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ADVANCED NOTICE OF PROPOSED RULEMAKING FOR PET MANAGEMENT IN GOLDEN GATE NATIONAL RECREATION AREA

Reference Documents

January, 2002

ANPR UPDATE

The comment period for the Advanced Notice of Proposed Rulemaking for Pet Management in Golden Gate National Recreation Area has been extended until April 12, 2002. Your comments on the ANPR must be received by April 12, 2002

The following is updated contact information which is in addition to, or differs from, that provided in the Federal Register publication of the ANPR.

- **The correct number to call for any questions about the ANPR is 415-561-4728.**

- **Written comments may be submitted by mail or by fax. The fax number is 415-561-4355. The mailing address remains the same: Superintendent, Attn: ANPR, GGNRA, Ft. Mason, Bldg. 201, San Francisco, CA 94123.**

- **Oral comments will be accepted on April 6, 2002, from 9:30 a.m. until 3:30 p.m. (3 minutes per speaker) at Golden Gate National Recreation Area, Upper Fort Mason, Building 201, San Francisco.**

The Advanced Notice of Proposed Rulemaking – Pet Management in Golden Gate National Recreation Area was published in the Federal Register on Friday, January 11, 2002

It is identical to this document, with this exception:

- the Federal Register document lists the end date of the public comment period, which is March 12, 2002. Thus, comments must be received on or before March 12, 2002.

We also want you to note the following corrected/additional contact information:

- The correct phone number for ANPR information is **415-561-4728.**

- Written comments may be submitted by mail or by fax. The fax number is 415-561-4355. The mailing address is the same: Superintendent, Attn: ANPR, GGNRA, Ft. Mason, Bldg. 201, San Francisco, CA 94123.

You can access the actual Federal Register notice on the internet at:

- www.nara.gov/fedreg

or

- www.access.gpo.gov/nara

This is the ANPR document that was sent for publication in the Federal Register.

The official ANPR will be published in the Federal Register. Expected posting date in the Federal Register is Friday, January 11, 2002

To access the official Advanced Notice of Proposed Rulemaking – Pet Management in Golden Gate National Recreation Area on the internet on January 11, 2002 and thereafter, go to:

www.access.gpo.gov/nara

or

www.nara.gov/fedreg

(look under Department of Interior and/or National Park Service)

4310-70
DEPARTMENT OF THE INTERIOR
National Park Service
36 CFR Part 2
36 CFR Part 7

RIN 1024-AD03
Pet Management in Golden Gate National Recreation Area, San Francisco, California
AGENCY: National Park Service, Interior
ACTION: Advanced notice of proposed rulemaking
SUMMARY: The National Park Service seeks public comment on a range of potential management options for addressing appropriate pet management within Golden Gate National Recreation Area, consistent with protecting national park resources and assuring visitor safety.

DATES: Written comments and submissions in response to this notice must be received on or before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Comments on this advanced notice of proposed rulemaking should be mailed to: Superintendent, Attention: ANPR, Golden Gate National Recreation Area, Building 201, Fort Mason, San Francisco, California 94123.

FOR FURTHER INFORMATION, CONTACT: Superintendent, Golden Gate National Recreation Area, on 415-561-4720.

SUPPLEMENTARY INFORMATION:
Background
NPS Pet Regulation
Title 36 of the Code of Federal Regulations (CFR) governs the use and management of all national park areas. One regulation, 36 CFR 2.15 (a)(2), requires that all pets, where allowed in national park sites, are to be crated, caged or restrained at all times. All areas within Golden Gate National Recreation Area (GGNRA), where pets are allowed, are subject to the requirement to have pets on leash. Pets currently are not allowed in some areas of the park, including: Alcatraz, China Beach, Crissy Beach tidal marsh and wildlife protection area, East Fort Baker Pier, Kirby Cove, Muir Woods, Stinson Beach, Tennessee Valley, trails and areas not designated for pets, and all areas fenced and/or posted as closed to the public. The latter includes two habitat closure areas at Fort Funston, and mission blue butterfly habitat areas in the Marin Headlands. Pets are not allowed in these areas to reduce possible conflict between users, protect the natural and cultural resources, ensure public safety, and address public health concerns.

Past Pet Management at GGNRA
In 1972, the GGNRA Citizens Advisory Commission (the Commission) was established by the Secretary of the Interior. As outlined in its charter,

> The purpose of the Commission is to meet with and advise the Secretary of the Interior, or the Secretary's designee, on general policies and specific matters related to planning, administration, and development affecting the recreation area…the duties of the Commission are solely advisory.

In 1979, the Commission developed and recommended a pet policy to GGNRA that established guidance for locations and criteria for "voice control" of pets within certain areas of the park. The Commission's policy identified the following "voice control" areas (meaning off leash areas): in the San Francisco area - Fort Funston, Lands End, Fort Miley, North Baker Beach, Crissy Field, Ocean Beach; in Marin County + Rodeo Beach, Muir Beach, 4 Corners tract above Mill Valley, Coast Trail from Golden Gate Bridge to the junction of Wolf Ridge Trail, Loop Trail at Battery Townsley, Wolf Ridge Trail between Coast Trail and Miwok Trail, Miwok Trail between Wolf Ridge Trail and Coast Trail, Oakwood Valley Road to Alta Avenue, and Alta Avenue between Marin City and Oakwood Valley. (February 24, 1979, GGNRA

Advisory Commission's Approved Guidelines for a Pet Policy – San Francisco and Marin County).

The Commission's "voice control" policy did not and can not override NPS regulations prohibiting pets off leash. As stated in the charter, the Commission may make recommendations, but these recommendations are advisory in nature. Any recommendation by the Commission must comply with NPS regulations. Nevertheless, the park, in error, implemented the "voice control" policy, in contradiction to Service-wide regulations. For more than 20 years, this unofficial "voice control" policy was in place within GGNRA.

Current Pet Management at GGNRA
Several recent events have underscored the need for undertaking a public process concerning dog management in the Golden Gate National Recreation Area, including increased visitation to GGNRA, litigation concerning the Fort Funston area of the park, public concern about visitor and pet safety, park resource management issues involving wildlife and vegetation protection, and the review of dog-walking issues by the Golden Gate National Recreation Area Advisory Commission.

Since 1972, visitation to the park and the population of the Bay Area have both increased. The park has experienced increased use of the area for off leash dogs, and, as a result, there is increased conflict and potential for conflict between other user groups and dogs and their owners, as well as heightened sensitivity on the part of the visiting public.

Underscoring the conflict over the off leash dog use, in March 2000, a lawsuit was filed in federal court by dog walking groups, seeking to prevent a 10-acre habitat closure for threatened and native species at Fort Funston. Prior to March 2000, GGNRA staff had consulted with interested groups, including both environmental and off leash interests, to discuss a slightly larger 12-acre proposed closure and its purposes. The goals and objectives of the closure were to: (1) provide protection to the new nesting locations of the state-listed (threatened) bank swallow colony at Fort Funston; (2) increase biological diversity by restoring coastal native dune scrub habitat; (3) increase public safety by keeping visitors and their pets away from cliff areas; and (4) protect geologic resources, including bluff top and interior dunes subject to accelerated erosion by humans and pets. Based on that consultation with the interested groups, the 12-acre closure was reduced to 10 acres, with approximately half of it to be open seasonally. Upon initiation of the 10-acre project, the lawsuit was filed. The Golden Gate Audubon Society intervened in the lawsuit to defend the proposed closure. On February 13, 2001, the Federal District Court held that,

> Defendants (NPS) have held public hearings after notice and comment and allowed public input and debate, all before issuing a new and final closure plan for Fort Funston in January 2001…the defendants have now fully complied with 36 CFR Section 1.5 (and) that the need for prompt protective action is genuine…

Accordingly, GGNRA took prompt action to close the originally proposed 12 acre area, which was effected February 14, 2001.

On January 23, 2001, the GGNRA Citizen's Advisory Commission acknowledged publicly the 1979 "voice control" policy was null and void since it was contrary to NPS regulation. Hundreds of people in favor of off leash dog use attended this meeting and the park has received significant comment in support of off leash dog walking in the park. Also in January 2001, a 32-year-old woman was mauled to death by a dog in San Francisco. Although this incident occurred outside the park boundaries, it underscored the danger of dogs in the local community to local users. Comments to the park opposing off leash dogs have increased significantly since that time.

The park has received complaints by park visitors, including minorities, seniors and families with small children, alleging that off leash dogs have precluded them from visiting the park for fear of being knocked over, attacked by dogs, or verbally abused by dog owners. Several recent letters involve visitors requesting permission or authorization to carry weapons (stun guns, pepper spray) for personal protection from dog attacks.

These recent events -- from increased visitor use to the highly publicized litigation to the potential effects of off leash pets on the public and the park resources -- have dramatically changed the climate in which the park had previously allowed off leash pets in certain areas of the park. The GGNRA has no authority to avoid or ignore the regulation disallowing pets off leash, and education efforts are underway to clarify this issue to the public. This regulation has always applied to GGNRA and failure to apply it consistently at GGNRA does not in any way limit its applicability today. In the interest of public safety, and as required by existing regulations, it is essential that the NPS enforce the pet restraint regulations during the ANPR process. Since January 2001, the park has installed additional signs regarding the regulation throughout the park, has continued educational outreach to visitors regarding the regulation, and is working toward consistent enforcement of the leash regulation parkwide.

Pet Management in Other Jurisdictions

The GGNRA is adjacent to other publicly owned places, including state parks, open space areas, and city parks, each having various rules regarding dog walking. While these agencies are governed by differing agencies with varying mandates, this section provides a regional context to this issue. Several jurisdictions in the Bay Area are moving toward more stringent leash requirements and enforcement, due to the volume of use and negative impacts associated with off-leash use. As of June 2001, the following regulations were in place and/or being considered:

- The California Department of Parks and Recreation requires pets to be on leash and under the immediate control of a person or confined in a vehicle; in most park units, pets are permitted only in parking lots, picnic areas, some campgrounds, and other developed areas. Pets are not permitted on state park trails.
- The Marin Municipal Water District requires pets to be leashed.
- The Marin County Open Space District requires dogs on leash, with the exception of fire roads; they are currently reviewing their policy restricting the number of off leash dogs where off leash is permitted, along with limits on commercial dog walking.
- The Midpeninsula Regional Open Space District permits dogs on leash in seven of 24 preserves. Of the seven, there is one preserve that has a 16-acre off leash area. Dogs are not permitted in the remaining 17 preserves.
- San Mateo County Parks prohibits pets to enter or go at large in any County Park or Recreation area, either with or without a keeper.
- East Bay Regional Park District requires pets on leash in developed areas, which are defined as public road, lawn or play field, parking lot, picnic area, campground, concession area, equestrian center, archery facility, gun ranges, paved multi-use Regional Trail, or any other areas designated by the Board; the number of dogs is limited to three. Dogs are prohibited at swimming beaches, pools, wetlands, marshes or designated nature study areas, wildlife protection areas (for listed species at risk), golf courses, public buildings, major fishing piers, stream protection areas, and district lakes.
- The City of San Francisco issued a draft policy on June 12, 2001 that specifies more consistent enforcement of their existing leash law. Off leash use is permitted within 19 designated off-leash parks. The draft policy also identifies areas where dogs are not permitted, which includes significant natural resource areas. The City of San Francisco's Board of Supervisors has passed a resolution expressing interest in having certain lands within GGNRA, formerly owned by the City of San Francisco, returned to the city. Such lands include a portion of Fort Funston, Ocean Beach, Sutro Heights, Lands End and Municipal Pier. Transfer of the lands from NPS to the city would require federal legislation.

Because many of these leash restrictions have occurred over the last ten years, it is suspected that local dog owners who prefer off leash recreational use have moved to GGNRA areas, increasing pressure and impacts on the resources and visitor use conflicts.

