume of NPS *Management Policies* is the basic Service-wide policy document of the National Park Service, superseding the 1988 edition. It is the highest of three levels of guidance documents in the NPS Directives System. The Directives System is designed to provide NPS management and staff with clear and continuously updated information on NPS policy and required and/or recommended actions, as well as any other information that will help them manage parks and programs effectively.

Management Policies will be revised at appropriate intervals to consolidate Service-wide policy decisions, or to respond to new laws and technologies, new understandings of park resources and the factors that affect them, or changes in American society. Interim updates or amendments may be accomplished through Director’s Orders (the second level of the Directives System), which also serve as a vehicle to clarify or supplement *Management Policies* to meet the needs of NPS managers. Any previously dated statement of policy not consistent with these *Management Policies*, or with a Director’s Order that updates, amends, or clarifies policy, is to be disregarded.

Under the Directives System, the most detailed and comprehensive guidance on implementing Service-wide policy is found in “level 3” documents, which are usually in the form of handbooks or reference manuals issued by associate directors. These documents provide NPS field employees with a compilation of legal references, operating policies, standards, procedures, general information, recommendations,

¹ The terms “National Park Service,” “Park Service,” “Service,” and “NPS” are used interchangeably in this document.

and examples to assist them in carrying out *Management Policies* and Director's Orders. Level 3 documents may not impose any new Service-wide requirements unless the Director has specifically authorized them to do so, but may reiterate or compile requirements (i.e., laws, regulations, policies) that have been imposed by higher authorities.

It is important to note that the Directives System is a relatively new creation of the National Park Service, retaining NPS *Management Policies*, but replacing (on a phased schedule) the guidelines, special directives, and staff directives issued under the former system. Many Director's Orders planned for completion were not yet approved when this edition of *Management Policies* was published. Anyone who needs additional information about a Director's Order that has not yet been approved should contact the NPS program manager responsible for the particular subject matter, or the Office of Policy in Washington, DC. (See Appendix C for a listing of Director's Orders.)

Another minor issue associated with timing is that a few of the policy statements made in this edition of *Management Policies* are not entirely consistent with existing regulations. In these cases, it is the Service's intent to revise the inconsistent regulations to more fully comport with the new policy statements. However, until the regulations are formally revised through

the rulemaking procedure, they will remain in effect—even though they no longer accurately reflect NPS policy.

Other Sources of Guidance

Instructions, guidance, and directives of regional or otherwise-limited application supplementary to, and in conformance with, Service-wide policies may be issued by regional directors or associate directors within formal delegations of authority. Superintendents may issue, within formal delegations of authority, park-specific instructions, procedures, directives, and other supplementary guidance (such as hours of operation or dates for seasonal openings), provided the guidance does not conflict with Service-wide policy.

National Park Service Program Policies

This volume addresses only those policies applicable to management of the national park system. A second volume—to be added at a later date—will address policies applicable to NPS-administered programs that serve the conservation and recreation needs of the nation, but are not directly related to the national park system. Examples include the National Register of Historic Places; the Land and Water Conservation Fund grants program; the Historic American Buildings Survey; the American Battlefield Protection Program; the National Maritime Heritage Grants Program; the Rivers, Trails and Conservation Assistance Program; and the Tribal Heritage Preservation Grants Program.