



United States Department of the Interior

NATIONAL PARK SERVICE

Death Valley National Park
PO Box 579
Death Valley, California 92328



In Reply Refer To:

December 23, 2013

Special Use Permits for Sporting Events – Death Valley National Park

Dear Interested Party:

Death Valley National Park is one of 401 national parks – a place so special that it has been set aside to protect for the enjoyment and use of the public for perpetuity. In particular, Death Valley National Park preserves the scenic, geologic, wilderness, and natural and cultural resources of the California/Nevada desert area. The park staff is extraordinarily dedicated to preserving these stories and resources, and the range of experiences that visitors are able to have in the park.

Across the country, national parks host special events as they offer an opportunity for visitors to better connect with the park and its resources. All parks are subject to the same laws and policies with regard to what types of special events can be allowed. To ensure the protection of all of the park's resources and that visitor experience throughout the park is not negatively impacted, all potential activities and events, including sporting events, are evaluated on a case-by-case basis to see if it's appropriate to be held in a national park and complies, or can be modified to comply with, the legal and regulatory parameters by which the National Park Service (NPS) is bound.

Recently, Death Valley National Park placed a temporary moratorium on issuing special use permits for sporting events within Death Valley while a safety assessment is conducted on these types of events. Over the past few years, numerous safety risks and issues have been observed by park staff and park visitors during sporting events on Death Valley roads. This past year, multiple near misses between event participants and park visitors in vehicles were observed. Park employees who monitor these events and respond to emergency situations caused by the events are exposed to unsafe situations due to extreme weather conditions and the location of events on high speed highways (55-65 mph speed limits). A safety assessment is being conducted on the effects of these types of events on visitors, participants and employee safety. The purpose of the safety assessment at Death Valley National Park is to identify any safety risks caused by these events and determine if there are actions that can be taken to mitigate the risks.

Death Valley National Park averages ten sporting events per year with up to 300 participants per event. There are approximately 2500 participants per year. Sporting events in the past included bike races and timed events, charity bike rides, running marathons, and bike camps. Requests for sporting events in the park are increasing.

The safety evaluation team is composed of the park safety officer, technical experts from the park including a Park Ranger who participates in bike sporting events, a U.S. Public Health Service representative, and technical experts from the National Institute for Occupational Safety and Health. The safety assessment team will identify and develop appropriate mitigations to address the safety risks for participants, park visitors and park employees. The safety assessment process is expected to be completed by Summer, 2014. The safety assessment report will include safety mitigations, specific park approval criteria and condition recommendations for sporting events within Death Valley National Park. The park team has briefed individual past sport event coordinators on the issues and the moratorium.

Special use permit applications are evaluated based on the park's enabling legislation, regulations found in the Code of Federal Regulations and NPS Management Policies (safety criteria in bold):

The NPS may grant special park uses that accomplish any or all of the following:

- Support the mission of the NPS
- Add to the public understanding and enjoyment of the park
- Promote a sense of ownership and stewardship for the park and its resources
- Enhance the protection of park resources and values;
- **Provide for an increased level of visitor safety.**

The NPS will not issue special park use permits that:

- Create an unacceptable impact on park resources or values, or
- Are contrary to the purposes for which the park was established, or
- Unreasonably disrupt the atmosphere of peace and tranquility of wilderness, natural, historic, or commemorative locations within the park, or
- Unreasonably interfere with interpretive programs, visitor activities, visitor services, or NPS administrative activities, or
- Substantially interfere with the operation of public facilities or the services of NPS concessioners or contractors, or
- **Create an unsafe or unhealthy environment for other visitors or employees,** or
- Result in conflict with other existing uses.

An application to engage in a special park use must be in writing and submitted as early in the process as possible. The Superintendent evaluates the request to determine that the proposed use meets the criteria above and:

- Will not conflict with visitor uses,
- Will not adversely impact park operations,
- Will not cause unacceptable impacts to park resources and values, and
- Complies with applicable law, regulations, and policies.

The Park Superintendent may only approve a request to engage in a special park use, or any renewal of an existing use, if the use does not trigger any of the criteria above. Existing uses that trigger any of the criteria which cannot be mitigated to an acceptable limit through permit terms and conditions must be phased out.

The outcomes of the safety assessment and recommendations are required before final sporting event applications are approved and permits issued. Based on the projected date for completion of the safety assessment, applications may be submitted for events that are scheduled from October 1, 2014 and beyond. The park will begin processing those applications when the safety review is completed. Findings from the risk assessment may require new conditions that will be required of all event coordinators to meet permit requirements and/or that some events may not be allowed in certain areas or permitted in the future if safety risks cannot be mitigated to an acceptable level.

The Park is committed to allowing special events that respect the experience of visitors in all areas within the park, are under the legal and policy framework of the National Park Service and that can be accomplished safely. Like all national parks, Death Valley treats all requests for special park uses equally. Requests for special park uses are carefully evaluated on a case-by-case basis per the criteria listed above. Applicants are required to obtain all applicable permits including California Department of Transportation encroachment permits, liability insurance, medical services contracts and other requirements based on the application and area being requested for use before a permit is approved. Due to the complexity of the process, it can take several months to process a special use application and applicants are encourage to get their requests in early.

Permits can be canceled at any time due to weather conditions, floods, lack of funding and staffing, changes in park operations, management plans and government directives. Death Valley experiences extreme weather conditions throughout the year and staff cannot predict if conditions will be appropriate for events planned months in advance. In some years, there may be major park operations, such as federal highway projects, that would preclude granting special use permits for specific areas. There are an increasing number of applicants for special use permits events at Death Valley and permittees from prior years do not have an exclusive right for permits as there is a fair process for consideration of all applications. A result of the park safety evaluation of sporting events will determine conditions and requirements for future events and applicants.

Kathy Billings
Superintendent, Death Valley National Park