NPS LAW, POLICY AND OTHER GUIDANCE

Management of the national park system is guided by the Constitution, public laws, proclamations, executive orders, rules, National Park Service regulations, management policies, and the directives of the Secretary of the Interior, Assistant Secretary for Fish, and Wildlife and Parks and Director of the National Park Service (NPS). The Act of August 25, 1916, otherwise known as the NPS Organic Act, established

the NPS and serves as the touchstone for National Park System management, philosophy and policy. The Act created the NPS to promote and regulate national park sites in accordance with the fundamental purpose of said parks, which is:

> to conserve the scenery and the natural and historic objects and wild life therein and to provide for enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.
> (16 U.S.C. sec. 1)

Congress supplemented and clarified the NPS mandate through enactment of the General Authorities Act in 1970, and again through enactment of a 1978 amendment to that law, which states in pertinent part:

> Congress declares that the national park system, which began with the establishment of Yellowstone National Park in 1872, has since grown to include superlative natural, historic, and recreation areas in every major region of the United States, its territories and island possessions; that these areas, though distinct in character, are united through their inter-related purposes and resources into one national park system as cumulative expressions of a single national heritage; that, individually and collectively, these areas derive increased national dignity and recognition of their superlative environmental quality through their inclusion jointly with each other in one national park system preserved and managed for the benefit and inspiration of all the people of the United States; and that it is the purpose of this Act to include all such areas in the System and to clarify the authorities applicable to the System. Congress further reaffirms, declares, and directs that the promotion and regulation of the various areas of the National Park System, as defined in section 1c of this title, shall be consistent with and founded in the purpose established by section 1 of this title [16 U.S.C. sec. 1], to all the people of the United States. The authorization of activities shall be construed and the protection, management, and administration of these areas shall be conducted in light of the high public value and integrity of the National Park System and shall not be exercised in derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress.
> (16 U.S.C. sec. 1-a).

Park Legislation

Golden Gate National Recreation Area (GGNRA) was established on Oct. 27, 1972, for the purpose of preserving:

> . . .for public use and enjoyment certain areas of Marin and San Francisco [and San Mateo] Counties, California, possessing outstanding natural, historic, scenic, and recreational values, and in order to provide for the maintenance of needed recreational open space necessary to urban environment and planning. . . . In the management of the recreation area, the Secretary of the Interior . . .shall utilize the resources in a manner which will provide for recreation and educational opportunities consistent with sound principles of land use planning and management. In carrying out the provisions of the Act, the Secretary shall preserve the recreation area, as far as possible, in its natural setting, and protect it from development and uses which would destroy the scenic beauty and natural character of the area.
> (Pub. L. 92-589,16 U.S.C sec. 460bb).

The park includes nearly 75,000 acres located in three counties. The regional population of the San Francisco Bay Area is approximately seven million, and the park- including Fort Point and Muir Woods - supports approximately 17 million visitors annually. Popular Golden Gate National Recreation Area sites include, from north to south: Olema Valley, Stinson Beach, Muir Beach, Marin Headlands, Alcatraz, the Presidio of San Francisco, Fort Mason, Baker Beach, China Beach, Lands End, Cliff House, Ocean Beach, Fort Funston, Sweeney Ridge, Milagra Ridge, and the Phleger Estate. Muir Woods National Monument and Fort Point National Historic Site are separate units of the National Park System that are within the

boundaries of and administered by GGNRA.

NPS 2001 Management Policies

The new 2001 NPS Management Policies provide policy direction for making management decisions in the administration of the National Park System and provide interpretation of the laws governing management the National Park System, including the NPS Organic Act. Adherence to policy is mandatory unless specifically waived or modified by the Secretary, the Assistant Secretary, or the Director. Of primary importance is the NPS obligation to conserve and provide for enjoyment of park resources and values. The 2001 NPS Management Policies explain:

> The "fundamental purpose" of the national park system, established by the Organic Act and reaffirmed by the General Authorities Act, as amended, begins with the mandate to conserve park resources and values. This mandate is independent of the separate prohibition on impairment, and so applies all the time, with respect to all park resources and values, even when there is no risk that any park resources or values may be impaired.
>
> NPS managers must always seek ways to avoid, or to minimize to the greatest extent practicable, adverse impacts on park resources and values. However, the laws do give the Service management discretion to allow impacts to park resources and values when necessary and appropriate to fulfill the purposes of a park, so long as the impact does not constitute impairment of affected resources and values.
>
> (2001 NPS Management Policies, Section 1.4.3)

> The fact that a park use may have an impact does not necessarily mean that it will impair park resources or values for the enjoyment of future generations. Impacts may affect park resources and still be within the limits of the discretionary authority conferred by the Organic Act. However, negative or adverse environmental impacts are never welcome in national parks, even when they fall far short of causing impairment. For this reason, the Service will not knowingly authorize park uses that would cause negative or adverse impacts unless it has been fully evaluated, appropriate public involvement has been obtained, and a compelling management need is present. In those situations, the Service will ensure that any negative or adverse impacts are the minimum necessary, unavoidable, cannot be further mitigated, and do not constitute impairment of park resources and values.
>
> (2001 NPS Management Policies, Section 8.1)

The Management Policies emphasize the Park Service mandate to prevent impairment of natural and cultural resources, to preserve park resources and to limit recreational activities that degrade resources. The policies distinguish that:

> Congress, recognizing that the enjoyment of future generations of the national parks can only be ensured if the superb quality of park resources and values is left unimpaired, has provided that when there is a conflict between conserving resources and values and providing for enjoyment of them, conservation is to be predominant. This is how courts have consistently interpreted the Organic Act, in decisions that variously describe it as making "resource protection the primary goal" or "resource protection the overarching concern," or as establishing a "primary mission of resource conservation," a "conservation mandate," "an overriding preservation mandate," "an overarching goal of resource protection," or "but a single purpose, namely, conservation."
>
> (2001 NPS Management Policies, Section 1.4.3)

> The impairment of resources and values may not be allowed by the Service unless directly provided for by legislation or by the proclamation establishing the park. The relevant legislation or proclamation must provide explicitly (not by implication or reference) for the activity, in terms that keep the Service from having authority to manage the activity so as to avoid impairment.
>
> (2001 NPS Management Policies, Section 1.4.4)

GGNRA's enabling legislation does not directly or specifically allow impairment of resources. Therefore, in assessing options for accommodating dog walking in GGNRA, each option must meet NPS mandates as outlined in the 2001 NPS Management Policies.

The 2001 NPS Management Policies also explain that "enjoyment" in the Organic Act has broad meaning:

> The fundamental purpose of all parks also includes providing for the enjoyment of park resources and values by the people of the United States. The "enjoyment" that is contemplated by the statute is broad; it is the enjoyment of all the people of the United States, not just those who visit parks, and so includes enjoyment both by people who directly experience parks and by those who appreciate them from afar. It also includes deriving benefit (including scientific knowledge) and inspiration from parks, as well as others forms of enjoyment.
>
> (2001 NPS Management Policies, Section 1.4.3)

Accordingly, NPS seeks broad input in order to consider the wide range of interests of those who appreciate – from both near and afar - the resources of GGNRA.

The 2001 NPS Management Policies also define suitable visitor uses, noting that:

> Enjoyment of park resources and values by the people of the United States is part of the fundamental purpose of all parks. The Service is committed to providing appropriate, high quality opportunities for visitors to enjoy the parks, and will maintain within the parks an atmosphere that is open, inviting, and accessible to every segment of American society. However, many forms of recreation enjoyed by the public do not require a national park setting, and are more appropriate to other venues. The Service will therefore:
>
> - Provide opportunities for forms of enjoyment that are uniquely suited and appropriate to the superlative natural and cultural resources found in the parks.
> - Defer to local, state, and other federal agencies; private industry; and non-governmental organizations to meet the broader spectrum of recreational needs and demands.
>
> To provide for the enjoyment of the parks, the National Park Service will encourage visitor activities that:
>
> - Are appropriate to the purpose for which the park was established; and
> - Are inspirational, educational, healthful, and otherwise appropriate to the park environment; and
> - Will foster an understanding of, and appreciation for, park resources and values, or will promote enjoyment through a direct association with, interaction with, or relation to park resources; and
> - Can be sustained without causing unacceptable impacts to park resources or values.
>
> Unless mandated by statute, the Service will not allow visitors to conduct activities that:
>
> - Would impair park resources or values;
> - Create an unsafe or unhealthful environment for other visitors or employees;
> - Are contrary to the purposes for which the park was established; or
> - Unreasonably interfere with:
>   - The atmosphere of peace and tranquillity, or the natural soundscape maintained in the wilderness and natural, historic, or commemorative locations within the park;
>   - NPS interpretive, visitor service, administrative, or other activities;
>   - NPS concessioner or contractor operations or services; or
>   - Other existing, appropriate park uses
>
> (2001 NPS Management Policies, Section 8.2)

Finally, the Management Policies address the importance of visitor safety,

> The saving of all human life will take precedence over all other management actions as the Park Service strives to protect human life and provide for injury-free visits. . . When practicable, and consistent with congressionally designated purposes and mandates, the Service will reduce or remove known hazards and apply other appropriate measures, including closures, guarding, signing, or other forms of education. In doing so, the Service's preferred actions will be those that have the least impact on park resources and values.
> (2001 NPS Management Policies, Section 8.2.5.1)

Other NPS Policies and Guidelines

There are a number of NPS System wide guidelines that address park management requirements and use limitations, and are available at www.nps.gov/refdesk/DOrders/. These include Natural Resource Management Guidelines (NPS 77), and NPS Director's Orders (DO) on Wetland Protection (DO 77-1), Public Health (DO 83), Soundscape Preservation and Noise Management (DO 47), and Conservation Planning, Environmental Impact Analysis, and Decision-Making (DO 12).

Natural Resources

The lands encompassing GGNRA provide critical habitat for many of the country's and the state's most rare and threatened species. The central coast including the San Francisco Bay Area and GGNRA, is considered one of North America's biodiversity hot spots (*Precious Heritage: the Status of Biodiversity in the United States*, Nature Conservancy). The California Floristic Province is identified as the 8th global biodiversity hotspot in a list of 25 (*Nature's Place: Population and the Future of Diversity,* 2000 Report by Population Action International). GGNRA was designated a Biosphere Reserve in 1989. The unique Golden Gate Biosphere Reserve, including marine, coastal and upland areas adjacent to a major metropolitan area, is designated as an international biosphere reserve in recognition of its importance to conservation of biodiversity, sustainable development, research and education.

Wildlife: There are currently 75 rare or special status wildlife species currently identified as permanent or seasonal residents of the park, or dependent upon parklands for migration. Of these, eleven are listed as federally endangered, thirteen are federally threatened, two are state endangered, three are state threatened, and 32 are state-designated species of special concern. Nearly all of the native birds documented in the park are protected by the Migratory Bird Treaty Act (16 U.S.C. secs. 528-531).

Vegetation: Approximately 36 rare or special status plant species are currently identified within GGNRA. Of those species, nine are federally endangered, one is federally threatened, and one is state threatened. The remaining 25 species are plants listed by the California Native Plant Society as rare, threatened, endangered, or of limited distribution.

The NPS has a heightened responsibility to preserve and protect those species and their habitat everywhere they occur within GGNRA, in accordance with its own mandate as well as other laws.

Impacts to Natural Resources

Scientific studies attribute disturbance, harassment, displacement, injury and direct mortality of wildlife to domestic dogs that accompany recreationists ("Effects of Recreation on Rocky Mountain Wildlife: a Review for Montana." Committee on Effects of Recreation on Wildlife, Montana Chapter of the Wildlife Society, September 1999, Joslin and Youman coordinators). This study indicates that domestic dogs retain their instincts to hunt or chase. Further, the study indicates that even without chasing, the mere presence of a dog can frighten wildlife away. A dog's urine and fecal deposits serve as strong territorial markings that are equally alarming to native species long after the dog has departed. Native vegetation may also be destroyed by digging and by chasing behavior.

In recent years, the park has increased its knowledge of park resources, potential wildlife impacts and

public safety risks. During the last 10 years, there have been increasing impacts to natural resources related to unrestrained dogs, including digging and trampling of native vegetation including the habitat for the endangered mission blue butterfly as well as endangered plant habitat; bird habitat disturbance; and harassment of wildlife including both birds and marine mammals. Off leash dogs harassing beached sea lions occurs periodically during May/June along the waterline at Ocean Beach, Fort Funston and Rodeo Beach. At Rodeo Lagoon, off leash dogs at the edge of the lagoon and in shallow waters potentially crush tidewater goby burrows; the tidewater goby is an endangered species. Some problems with off leash dogs have also arisen with disturbance of steelhead trout and coho salmon populations at the mouth of Redwood Creek at Muir Beach; behavioral disturbance to the resident fish includes dogs wading and running through the creek mouth and lagoon.

Within GGNRA, Ocean Beach is the longest stretch of sandy beach between Point Reyes National Seashore and Half Moon Bay. The entire length of this beach provides critically important feeding and resting habitat for wintering and migrating shorebirds, gulls and terns. The species found in the highest numbers (hundreds to low thousands depending on time of year) include sanderlings, willets, marbled godwits, elegant and Caspian terns, and various gull species. The gulls and terns roost in large numbers on the beach with their newly fledged young during portions of the year. The federally threatened snowy plover also resides on portions of the beach for 10 months of the year. According to park biologists and protection rangers, shorebirds, gulls and terns are chased by off leash dogs, interrupting feeding and resting that help to build fat reserves for long migrations and breeding. Off leash dogs can also be a threat to sick and injured birds and marine mammals that may beach themselves. During the last several years, fencing has been erected in areas of Fort Funston, Crissy Field and other GGNRA locations, an effort limited to keep off leash dogs out of these most sensitive habitat areas. These closures have negative visual impacts and do not completely protect natural resources from off leash dog use.

According to Dr. Elliot Katz, founder and president of In Defense of Animals:

> If a dog has shown a propensity to run after deer or other wildlife in the open spaces, then that dog should be on a leash. There should be a substantial penalty for chasing wildlife. I don't think that anyone can control more than three dogs off leash at one time. I know it will anger the dog handlers if I say so, but in numbers dogs do have a pack mentality.
> (In the Doghouse, by Michael McCarthy, "Pacific Sun," June 13 + 19, 2001)

The NPS Management Policies and Director's Orders require that the park prevent impairment to part resources and minimize adverse impacts, while providing appropriate recreational opportunities.

Impacts to Public Safety

Dogs biting visitors, aggressive behavior towards other dogs and/or people, dogs falling off cliffs, people going after their dogs that have fallen off cliffs, and visitors being knocked down are the public safety concerns related to off leash dog walking. Public controversy continues to grow over dog issues, increasing the demand by some for stronger enforcement of the leash law by the park.

The GGNRA's tracking of dog-related incidents during a three-year period (1998 + 2000) reveals a total of 54 reported dog bites. Between January 1, 2001, and June 16, 2001, there have been 13 reported dog bites. According to protection rangers, these numbers reflect a small fraction of the total occurrences, reported and non-reported. From 1998 + 2000, there have been 890 leash law reports, and another 105 reports of dogs in closed areas. Between 1998 and 2000, protection rangers performed 58 technical rescues of dogs or their owners that had fallen over the side of the cliffs at Fort Funston, a popular off leash area. In calendar year 2000, this resulted in three ranger injuries. Cliff rescues at Fort Funston are a serious threat to public safety and employ a large number of park personnel and equipment, leaving major areas of GGNRA unprotected. In 1998, the number of cliff rescues at Fort Funston was 25; in contrast, there were a total of 11 rescues along the remaining nine miles of San Francisco shoreline from Fort Point to the Cliff House.

A review of animal organizations and web sites show that there are possible impacts to public safety.

According to the American Dog Owners Association:

> . . . unleashed dogs intimidate. . .unleashed dogs harass, injure and sometimes kills wildlife.
> (www.adoa.org)

And, according to the American Veterinary Medical Foundation Task Force on Canine Aggression:

> Although most dog bites occur on the property where the dog lives, unrestrained or free-roaming dogs do pose a substantial threat to the public. Enforcement of restraint laws is, therefore, essential if the incidence of dog bites is to be reduced.
> ("JAVMA," Vol. 218, No. 11, June 1, 2001, www.avma.org).

Any alternative to the leash regulation must address these safety concerns, and be consistent with NPS policies and mandates.

Recreational Benefits of Off Leash Dog Walking

There are recreational benefits to both humans and dogs related to off leash dog use. A review of animal organizations' publications and web sites show that many organizations support the recreational benefits – for both the dog and the human – of off leash dog walking. According to the San Francisco chapter of the Society for the Prevention of Cruelty to Animals (S.F. SPCA), dogs require daily exercise and contact with other dogs in order to remain healthy and well socialized. The S.F. SPCA considers off-leash areas as essential for the health and well being of dogs, and further, that:

> . . . dogs socialize with each other through subtle displays of posture and behavior that can only occur when they are not impeded by a leash. A leash limits a dog's natural movement and can even cause some dogs to become territorial, protecting the area to which the leash confines them.
> (www.sfspca.org)

According to the San Francisco Dog Owners Group, known as SF Dog:

> . . . the creation of off-leash recreation space encourages the development of well-socialized dog populations as well as owners who are responsible.
> ("Managing Off-Leash Recreation in Urban Parks," April 19, 1999, www.sfdog.org).

The SF Dog group also underscores the benefits of dog ownership:

> . . . daily exercise routines that dogs demand reduces crimes in parks for the simple reason that people involved in criminal activity do not like to be observed.
> (www.sfdog.org)

The California Dog Owners Group supports increased understanding of

> ..the natural relationship of open space to humans with dogs and to be vigilant in promoting appropriate rules for shared and continued use.
> (www.caldog.org)

In articles written by dog walkers on the Fort Funston web site (www.fortfunstonforum.com), off leash dog use is alleged to be beneficial to the bank swallows, specifically:

> It really looked like the birds were using the dogs to flush out insects for them to eat.
> (Linda Shore, July 21, 2000).

> I had first thought they were playing with Scout and then it became clear that they were circling around and flying low to ground to hunt for insects It seemed to me that they were following Scout and looking for food where he was walking, as though he might be making the insects scurry around so that the swallows could see them.
> (Christy Cameron, July 19, 2000)

In an interview with Dr. Nicholas Dodman, of the Tufts University Veterinary Center, "Bark Magazine"

quoted him as follows:

> The vast majority of dogs do benefit greatly from having exercise periods. And walking dogs on a leash is not sufficient exercise. It's not that they die if they walk on a leash, just as it's not that a human being dies in solitary confinement either. It's just that it is not optimal for their physiological and psychological well-being. . . ..It is important for a dog to be provided with natural outlets – to be able to run and exercise and chase things and do as a dog was bred to do.
> (www.thebark.com/ezine)

The benefit to both the dog and human were also noted:

> . . . walking with a canine "best friend" increases physical and mental fitness for both the human and the dog, a community of other dog walkers offers positive social interactions, the high density of park users and the presence of dogs offers a level of personal safety. .
> ("Survey of Fort Funston Recreational Use," Karin Hu, Ph.D., September 2000, www.fortfunstondog.org)

OPTIONS FOR EVALUATION

This Notice is intended to solicit public comment on a range of potential management options for addressing appropriate pet management within Golden Gate National Recreation Area, consistent with protecting national park resources and assuring visitor safety. This procedure could result in a range of outcomes, from enforcement of the existing regulation, to revisions of the existing regulation that would permit off leash pets within portions of Golden Gate National Recreation Area under specific conditions.

All interested persons are invited to submit to the National Park Service their comments on any aspect of the alternatives described below, including responses regarding:

- Should the leash law regulation remain intact parkwide?
    - Should additional areas currently closed to dogs be open to on leash use?
- Should additional areas be closed to dogs?
- Should analysis of any alternatives be measured from the current baseline of no off-leash dog walking, or the long-standing former policy that allowed off-leash dog walking in certain areas?
- Should the regulation be changed to designate former "voice control" areas for off leash dog walking? If so,
    - Which geographical areas should/should not be considered for off leash?
    - Should there be a limit on the number of dogs?
    - Should areas be open to off leash use at certain times of the day or days of the week?
    - Should there be a bond required to cover liability?
    - Should people be required to sign waivers of liability?
    - What are potential environmental impacts of any of the alternatives?
    - What additional mitigating factors should be imposed?
    - What conditions could be required of owners?
    - Should areas be fenced?
    - Should voice control be employed?
    - How should the numbers of dogs be limited?
    - Who should pay for facilities, improvements, and operations?

Specific Options

In summary, in considering changes to existing regulation, any change must comply with the NPS Organic Act, GGNRA's enabling legislation and Systemwide policies and directives. In order to comply with NPS rules and regulations, including the obligation to minimize adverse impacts on park resources and values and the prohibition on resource impairment, the following areas of the park, in which pets have never been allowed (e.g. there is no history of dog walking use, and/or it has not been an issue) or have been restricted due to sensitivity of resources, are precluded from consideration for off leash uses: Alcatraz, China Beach, Crissy Beach tidal marsh and wildlife protection area, East Fort Baker Pier, coastal dunes and cliff areas of

Fort Funston, Kirby Cove, Muir Woods, Phleger Estate, Fort Point historic structure, the beach at Stinson Beach, Tennessee Valley, Rodeo Lagoon, Redwood Creek, all freshwater bodies in the park, and other threatened or endangered species habitat areas in the park. The latter includes areas of endangered mission blue butterfly habitat at Milagra Ridge, Marin Headlands and East Fort Baker, as well as the threatened snowy plover management area at Ocean Beach.

A. Enforce existing regulation/dogs on leash and on trail: Enforcement of the existing regulation park wide would reduce visitor conflicts, improve visitor and employee safety, and reduce impacts on natural resources. Continued visitor education would be required to increase understanding of the regulation and reasons for it. On leash dog use in the park could result in removal of fences in some locations at Fort Funston and Crissy Field, and possibly other locations where exclosures have been created in order to protect sensitive species and habitat areas. The following additional areas, where dogs currently are prohibited, could be opened to on leash dogs under appropriate circumstances: East Fort Baker Pier, Phleger Estate, Stinson Beach, and portions of Tennessee Valley. Enforcement of the existing regulation may displace off leash dog use into other jurisdictions within the counties of San Francisco, San Mateo and Marin. This option would not require rulemaking because the leash regulation is already in place. The GGNRA must enforce the leash law unless a regulation is promulgated and adopted allowing off leash dog use; Option B discusses that option. The agency seeks comment on the merit of enforcement of the existing regulation, including specific suggestions on implementation and education regarding its enforcement, as well as suggestions regarding the opening of additional on leash dog areas as described above.

B. Identify specific locations/ways to address off leash use within the park:
Off leash dog use could be allowed in specific locations within the park, with the remainder of the park subject to enforcement of the existing regulation requiring pets to be leashed where permitted. Any location selected for off leash would carry the requirement that any negative or adverse impacts are the minimum necessary, unavoidable, cannot be further mitigated, and do not constitute impairment of park resources and values. To that end, appropriate environmental compliance would be required to evaluate all potential effects within GGNRA, in accordance with federal laws including National Environmental Policy Act and the National Historic Preservation Act. This option would require rulemaking. Negative effects could include additional park operating financial requirements to remove pet excrement, develop capital improvements and additional enforcement staff to assure conformance with the restrictions related to off leash areas. Off leash dog use, where it does not conflict with protection of natural resources, can promote exercise and enjoyment of park areas. The agency seeks comment on the merit of permitting off leash use and identification of specific locations and measures to minimize any impacts on visitors and resources.

List of Subjects
36 CFR Part 2
Environmental protection, National parks, Reporting and recordkeeping requirements
36 CFR Part 7
District of Columbia, National parks, Reporting and recordkeeping requirements

Request for Comments
The National Park Service solicits comment and information from all segments of the public interested in GGNRA and appropriate pet management. All comments received by the Park Service at the address and by the date listed above will be reviewed and analyzed. If rulemaking is determined necessary as a result of this process, such proposed rulemaking would involve additional extensive public review and comment. If rulemaking is not an option chosen by NPS, then the public will be appropriately notified.

If individuals submitting comments request that their name and/or address be withheld from public disclosure, it will be honored to the extent allowable by law. Such requests must be stated prominently at the beginning of the comments.

The GGNRA will hold two public meetings where public comment on this Advanced Notice of Proposed

Rulemaking will be invited. Additional opportunities for public involvement will be announced locally and in the Federal Register.

_____ _____
Joseph E. Doddridge Date
Acting Assistant Secretary for
Fish and Wildlife and Parks

THIS IS THE ACTUAL FEDERAL REGISTER NOTICE OF THE ADVANCED NOTICE OF PROPOSED RULEMAKING FOR PET MANAGEMENT IN GOLDEN GATE NATIONAL RECREATION AREA, PUBLISHED JANUARY 11, 2002.

It is frequently impossible to determine initially what information is accurate, relevant, timely, and least of all complete. With the passage of time, seemingly irrelevant or untimely information may acquire new significance as further investigation brings new details to light.

(H) From subsection (e)(8) because the notice requirements of this provision could present a serious impediment to law enforcement by revealing investigative techniques, procedures, and existence of confidential investigations.

(I) From subsection (f) because the agency's rules are inapplicable to those portions of the system that are exempt and would place the burden on the agency of either confirming or denying the existence of a record pertaining to a requesting individual might in itself provide an answer to that individual relating to an on-going investigation. The conduct of a successful investigation leading to the indictment of a criminal offender precludes the applicability of established agency rules relating to verification of record, disclosure of the record to that individual, and record amendment procedures for this record system.

(J) From subsection (g) because this system of records should be exempt to the extent that the civil remedies relate to provisions of 5 U.S.C. 552a from which this rule exempts the system.

(iv) *Authority:* (A) Investigative material compiled for law enforcement purposes, other than material within the scope of subsection 5 U.S.C. 552a(j)(2), may be exempt pursuant to 5 U.S.C. 552a(k)(2). However, if an individual is denied any right, privilege, or benefit for which he would otherwise be entitled by Federal law or for which he would otherwise be eligible, as a result of the maintenance of the information, the individual will be provided access to the information exempt to the extent that disclosure would reveal the identify of a confidential source.

Note: When claimed, this exemption allows limited protection of investigative reports maintained in a system of records used in personnel or administrative actions.

(B) Therefore, portions of this system of records may be exempt pursuant to 5 U.S.C. 552a(k)(2) from the following subsections of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f).

(v) *Reasons:* (A) From subsection (c)(3) because to grant access to the accounting for each disclosure as required by the Privacy Act, including the date, nature, and purpose of each disclosure and the identity of the recipient, could alert the subject to the existence of the investigation. This could seriously compromise case preparation by prematurely revealing its existence and nature; compromise or interfere with witnesses or make witnesses reluctant to cooperate; and lead to suppression, alteration, or destruction of evidence.

(B) From subsections (d) and (f) because providing access to investigative records and the right to contest the contents of those records and force changes to be made to the information contained therein would seriously interfere with and thwart the orderly and unbiased conduct of the investigation and impede case preparation. Providing access rights normally afforded under the Privacy Act would provide the subject with valuable information that would allow interference with or compromise of witnesses or render witnesses reluctant to cooperate; lead to suppression, alteration, or destruction of evidence; enable individuals to conceal their wrongdoing or mislead the course of the investigation; and result in the secreting of or other disposition of assets that would make them difficult or impossible to reach in order to satisfy any Government claim growing out of the investigation or proceeding.

(C) From subsection (e)(1) because it is not always possible to detect the relevance or necessity of each piece of information in the early stages of an investigation. In some cases, it is only after the information is evaluated in light of other evidence that its relevance and necessity will be clear.

(D) From subsections (e)(4)(G) and (H) because this system of records is compiled for investigative purposes and is exempt from the access provisions of subsections (d) and (f).

(E) From subsection (e)(4)(I) because to the extent that this provision is construed to require more detailed disclosure than the broad, generic information currently published in the system notice, an exemption from this provision is necessary to protect the confidentiality of sources of information and to protect privacy and physical safety of witnesses and informants.

(F) Consistent with the legislative purpose of the Privacy Act of 1974, the AF will grant access to nonexempt material in the records being maintained. Disclosure will be governed by AF's Privacy Regulation, but will be limited to the extent that the identity of confidential sources will not be compromised; subjects of an investigation of an actual or potential criminal or civil violation will not be alerted to the investigation; the physical safety of witnesses, informants and law enforcement personnel will not be endangered, the privacy of third parties will not be violated; and that the disclosure would not otherwise impede effective law enforcement. Whenever possible, information of the above nature will be deleted from the requested documents and the balance made available. The controlling principle behind this limited access is to allow disclosures except those indicated above. The decisions to release information from these systems will be made on a case-by-case basis.

* * * * *

3. Appendix C to section 806b, is amended to remove and reserve paragraph (b)(12).

Dated: January 4, 2002.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 02–681 Filed 1–10–02; 8:45 am]

BILLING CODE 5001–08–U

DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Parts 2 and 7

RIN 1024–AD03

Pet Management in Golden Gate National Recreation Area, San Francisco, California

AGENCY: National Park Service, Interior.

ACTION: Advanced notice of proposed rulemaking.

SUMMARY: The National Park Service seeks public comment on a range of potential management options for addressing appropriate pet management within Golden Gate National Recreation Area, consistent with protecting national park resources and assuring visitor safety.

DATES: Written comments and submissions in response to this advanced notice of proposed rulemaking must be received on or before March 12, 2002.

ADDRESSES: Comments on this advanced notice of proposed rulemaking should be mailed to: Superintendent, Attention: ANPR, Golden Gate National Recreation Area, Building 201, Fort Mason, San Francisco, California 94123.

FOR FURTHER INFORMATION CONTACT: Brian O'Neill, Superintendent, Golden Gate National Recreation Area, on 415–561–4720.

SUPPLEMENTARY INFORMATION:

Background

NPS Pet Regulation

Title 36 of the Code of Federal Regulations (CFR) governs the use and management of all national park areas. One regulation, 36 CFR 2.15 (a)(2), requires that all pets, where allowed in national park sites, are to be crated, caged or restrained at all times. All areas within Golden Gate National Recreation Area (GGNRA), where pets are allowed, are subject to the requirement to have pets on leash. Pets currently are not allowed in some areas of the park, including: Alcatraz, China Beach, Crissy Beach tidal marsh and wildlife protection area, East Fort Baker Pier, Kirby Cove, Muir Woods, Stinson Beach, Tennessee Valley, trails and areas not designated for pets, and all areas fenced and/or posted as closed to the public. The latter includes two habitat closure areas at Fort Funston, and mission blue butterfly habitat areas in the Marin Headlands. Pets are not allowed in these areas to reduce possible conflict between users, protect the natural and cultural resources,

ensure public safety, and address public health concerns.

Past Pet Management at GGNRA

In 1972, the GGNRA Citizens Advisory Commission (the Commission) was established by the Secretary of the Interior. As outlined in its charter,

> The purpose of the Commission is to meet with and advise the Secretary of the Interior, or the Secretary's designee, on general policies and specific matters related to planning, administration, and development affecting the recreation area * * * the duties of the Commission are solely advisory.

In 1979, the Commission developed and recommended a pet policy to GGNRA that established guidance for locations and criteria for "voice control" of pets within certain areas of the park. The Commission's policy identified the following "voice control" areas (meaning off leash areas): In the San Francisco area—Fort Funston, Lands End, Fort Miley, North Baker Beach, Crissy Field, Ocean Beach; in Marin County + Rodeo Beach, Muir Beach, 4 Corners tract above Mill Valley, Coast Trail from Golden Gate Bridge to the junction of Wolf Ridge Trail, Loop Trail at Battery Townsley, Wolf Ridge Trail between Coast Trail and Miwok Trail, Miwok Trail between Wolf Ridge Trail and Coast Trail, Oakwood Valley Road to Alta Avenue, and Alta Avenue between Marin City and Oakwood Valley. (February 24, 1979, GGNRA Advisory Commission's Approved Guidelines for a Pet Policy—San Francisco and Marin County).

The Commission's "voice control" policy did not and can not override NPS regulations prohibiting pets off leash. As stated in the charter, the Commission may make recommendations, but these recommendations are advisory in nature. Any recommendation by the Commission must comply with NPS regulations. Nevertheless, the park, in error, implemented the "voice control" policy, in contradiction to Service-wide regulations. For more than 20 years, this unofficial "voice control" policy was in place within GGNRA.

Current Pet Management at GGNRA

Several recent events have underscored the need for undertaking a public process concerning dog management in the Golden Gate National Recreation Area, including increased visitation to GGNRA, litigation concerning the Fort Funston area of the park, public concern about visitor and pet safety, park resource management issues involving wildlife and vegetation protection, and the review of dog-walking issues by the Golden Gate National Recreation Area Advisory Commission.

Since 1972, visitation to the park and the population of the Bay Area have both increased. The park has experienced increased use of the area for off leash dogs, and, as a result, there is increased conflict and potential for conflict between other user groups and dogs and their owners, as well as heightened sensitivity on the part of the visiting public.

Underscoring the conflict over the off leash dog use, in March 2000, a lawsuit was filed in federal court by dog walking groups, seeking to prevent a 10-acre habitat closure for threatened and native species at Fort Funston. Prior to March 2000, GGNRA staff had consulted with interested groups, including both environmental and off leash interests, to discuss a slightly larger 12-acre proposed closure and its purposes. The goals and objectives of the closure were to: (1) Provide protection to the new nesting locations of the state-listed (threatened) bank swallow colony at Fort Funston; (2) increase biological diversity by restoring coastal native dune scrub habitat; (3) increase public safety by keeping visitors and their pets away from cliff areas; and (4) protect geologic resources, including bluff top and interior dunes subject to accelerated erosion by humans and pets.

Based on that consultation with the interested groups, the 12-acre closure was reduced to 10 acres, with approximately half of it to be open seasonally. Upon initiation of the 10-acre project, the lawsuit was filed. The Golden Gate Audubon Society intervened in the lawsuit to defend the proposed closure. On February 13, 2001, the Federal District Court held that,

> Defendants (NPS) have held public hearings after notice and comment and allowed public input and debate, all before issuing a new and final closure plan for Fort Funston in January 2001 * * * the defendants have now fully complied with 36 CFR Section 1.5 (and) that the need for prompt protective action is genuine * * *

Accordingly, GGNRA took prompt action to close the originally proposed 12 acre area, which was effected February 14, 2001.

On January 23, 2001, the GGNRA Citizen's Advisory Commission acknowledged publicly the 1979 "voice control" policy was null and void since it was contrary to NPS regulation. Hundreds of people in favor of off leash dog use attended this meeting and the park has received significant comment in support of off leash dog walking in the park. Also in January 2001, a 32-year-old woman was mauled to death by a dog in San Francisco. Although this incident occurred outside the park boundaries, it underscored the danger of dogs in the local community to local users. Comments to the park opposing off leash dogs have increased significantly since that time.

The park has received complaints by park visitors, including minorities, seniors and families with small children, alleging that off leash dogs have precluded them from visiting the park for fear of being knocked over, attacked by dogs, or verbally abused by dog owners. Several recent letters involve visitors requesting permission or authorization to carry weapons (stun guns, pepper spray) for personal protection from dog attacks.

These recent events—from increased visitor use to the highly publicized litigation to the potential effects of off leash pets on the public and the park resources—have dramatically changed the climate in which the park had previously allowed off leash pets in certain areas of the park. The GGNRA has no authority to avoid or ignore the regulation disallowing pets off leash, and education efforts are underway to clarify this issue to the public. This regulation has always applied to GGNRA and failure to apply it consistently at GGNRA does not in any way limit its applicability today. In the interest of public safety, and as required by existing regulations, it is essential that the NPS enforce the pet restraint regulations during the ANPR process. Since January 2001, the park has installed additional signs regarding the regulation throughout the park, has continued educational outreach to visitors regarding the regulation, and is working toward consistent enforcement of the leash regulation parkwide.

Pet Management in Other Jurisdictions

The GGNRA is adjacent to other publicly owned places, including state parks, open space areas, and city parks, each having various rules regarding dog walking. While these agencies are governed by differing agencies with varying mandates, this section provides a regional context to this issue. Several jurisdictions in the Bay Area are moving toward more stringent leash requirements and enforcement, due to the volume of use and negative impacts associated with off-leash use. As of June 2001, the following regulations were in place and/or being considered:

—The California Department of Parks and Recreation requires pets to be on a leash and under the immediate control of a person or confined in a vehicle; in most park units pets are permitted only in parking lots, picnic areas, some campgrounds, and other developed areas. Pets are not permitted on state park trails.

—The Marin Municipal Water District requires pets to be leashed.

—The Marin County Open Space District requires dogs on leash, with the exception of fire roads; they are currently reviewing their policy restricting the number of off leash dogs where off leash is permitted, along with limits on commercial dog walking.

—The Midpeninsula Regional Open Space District permits dogs on leash in seven of 24 preserves. Of the seven, there is one preserve that has a 16-acre off leash area. Dogs are not permitted in the remaining 17 preserves.

—San Mateo County Parks prohibits pets to enter or go at large in any County Park or Recreation area, either with or without a keeper.

—East Bay Regional Park District requires pets on leash in developed areas, which are defined as public road, lawn or play field, parking lot, picnic area, campground, concession area, equestrian center, archery facility, gun ranges, paved multi-use Regional Trail, or any other areas designated by the Board; the number of dogs is limited to three. Dogs are prohibited at swimming beaches, pools, wetlands, marshes or designated nature study areas, wildlife protection areas (for listed species at risk), golf courses, public buildings, major fishing piers, stream protection areas, and district lakes.

—The City of San Francisco issued a draft policy on June 12, 2001 that specifies more consistent enforcement of their existing leash law. Off leash use is permitted within 19 designated off-leash parks. The draft policy also identifies areas where dogs are not permitted, which includes significant natural resource areas. The City of San Francisco's Board of Supervisors has passed a resolution expressing interest in having certain lands within GGNRA, formerly owned by the City of San Francisco, returned to the city. Such lands include a portion of Fort Funston, Ocean Beach, Sutro Heights, Lands End and Municipal Pier. Transfer of the lands from NPS to the city would require federal legislation.

Because many of these leash restrictions have occurred over the last ten years, it is suspected that local dog owners who prefer off leash recreational use have moved to GGNRA areas, increasing pressure and impacts on the resources and visitor use conflicts.

NPS Law, Policy and Other Guidance

Management of the national park system is guided by the Constitution, public laws, proclamations, executive orders, rules, National Park Service regulations, management policies, and the directives of the Secretary of the Interior, Assistant Secretary for Fish, and Wildlife and Parks, and Director of the National Park Service (NPS). The Act of August 25, 1916, otherwise known as the NPS Organic Act, established the NPS and serves as the touchstone for National Park System management, philosophy and policy. The Act created the NPS to promote and regulate national park sites in accordance with the fundamental purpose of said parks, which is:

> To conserve the scenery and the natural and historic objects and wild life therein and to provide for enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.
> (16 U.S.C. sec. 1)

Congress supplemented and clarified the NPS mandate through enactment of the General Authorities Act in 1970, and again through enactment of a 1978 amendment to that law, which states in pertinent part:

> Congress declares that the national park system, which began with the establishment of Yellowstone National Park in 1872, has since grown to include superlative natural, historic, and recreation areas in every major region of the United States, its territories and island possessions; that these areas, though distinct in character, are united through their inter-related purposes and resources into one national park system as cumulative expressions of a single national heritage; that, individually and collectively, these areas derive increased national dignity and recognition of their superlative environmental quality through their inclusion jointly with each other in one national park system preserved and managed for the benefit and inspiration of all the people of the United States; and that it is the purpose of this Act to include all such areas in the System and to clarify the authorities applicable to the System. Congress further reaffirms, declares, and directs that the promotion and regulation of the various areas of the National Park System, as defined in section 1c of this title, shall be consistent with and founded in the purpose established by section 1 of this title [16 U.S.C. sec. 1], to all the people of the United States. The authorization of activities shall be construed and the protection, management, and administration of these areas shall be conducted in light of the high public value and integrity of the National Park System and shall not be exercised in derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress.
> (16 U.S.C. sec. 1–a)

Park Legislation

Golden Gate National Recreation Area (GGNRA) was established on Oct. 27, 1972, for the purpose of preserving:

> * * * for public use and enjoyment certain areas of Marin and San Francisco [and San Mateo] Counties, California, possessing outstanding natural, historic, scenic, and recreational values, and in order to provide for the maintenance of needed recreational open space necessary to urban environment and planning * * * In the management of the recreation area, the Secretary of the Interior * * * shall utilize the resources in a manner which will provide for recreation and educational opportunities consistent with sound principles of land use planning and management. In carrying out the provisions of the Act, the Secretary shall preserve the recreation area, as far as possible, in its natural setting, and protect it from development and uses which would destroy the scenic beauty and natural character of the area.
> (Pub. L. 92–589,16 U.S.C sec. 460bb)

The park includes nearly 75,000 acres located in three counties. The regional population of the San Francisco Bay Area is approximately seven million, and the park-including Fort Point and Muir Woods—supports approximately 17 million visitors annually. Popular Golden Gate National Recreation Area sites include, from north to south: Olema Valley, Stinson Beach, Muir Beach, Marin Headlands, Alcatraz, the Presidio of San Francisco, Fort Mason, Baker Beach, China Beach, Lands End, Cliff House, Ocean Beach, Fort Funston, Sweeney Ridge, Milagra Ridge, and the Phleger Estate. Muir Woods National Monument and Fort Point National Historic Site are separate units of the National Park System that are within the boundaries of and administered by GGNRA.

NPS 2001 Management Policies

The new 2001 NPS Management Policies provide policy direction for making management decisions in the administration of the National Park System and provide interpretation of the laws governing management the National Park System, including the NPS Organic Act. Adherence to policy is mandatory unless specifically waived or modified by the Secretary, the Assistant Secretary, or the Director. Of primary importance is the NPS obligation to conserve and provide for enjoyment of park resources and values. The 2001 NPS Management Policies explain:

> The "fundamental purpose" of the national park system, established by the Organic Act and reaffirmed by the General Authorities Act, as amended, begins with the mandate to

conserve park resources and values. This mandate is independent of the separate prohibition on impairment, and so applies all the time, with respect to all park resources and values, even when there is no risk that any park resources or values may be impaired. NPS managers must always seek ways to avoid, or to minimize to the greatest extent practicable, adverse impacts on park resources and values. However, the laws do give the Service management discretion to allow impacts to park resources and values when necessary and appropriate to fulfill the purposes of a park, so long as the impact does not constitute impairment of affected resources and values.

(2001 NPS Management Policies, Section 1.4.3)

The fact that a park use may have an impact does not necessarily mean that it will impair park resources or values for the enjoyment of future generations. Impacts may affect park resources and still be within the limits of the discretionary authority conferred by the Organic Act. However, negative or adverse environmental impacts are never welcome in national parks, even when they fall far short of causing impairment. For this reason, the Service will not knowingly authorize park uses that would cause negative or adverse impacts unless it has been fully evaluated, appropriate public involvement has been obtained, and a compelling management need is present. In those situations, the Service will ensure that any negative or adverse impacts are the minimum necessary, unavoidable, cannot be further mitigated, and do not constitute impairment of park resources and values.

(2001 NPS Management Policies, Section 8.1)

The Management Policies emphasize the Park Service mandate to prevent impairment of natural and cultural resources, to preserve park resources and to limit recreational activities that degrade resources. The policies distinguish that:

Congress, recognizing that the enjoyment of future generations of the national parks can only be ensured if the superb quality of park resources and values is left unimpaired, has provided that when there is a conflict between conserving resources and values and providing for enjoyment of them, conservation is to be predominant. This is how courts have consistently interpreted the Organic Act, in decisions that variously describe it as making "resource protection the primary goal" or "resource protection the overarching concern," or as establishing a "primary mission of resource conservation," a "conservation mandate," "an overriding preservation mandate," "an overarching goal of resource protection," or "but a single purpose, namely, conservation."

(2001 NPS Management Policies, Section 1.4.3)

The impairment of resources and values may not be allowed by the Service unless directly provided for by legislation or by the proclamation establishing the park. The relevant legislation or proclamation must provide explicitly (not by implication or reference) for the activity, in terms that keep the Service from having authority to manage the activity so as to avoid impairment.

(2001 NPS Management Policies, Section 1.4.4)

GGNRA's enabling legislation does not directly or specifically allow impairment of resources. Therefore, in assessing options for accommodating dog walking in GGNRA, each option must meet NPS mandates as outlined in the 2001 NPS Management Policies.

The 2001 NPS Management Policies also explain that "enjoyment" in the Organic Act has broad meaning:

The fundamental purpose of all parks also includes providing for the enjoyment of park resources and values by the people of the United States. The "enjoyment" that is contemplated by the statute is broad; it is the enjoyment of all the people of the United States, not just those who visit parks, and so includes enjoyment both by people who directly experience parks and by those who appreciate them from afar. It also includes deriving benefit (including scientific knowledge) and inspiration from parks, as well as other forms of enjoyment.

(2001 NPS Management Policies, Section 1.4.3)

Accordingly, NPS seeks broad input in order to consider the wide range of interests of those who appreciate—from both near and afar—the resources of GGNRA.

The 2001 NPS Management Policies also define suitable visitor uses, noting that:

Enjoyment of park resources and values by the people of the United States is part of the fundamental purpose of all parks. The Service is committed to providing appropriate, high quality opportunities for visitors to enjoy the parks, and will maintain within the parks an atmosphere that is open, inviting, and accessible to every segment of American society. However, many forms of recreation enjoyed by the public do not require a national park setting, and are more appropriate to other venues. The Service will therefore:

—Provide opportunities for forms of enjoyment that are uniquely suited and appropriate to the superlative natural and cultural resources found in the parks.
—Defer to local, state, and other federal agencies; private industry; and non-governmental organizations to meet the broader spectrum of recreational needs and demands.

To provide for the enjoyment of the parks, the National Park Service will encourage visitor activities that:

—Are appropriate to the purpose for which the park was established; and
—Are inspirational, educational, healthful, and otherwise appropriate to the park environment; and
—Will foster an understanding of, and appreciation for, park resources and values, or will promote enjoyment through a direct association with, interaction with, or relation to park resources; and
—Can be sustained without causing unacceptable impacts to park resources or values.

Unless mandated by statute, the Service will not allow visitors to conduct activities that:

—Would impair park resources or values;
—Create an unsafe or unhealthful environment for other visitors or employees;
—Are contrary to the purposes for which the park was established; or
—Unreasonably interfere with:
  —The atmosphere of peace and tranquillity, or the natural soundscape maintained in the wilderness and natural, historic, or commemorative locations within the park;
  —NPS interpretive, visitor service, administrative, or other activities;
  —NPS concessioner or contractor operations or services; or
  —Other existing, appropriate park uses

(2001 NPS Management Policies, Section 8.2)

Finally, the Management Policies address the importance of visitor safety,

The saving of all human life will take precedence over all other management actions as the Park Service strives to protect human life and provide for injury-free visits * * * When practicable, and consistent with congressionally designated purposes and mandates, the Service will reduce or remove known hazards and apply other appropriate measures, including closures, guarding, signing, or other forms of education. In doing so, the Service's preferred actions will be those that have the least impact on park resources and values.

(2001 NPS Management Policies, Section 8.2.5.1)

Other NPS Policies and Guidelines

There are a number of NPS System wide guidelines that address park management requirements and use limitations, and are available at *www.nps.gov/refdesk/DOrders/*. These include Natural Resource Management Guidelines (NPS 77), and NPS Director's Orders (DO) on Wetland Protection (DO 77–1), Public Health (DO 83), Soundscape Preservation and Noise Management (DO 47), and Conservation Planning, Environmental Impact Analysis, and Decision-Making (DO 12).

Natural Resources

The lands encompassing GGNRA provide critical habitat for many of the country's and the state's most rare and threatened species. The central coast including the San Francisco Bay Area and GGNRA, is considered one of North America's biodiversity hot spots (*Precious Heritage: the Status of Biodiversity in the United States,* Nature Conservancy). The California Floristic Province is identified as the 8th global biodiversity hotspot in a list of 25 (*Nature's Place: Population and the Future of Diversity,* 2000 Report by Population Action International). GGNRA was designated a Biosphere Reserve in 1989. The unique Golden Gate Biosphere Reserve, including marine, coastal and upland areas adjacent to a major metropolitan area, is designated as an international biosphere reserve in recognition of its importance to conservation of biodiversity, sustainable development, research and education.

Wildlife: There are currently 75 rare or special status wildlife species currently identified as permanent or seasonal residents of the park, or dependent upon parklands for migration. Of these, eleven are listed as federally endangered, thirteen are federally threatened, two are state endangered, three are state threatened, and 32 are state-designated species of special concern. Nearly all of the native birds documented in the park are protected by the Migratory Bird Treaty Act (16 U.S.C. secs. 528–531).

Vegetation: Approximately 36 rare or special status plant species are currently identified within GGNRA. Of those species, nine are federally endangered, one is federally threatened, and one is state threatened. The remaining 25 species are plants listed by the California Native Plant Society as rare, threatened, endangered, or of limited distribution.

The NPS has a heightened responsibility to preserve and protect those species and their habitat everywhere they occur within GGNRA, in accordance with its own mandate as well as other laws.

Impacts to Natural Resources

Scientific studies attribute disturbance, harassment, displacement, injury and direct mortality of wildlife to domestic dogs that accompany recreationists ("Effects of Recreation on Rocky Mountain Wildlife: a Review for Montana." Committee on Effects of Recreation on Wildlife, Montana Chapter of the Wildlife Society, September 1999, Joslin and Youman coordinators). This study indicates that domestic dogs retain their instincts to hunt or chase. Further, the study indicates that even without chasing, the mere presence of a dog can frighten wildlife away. A dog's urine and fecal deposits serve as strong territorial markings that are equally alarming to native species long after the dog has departed. Native vegetation may also be destroyed by digging and by chasing behavior.

In recent years, the park has increased its knowledge of park resources, potential wildlife impacts and public safety risks. During the last 10 years, there have been increasing impacts to natural resources related to unrestrained dogs, including digging and trampling of native vegetation including the habitat for the endangered mission blue butterfly as well as endangered plant habitat; bird habitat disturbance; and harassment of wildlife including both birds and marine mammals. Off leash dogs harassing beached sea lions occurs periodically during May/June along the waterline at Ocean Beach, Fort Funston and Rodeo Beach. At Rodeo Lagoon, off leash dogs at the edge of the lagoon and in shallow waters potentially crush tidewater goby burrows; the tidewater goby is an endangered species. Some problems with off leash dogs have also arisen with disturbance of steelhead trout and coho salmon populations at the mouth of Redwood Creek at Muir Beach; behavioral disturbance to the resident fish includes dogs wading and running through the creek mouth and lagoon.

Within GGNRA, Ocean Beach is the longest stretch of sandy beach between Point Reyes National Seashore and Half Moon Bay. The entire length of this beach provides critically important feeding and resting habitat for wintering and migrating shorebirds, gulls and terns. The species found in the highest numbers (hundreds to low thousands depending on time of year) include sanderlings, willets, marbled godwits, elegant and Caspian terns, and various gull species. The gulls and terns roost in large numbers on the beach with their newly fledged young during portions of the year. The federally threatened snowy plover also resides on portions of the beach for 10 months of the year. According to park biologists and protection rangers, shorebirds, gulls and terns are chased by off leash dogs, interrupting feeding and resting that help to build fat reserves for long migrations and breeding. Off leash dogs can also be a threat to sick and injured birds and marine mammals that may beach themselves. During the last several years, fencing has been erected in areas of Fort Funston, Crissy Field and other GGNRA locations, an effort limited to keep off leash dogs out of these most sensitive habitat areas. These closures have negative visual impacts and do not completely protect natural resources from off leash dog use.

According to Dr. Elliot Katz, founder and president of In Defense of Animals:

If a dog has shown a propensity to run after deer or other wildlife in the open spaces, then that dog should be on a leash. There should be a substantial penalty for chasing wildlife. I don't think that anyone can control more than three dogs off leash at one time. I know it will anger the dog handlers if I say so, but in numbers dogs do have a pack mentality.

(In the Doghouse, by Michael McCarthy, "Pacific Sun," June 13 + 19, 2001)

The NPS Management Policies and Director's Orders require that the park prevent impairment to part resources and minimize adverse impacts, while providing appropriate recreational opportunities.

Impacts to Public Safety

Dogs biting visitors, aggressive behavior toward other dogs and/or people, dogs falling off cliffs, people going after their dogs that have fallen off cliffs, and visitors being knocked down are the public safety concerns related to off leash dog walking. Public controversy continues to grow over dog issues, increasing the demand by some for stronger enforcement of the leash law by the park.

The GGNRA's tracking of dog-related incidents during a 3-year period (1998 + 2000) reveals a total of 54 reported dog bites. Between January 1, 2001, and June 16, 2001, there have been 13 reported dog bites. According to protection rangers, these numbers reflect a small fraction of the total occurrences, reported and non-reported. From 1998 + 2000, there have been 890 leash law reports, and another 105 reports of dogs in closed areas. Between 1998 and 2000, protection rangers performed 58 technical rescues of dogs or their owners that had fallen over the side of the cliffs at Fort Funston, a popular off leash area. In calendar year 2000, this resulted in three ranger injuries. Cliff rescues at Fort Funston are a serious threat to public safety and employ a large number of park personnel and equipment, leaving major areas of GGNRA unprotected. In 1998, the number of cliff rescues at Fort Funston was 25; in contrast, there were a total of 11 rescues along the remaining nine miles of San Francisco shoreline from Fort Point to the Cliff House.

A review of animal organizations and web sites show that there are possible impacts to public safety. According to the American Dog Owners Association:

* * * unleashed dogs intimidate * * * unleashed dogs harass, injure and sometimes kills wildlife.

(*www.adoa.org*)

And, according to the American Veterinary Medical Foundation Task Force on Canine Aggression:

Although most dog bites occur on the property where the dog lives, unrestrained or free-roaming dogs do pose a substantial threat to the public. Enforcement of restraint laws is, therefore, essential if the incidence of dog bites is to be reduced.

("JAVMA," Vol. 218, No. 11, June 1, 2001, *www.avma.org*)

Any alternative to the leash regulation must address these safety concerns, and be consistent with NPS policies and mandates.

Recreational Benefits of Off Leash Dog Walking

There are recreational benefits to both humans and dogs related to off leash dog use. A review of animal organizations' publications and web sites show that many organizations support the recreational benefits—for both the dog and the human—of off leash dog walking. According to the San Francisco chapter of the Society for the Prevention of Cruelty to Animals (S.F. SPCA), dogs require daily exercise and contact with other dogs in order to remain healthy and well socialized. The S.F. SPCA considers off-leash areas as essential for the health and well being of dogs, and further, that:

* * * dogs socialize with each other through subtle displays of posture and behavior that can only occur when they are not impeded by a leash. A leash limits a dog's natural movement and can even cause some dogs to become territorial, protecting the area to which the leash confines them.

(*www.sfspca.org*)

According to the San Francisco Dog Owners Group, known as SF Dog:

* * * the creation of off-leash recreation space encourages the development of well-socialized dog populations as well as owners who are responsible.

("Managing Off-Leash Recreation in Urban Parks," April 19, 1999, *www.sfdog.org*)

The SF Dog group also underscores the benefits of dog ownership:

* * * daily exercise routines that dogs demand reduces crimes in parks for the simple reason that people involved in criminal activity do not like to be observed.

(*www.sfdog.org*)

The California Dog Owners Group supports increased understanding of

* * * the natural relationship of open space to humans with dogs and to be vigilant in promoting appropriate rules for shared and continued use.

(*www.caldog.org*)

In articles written by dog walkers on the Fort Funston web site (*www.fortfunstonforum.com*), off leash dog use is alleged to be beneficial to the bank swallows, specifically:

It really looked like the birds were using the dogs to flush out insects for them to eat.

(Linda Shore, July 21, 2000)

I had first thought they were playing with Scout and then it became clear that they were circling around and flying low to ground to hunt for insects. It seemed to me that they were following Scout and looking for food where he was walking, as though he might be making the insects scurry around so that the swallows could see them.

(Christy Cameron, July 19, 2000)

In an interview with Dr. Nicholas Dodman, of the Tufts University Veterinary Center, "Bark Magazine" quoted him as follows:

The vast majority of dogs do benefit greatly from having exercise periods. And walking dogs on a leash is not sufficient exercise. It's not that they die if they walk on a leash, just as it's not that a human being dies in solitary confinement either. It's just that it is not optimal for their physiological and psychological well-being. * * * It is important for a dog to be provided with natural outlets—to be able to run and exercise and chase things and do as a dog was bred to do

(*www.thebark.com/ezine*)

The benefit to both the dog and human were also noted:

* * * walking with a canine "best friend" increases physical and mental fitness for both the human and the dog, a community of other dog walkers offers positive social interactions, the high density of park users and the presence of dogs offers a level of personal safety.

("Survey of Fort Funston Recreational Use," Karin Hu, Ph.D., September 2000, *www.fortfunstondog.org*)

Options for Evaluation

This Notice is intended to solicit public comment on a range of potential management options for addressing appropriate pet management within Golden Gate National Recreation Area, consistent with protecting national park resources and assuring visitor safety. This procedure could result in a range of outcomes, from enforcement of the existing regulation, to revisions of the existing regulation that would permit off leash pets within portions of Golden Gate National Recreation Area under specific conditions.

All interested persons are invited to submit to the National Park Service their comments on any aspect of the alternatives described below, including responses regarding:

- Should the leash law regulation remain intact parkwide?
- Should additional areas currently closed to dogs be open to on leash use?
- Should additional areas be closed to dogs?
- Should analysis of any alternatives be measured from the current baseline of no off-leash dog walking, or the long-standing former policy that allowed off-leash dog walking in certain areas?
- Should the regulation be changed to designate former "voice control" areas for off leash dog walking? If so,
- Which geographical areas should/should not be considered for off leash?
- Should there be a limit on the number of dogs?
- Should areas be open to off leash use at certain times of the day or days of the week?
- Should there be a bond required to cover liability?
- Should people be required to sign waivers of liability?
- What are potential environmental impacts of any of the alternatives?
- What additional mitigating factors should be imposed?
- What conditions could be required of owners?
- Should areas be fenced?
- Should voice control be employed?
- How should the numbers of dogs be limited?
- Who should pay for facilities, improvements, and operations?

Specific Options

In summary, in considering changes to existing regulation, any change must comply with the NPS Organic Act, GGNRA's enabling legislation and Systemwide policies and directives. In order to comply with NPS rules and regulations, including the obligation to minimize adverse impacts on park resources and values and the prohibition on resource impairment, the following areas of the park, in which pets have never been allowed (e.g. there is no history of dog walking use, and/or it has not been an issue) or have been restricted due to sensitivity of resources, are precluded from consideration for off leash uses: Alcatraz, China Beach, Crissy Beach tidal marsh and wildlife protection area, East Fort Baker Pier, coastal dunes and cliff areas of Fort Funston, Kirby Cove, Muir Woods, Phleger Estate, Fort Point historic structure, the beach at Stinson Beach, Tennessee Valley, Rodeo Lagoon, Redwood Creek, all freshwater bodies in the park, and other threatened or endangered species habitat areas in the park. The latter includes areas of endangered mission blue butterfly habitat at Milagra Ridge, Marin Headlands and East Fort Baker, as well as the threatened snowy plover management area at Ocean Beach.

A. Enforce existing regulation/dogs on leash and on trail: Enforcement of the existing regulation park wide would reduce visitor conflicts, improve visitor and employee safety, and reduce impacts on natural resources. Continued visitor education would be required to increase understanding of the regulation and reasons for it. On leash dog use in the park could result in removal of fences in some locations at Fort Funston and Crissy Field, and possibly other locations where exclosures have been created in order to protect sensitive species and habitat areas. The following additional areas, where dogs currently are prohibited, could be opened to on leash dogs under appropriate circumstances: East Fort Baker Pier, Phleger Estate, Stinson Beach, and portions of Tennessee Valley. Enforcement of the existing regulation may displace off leash dog use into other jurisdictions within the counties of San Francisco, San Mateo and Marin. This option would not require rulemaking because the leash regulation is already in place. The GGNRA must enforce the leash law unless a regulation is promulgated and adopted allowing off leash dog use; Option B discusses that option. The agency seeks comment on the merit of enforcement of the existing regulation, including specific suggestions on implementation and education regarding its enforcement, as well as suggestions regarding the opening of additional on leash dog areas as described above.

B. Identify specific locations/ways to address off leash use within the park: Off leash dog use could be allowed in specific locations within the park, with the remainder of the park subject to enforcement of the existing regulation requiring pets to be leashed where permitted. Any location selected for off leash would carry the requirement that any negative or adverse impacts are the minimum necessary, unavoidable, cannot be further mitigated, and do not constitute impairment of park resources and values. To that end, appropriate environmental compliance would be required to evaluate all potential effects within GGNRA, in accordance with federal laws including National Environmental Policy Act and the National Historic Preservation Act. This option would require rulemaking. Negative effects could include additional park operating financial requirements to remove pet excrement, develop capital improvements and additional enforcement staff to assure conformance with the restrictions related to off leash areas. Off leash dog use, where it does not conflict with protection of natural resources, can promote exercise and enjoyment of park areas. The agency seeks comment on the merit of permitting off leash use and identification of specific locations and measures to minimize any impacts on visitors and resources.

Request for Comments

The National Park Service solicits comment and information from all segments of the public interested in GGNRA and appropriate pet management. All comments received by the Park Service at the address and by the date listed above will be reviewed and analyzed. If rulemaking is determined necessary as a result of this process, such proposed rulemaking would involve additional extensive public review and comment. If rulemaking is not an option chosen by NPS, then the public will be appropriately notified.

If individuals submitting comments request that their name and/or address be withheld from public disclosure, it will be honored to the extent allowable by law. Such requests must be stated prominently at the beginning of the comments.

The GGNRA will hold two public meetings where public comment on this Advanced Notice of Proposed Rulemaking will be invited. Additional opportunities for public involvement will be announced locally and in the **Federal Register**.

Dated: January 3, 2002.

Joseph E. Doddridge,

Acting Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 02–568 Filed 1–10–02; 8:45 am]

BILLING CODE 4310–70–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 50

[FRL–7128–3]

National Ambient Air Quality Standards for Ozone: Proposed Response to Remand

AGENCY: Environmental Protection Agency (EPA).

ACTION: Extension of public comment period.

SUMMARY: The EPA is announcing a 30-day extension of the public comment period on the proposed response to the United States Court of Appeals for the District of Columbia Circuit (D.C. Circuit) remand of the national ambient air quality standards (NAAQS) for ozone (O_3) that was published on November 14, 2001 (66 FR 57268). The proposal responded to the D.C. Circuit remand of the O_3 NAAQS to EPA to consider any beneficial health effects of O_3 pollution in shielding the public from the "harmful effects of the sun's ultraviolet rays." 175 F. 3d 1027 (D.C. Cir. 1999).

DATES: Comments on the proposed response to the remand must be received by February 13, 2002.

ADDRESSES: Submit written comments (in duplicate if possible) on this proposed response to: Air and Radiation Docket and Information Center (6102), Attn: Docket No. A–95–58, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460. Electronic comments are encouraged and can be sent directly to EPA at: *A-and-R-Docket@epa.gov*. Comments will also be accepted on disks in WordPerfect in 8.0/9.0 file format. All comments in electronic form must be identified by the docket number, Docket No. A–95–58.

FOR FURTHER INFORMATION CONTACT: Susan Lyon Stone, Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency (C539–01), Research Triangle Park, NC 27711; e-mail stone.susan@epa.gov; telephone (919) 541–1146.

SUPPLEMENTARY INFORMATION: The EPA received a request for an extension of the original 60 day comment period. The commenter requested additional time to prepare comments because part of the comment period overlapped with the seasonal holidays. In response to this request, EPA is extending the comment period by 30 days to allow additional time for the public to prepare comments.

List of Subjects in 40 CFR Part 50

Environmental protection, Air pollution control, Carbon monoxide, Lead, Nitrogen dioxide, Ozone, Particulate matter, Sulfur oxides.

Dated: January 7, 2002.

Robert D. Brenner,

Principal Deputy Assistant Administrator for Air and Radiation.

[FR Doc. 02–700 Filed 1–10–02; 8:45 am]

BILLING CODE 6560–50–P

Golden Gate National Recreation Area
Fort Mason, San Francisco, CA 94123

ADVANCED NOTICE OF PROPOSED RULEMAKING

PET MANAGEMENT IN GOLDEN GATE NATIONAL RECREATION AREA

Golden Gate National Recreation Area (GGNRA) is one of over 385 units in the National Park System. GGNRA is one of the largest urban national parks in the world, encompassing 75,500 acres of land and water. Approximately 28 miles of coastline lie within its boundaries. The park's many locations include Alcatraz, Marin Headlands, Fort Funston, Fort Mason, as well as Muir Woods National Monument, Phleger Estate, Fort Point National Historic Site, the Presidio of San Francisco, Sweeney Ridge, and Milagra Ridge. Approximately 36 rare or special status plant species and 75 rare and special status wildlife species are currently identified within GGNRA.

The National Park Service must manage park resources and values in such a manner and by such means as will leave them unimpaired for the enjoyment of future generations.

WHAT IS AN ADVANCED NOTICE OF PROPOSED RULEMAKING (ANPR)?

- An ANPR is a Notice intended to solicit comments and information from all segments of the public interested in a particular issue prior to an agency determining whether a rule (regulation) will be proposed.

- Through this ANPR, titled ***Pet Management in Golden Gate National Recreation Area***, the National Park Service (NPS) is seeking public comment on a range of potential management options for addressing appropriate pet management within Golden Gate National Recreation Area (GGNRA).

- This is an initial step in a proceeding that could result in initiation of the rulemaking process to develop a new pet management regulation for GGNRA.

WHY IS THE NATIONAL PARK SERVICE INITIATING THIS ANPR?

- In 1979, the GGNRA Citizen's Advisory Commission developed and recommended a pet policy to GGNRA that established guidance for location and criteria for "voice control" of pets within certain areas of the park. The Commission's "voice control" policy did not and could not override NPS system-wide prohibition of pets off leash; nevertheless, in error, this unofficial "voice control" policy was in place within GGNRA for more than 20 years.

- Several recent events have underscored the need for undertaking a public process concerning dog management in GGNRA, including increased visitation to GGNRA, litigation concerning the Fort Funston area of the park, public concern about visitor and pet safety, park resource management issues involving wildlife and vegetation protection, and the review of dog-walking issues by the Golden Gate National Recreation Area Advisory Commission

- The NPS service-wide pet regulation requiring pets to be leashed applies to this park as well as all others. GGNRA has no authority to avoid or ignore the regulation. Education efforts are underway with the public to clarify this issue.

- Several other jurisdictions in the Bay Area are moving toward more stringent pet regulations and enforcement, due to the volume of use and the negative impacts associated with off-leash use.

- Some San Francisco dog organizations support the recreational benefits – for both dogs and humans – of off-leash dog walking.

WHAT ARE THE STEPS IN THE ANPR PROCESS?

- The ANPR notice was published in the Federal Register on January 11, 2002. The notice gives the background of the issue and invites public comment.

- Public comment is received for 60 days from the date of publication in the Federal Register. The National Park Service invites the public to comment on this Notice both in writing and at scheduled public meetings to be announced.

- **Comments must be received by March 12, 2002.**

- At the end of the comment period, the NPS analyzes the comments.

- A recommendation is made by GGNRA as to whether or not to initiate the rulemaking process to develop an alternative pet management regulation for GGNRA.

- The existing regulation will continue to be enforced unless it is replaced by a new regulation.

WHAT COMES AFTER ANPR?

- If, through the ANPR process, the National Park Service determines that the existing pet regulation should be altered for GGNRA, then such a proposed regulation would be drafted in accordance with applicable laws, including the Administrative Procedures Act (APA), the National Environmental Policy Act (NEPA), and the National Historic Preservation Act (NHPA).

WHERE CAN GET ADDITIONAL COPIES OF THE ANPR AND BACKGROUND INFORMATION?

Information packets can be viewed at the following locations:

GGNRA Visitor Centers:

Muir Woods National Monument - (415) 388-2896
Alcatraz National Historic Site - (415) 705-1042
Fort Point Historic Site - (415) 556-1693
Presidio Main Post Visitor Center - (415) 561-4323
Marin Headlands Visitor Center - (415) 331-1540
NPS Pacific West Information Center in Building 201, Fort Mason - (415) 556-0560
Bear Valley Visitor Center *(Point Reyes National Seashore)* - (415) 464-5100
Crissy Field Center – (415) 561-7690
Warming Hut – (415) 561-3040

Public Libraries (on reserve):

San Francisco Libraries
Civic Center (Main) Branch - (415) 557-4400
Marina Branch - (415) 292-2150
Merced Branch - (415) 337-4780
Richmond Branch - (415) 666-7165
Sunset Branch - (415) 753-7130

Marin County Public Libraries
Marin County Free Library, Bolinas Branch - (415) 868-1171
Marin County Free Library, Civic Center Branch - (415) 499-6051
Marin County Free Library, Fairfax Branch - (415) 453-8151
Marin County Free Library, Marin City Branch - (415) 332-6157
Marin County Free Library, Point Reyes Station Branch - (415) 663-8375
Marin County Free Library, San Geronimo Valley Branch - (415) 488-0430
Marin County Free Library, Stinson Beach Branch (415) 868-0252
Sausalito Public Library - (415) 289-4121
Mill Valley Public Library - (415) 389-4292

San Mateo County Public Libraries
Daly City Public Library - (650) 991-8073
Half Moon Bay Branch, San Mateo County Library - (650) 726-2316
Pacifica Main Library - (650) 355-5196
San Mateo Public Library - (650) 522-7800

East Bay Public Libraries
Berkeley Public Library, Main Branch - (510) 644-6648
Oakland Public Library, Main Branch - (510) 238-3138

INTERNET: The ANPR can be accessed on the web: **www.access.gpo.gov/nara** or **www.nara/gov/fedreg** - Search under National Park Service.

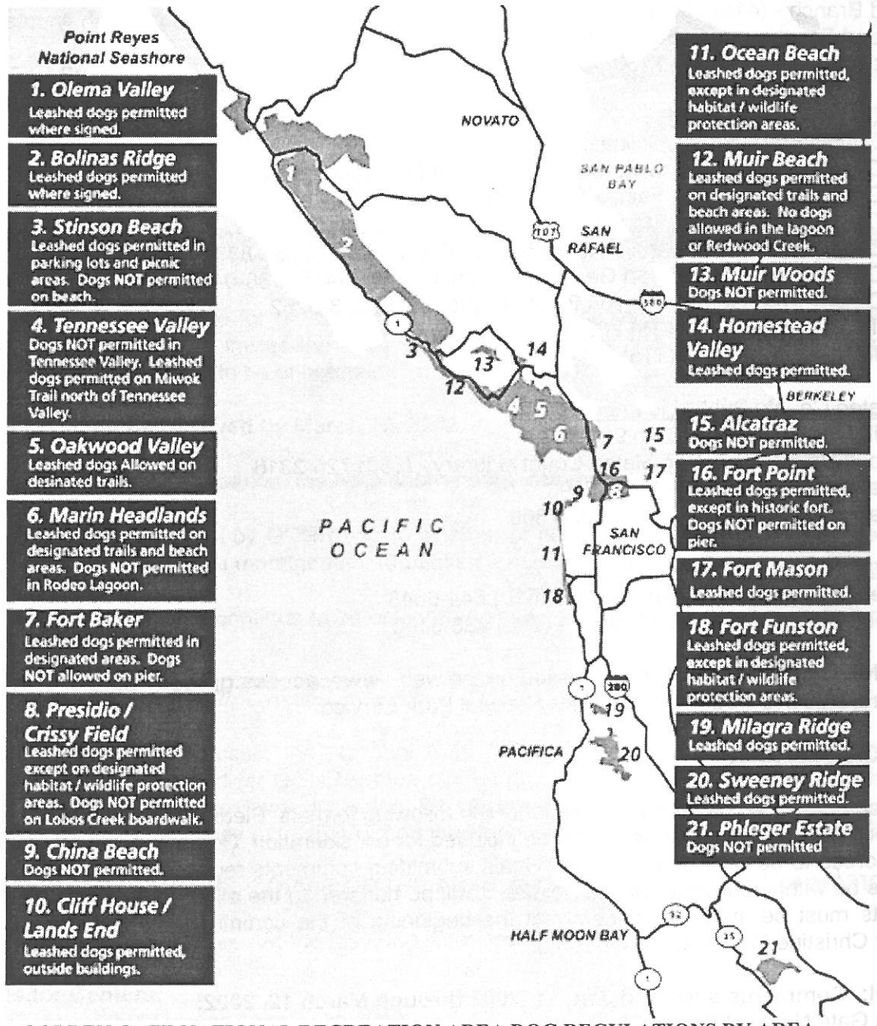
PUBLIC COMMENT:

Public comment can be received in either of the following formats. Please note deadlines. Materials received after stated deadlines cannot be included for consideration. Comments must include name and address to be considered. If individuals submitting comments request that their name and/or address be withheld from public disclosure, it will be honored to the extent allowable by law. Such requests must be stated prominently at the beginning of the comments. For more information contact Christine Powell at 415-561-4728.

By Mail: Comments accepted Jan. 11, 2002 through March 12, 2002:
Golden Gate National Recreation Area
Attention: ANPR
Fort Mason, Building 201
San Francisco, CA 94123

By Fax: Comments accepted Jan. 11, 2002 through March 12, 2002: 415-561-4355

In Person:
Comment will be accepted at public meetings to be announced. For meeting dates and locations, please call (415) 561-4728.



GOLDEN GATE NATIONAL RECREATION AREA DOG REGULATIONS BY AREA

Golden Gate National Recreation Area
Fort Mason, San Francisco, California 94123

ADVANCED NOTICE OF PROPOSED RULEMAKING
PET MANAGEMENT IN GOLDEN GATE NATIONAL RECREATION AREA

QUESTIONS AND ANSWERS

➲ **What is an Advanced Notice of Proposed Rulemaking (ANPR)?**

An Advanced Notice of Proposed Rulemaking (ANPR) is a preliminary step in the rulemaking process, published in the Federal Register to present options, questions, and ideas for a rule. During a specified period, the public is asked to comment on these options or to present options of their own. An ANPR does not include a preferred approach upon which comments are being solicited.

After the public comment period is over, a decision is made whether or not to initiate the rulemaking process, and if so, in what form.

➲ **What are the guidelines that the ANPR and rulemaking process must follow?**

Rules developed through this process must follow the Constitution, public laws, proclamations, executive orders, rules, NPS regulations and management policies, and the directives of the Secretary of the Interior, the Assistant Secretary for Fish and Wildlife and Parks, and the Director of the NPS.

➲ **Why is GGNRA publishing the ANPR now?**

Changes in recent years, combined with several recent events, have underscored the need for a review of pet management in GGNRA. The park has not been in compliance with the long-standing NPS regulation regarding pet management. Meanwhile, increased visitation to GGNRA, public concern about visitor and pet safety, park resource management issues involving wildlife and vegetation protection, and litigation concerning the Fort Funston Area of the park have combined to bring the issue of pet management to the forefront of GGNRA's management concerns.

➲ **GGNRA is a national recreation area, although I have also heard it called Golden Gate National Parks. Do national recreation areas have different management policies than national parks?**

No, all units of the National Park System are managed as one, regardless of title. For clarification, the name Golden Gate National Parks was developed to include Fort Point National Historic Site and Muir Woods National Historic Site, which have been brought under the management of GGNRA and are within its boundaries, although they are separate units of the National Park system.

➲ **How is the public involved in the ANPR process?**

There is a 60-day public comment period for this ANPR process during which the public is invited to submit written comments on the issue of pet management. There will also be public meetings during which comments may be submitted; the date, time and location of those meetings will be published in the Federal Register and announced to the media.

➲ **How long is the public comment period for the ANPR and how do I send in comments?**

The public comment period is 60 days, starting from the date of publication. Comments can be sent in writing to Superintendent, Att: ANPR, GGNRA, Bldg. 201, San Francisco, CA, 94123, or can be faxed to: 415-561-4355. Comments will also be received at public meetings to be scheduled during the comment period.

All comments must postmarked by the close date of the public comment period.

➲ **What should people consider when they comment on the ANPR?**

Listed in the ANPR are the laws, policies and guidelines that govern the management of the NPS. These documents direct the NPS to preserve and protect the resources it manages, while providing for the enjoyment of visitors, both now and in the future. These directives must be adhered to in any management issue in a National Park.

A full copy of the ANPR and the background documents related to it can be viewed in libraries and NPS visitor centers around the Bay Area; much of that information is also available on the web. For specific sites where the ANPR binders can be reviewed, see the ANPR informational brochure. For specific web sites that can be used to access background information, go to the last section of the ANPR reference binder for a complete list of all related web sites.

➲ **Who can comment on this ANPR?**

All interested persons should submit their written comments on any or all aspects of pet management presented in this ANPR.

➲ **Who makes the final decision as to whether GGNRA will advance to rulemaking, and when will that decision be made?**

The Director of the NPS, after reviewing the input received during the ANPR public comment period, will make the final decision on whether to proceed to rulemaking.

That decision will not be based on the number of comments received, but rather on substantive suggestions and comments that direct us toward a decision on pet management. Existing laws, regulations and policies, as well as the environmental impacts associated with pet management will also be considered in the final decision.

Because an ANPR is a step in a process that could lead to rulemaking; it is a considerable undertaking, involving administrative coordination, publication of notices in the Federal Register, and a public comment period. It is unknown how long it will take to reach a final decision on this ANPR.

➲ **If GGNRA advances to rulemaking, how will the process be handled?**

If, through the ANPR process, the NPS determines that the existing pet regulation should be revised for GGNRA, then such a proposed regulation would be drafted in accordance with applicable laws, including the Administrative Procedures Act (APA), the National Environmental Policy Act (NEPA) and the National Historic Preservation Act.

➲ **How does an ANPR for pet management at GGNRA affect other national park areas?**

All National Park sites currently require pets, where permitted, to be on-leash under Title 36 of the Code of Federal Regulations. This ANPR applies only to GGNRA; if a proposed rule is developed, it will also apply only to GGNRA.

➲ **Does this mean pets may be off leash in GGNRA during the ANPR process?**

No. Pets are required to be on leash in areas of GGNRA where they are permitted, pursuant to Title 36 of the Code of Federal Regulations, unless a new regulation is promulgated.

➲ **Where does the 1979 Pet Policy fit in?**

The park, in error, implemented the 1979 "voice control" Pet Policy, in contradiction of service-wide regulations. For more than 20 years, this unofficial pet policy was in place within GGNRA. Due to recent events, GGNRA has undertaken a program to educate visitors about Section 2.15 in Title 36 of the Code of Federal Regulations, the National Park Service-wide regulation which requires that pets be on leash, where allowed, in all NPS sites.

➲ **What will happen if a new pet management regulation for GGNRA is not developed?**

Pets will continue to be required to be on leash in GGNRA areas where they are permitted, pursuant to Title 36 of the Code of Federal Regulations.

➲ **How does this proposal fit in with other Bay Area land management agencies's approach to off-leash use?**

Other park and open space agencies in the San Francisco Bay Area have instituted their own leash regulations. Although many of those agencies are re-evaluating pet management, the ANPR process is applicable only to GGNRA.

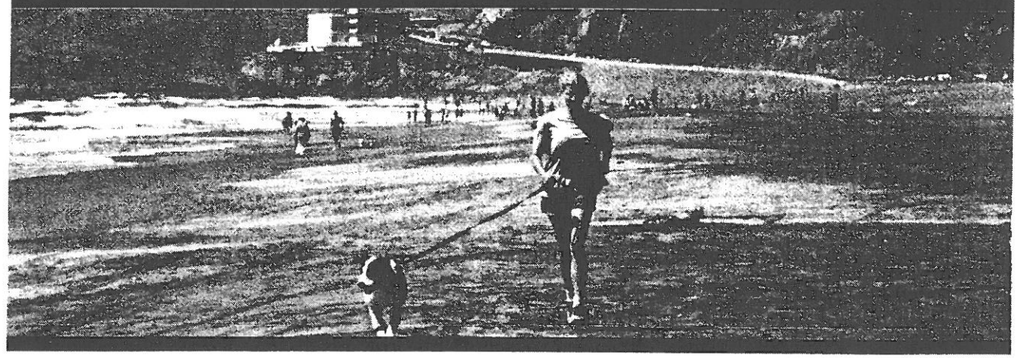
➲ **What is the fine for having pets off-leash in GGNRA?**

The current citation for pets off-leash is $50.00

➲ **Who do I call if I have questions about the ANPR?**
You can call Christine Powell, GGNRA Public Affairs Specialist, at 415-561-4728

Enjoying the Park with Your Dog

Golden Gate National Recreation Area
National Park Service



Dogs Are Welcome in the Golden Gate National Recreation Area

Golden Gate National Recreation Area offers many scenic spots and open spaces for you and your dog to enjoy together. Whether you share a run along the beach or a quiet walk on a trail, always be aware of your surroundings and considerate of others. It takes a cooperative effort to make the park safe and enjoyable for everyone.

Why Your Dog Should Be on a Leash

Mission of the National Park Service

Golden Gate is one of over 380 units of the National Park System. The National Park Service mission is to assure the protection of natural and cultural resources, and provide for the enjoyment of those resources in such a way that leaves them unimpaired for future generations. With 34 threatened or endangered species, and hundreds of historic resources, Golden Gate faces serious challenges. To meet these challenges, we ask all visitors to minimize their impacts on park resources and on other visitors. When dog owners cooperate with the rules, the impact of their dogs is greatly reduced.

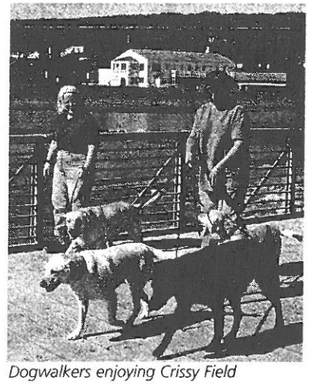
Great Meadow, Fort Mason

For the Protection of Park Wildlife and Plants

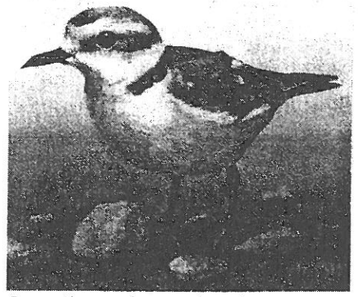
Many dogs chase and threaten wildlife. Your dog may scare birds or other wildlife away from nesting, feeding, and resting sites. The scent left behind by your dog can signal the presence of a predator to park wildlife, disrupting or altering their behavior. Digging may destroy an animal's home. Uncontrolled dogs can damage important native plants.

For the Safety of Other Visitors

Many people, especially children, are afraid of dogs, even friendly ones. Some fear being knocked over or bitten. Holes left behind by dogs can result in injury to park visitors.



Dogwalkers enjoying Crissy Field



Snowy Plover, a threatened species.

For the Safety of Your Dog

Unfamiliar sights, sounds, and smells can disturb even the calmest and friendliest dog. Your dog may be lost, injured, or suffer a painful or even fatal fall. Wildlife may bite or transmit disease to your dog. Your dog can be exposed to foxtails, poison oak, or other plants that have thorns or burrs. On a leash and on a trail, your dog will be less likely to encounter these dangers.

It's the Law

Where dogs are permitted, federal law requires dogs to be on a leash, not to exceed six feet in length, in all units of the National Park System. You may be cited and fined for violation of leash, wildlife and litter laws.
[36 CFR Part 2]

Title 36--Parks, Forests, and Public Property

(This index contains parts 1 to 199)

CHAPTER I--NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Part	
1	General provisions
2	Resource protection, public use and recreation
3	Boating and water use activities
4	Vehicles and traffic safety
5	Commercial and private operations
6	Solid waste disposal sites in units of the National Park System
7	Special regulations, areas of the National Park System
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9	Minerals management
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11	Arrowhead and Parkscape Symbols
12	National cemetery regulations
13	National Park System units in Alaska
14	Rights-of-way
17	Conveyance of freehold and leasehold interests on lands of the National Park System
18	Leases and exchanges of historic property
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[Code of Federal Regulations]
[Title 36, Volume 1]
[Revised as of July 1, 2001]
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TITLE 36--PARKS, FORESTS, AND PUBLIC PROPERTY

CHAPTER I--NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

PART 2--RESOURCE PROTECTION, PUBLIC USE AND RECREATION--Table of Contents

Sec. 2.15 Pets.

(a) The following are prohibited:
(1) Possessing a pet in a public building, public transportation vehicle, or location designated as a swimming beach, or any structure or area closed to the possession of pets by the superintendent. This subparagraph shall not

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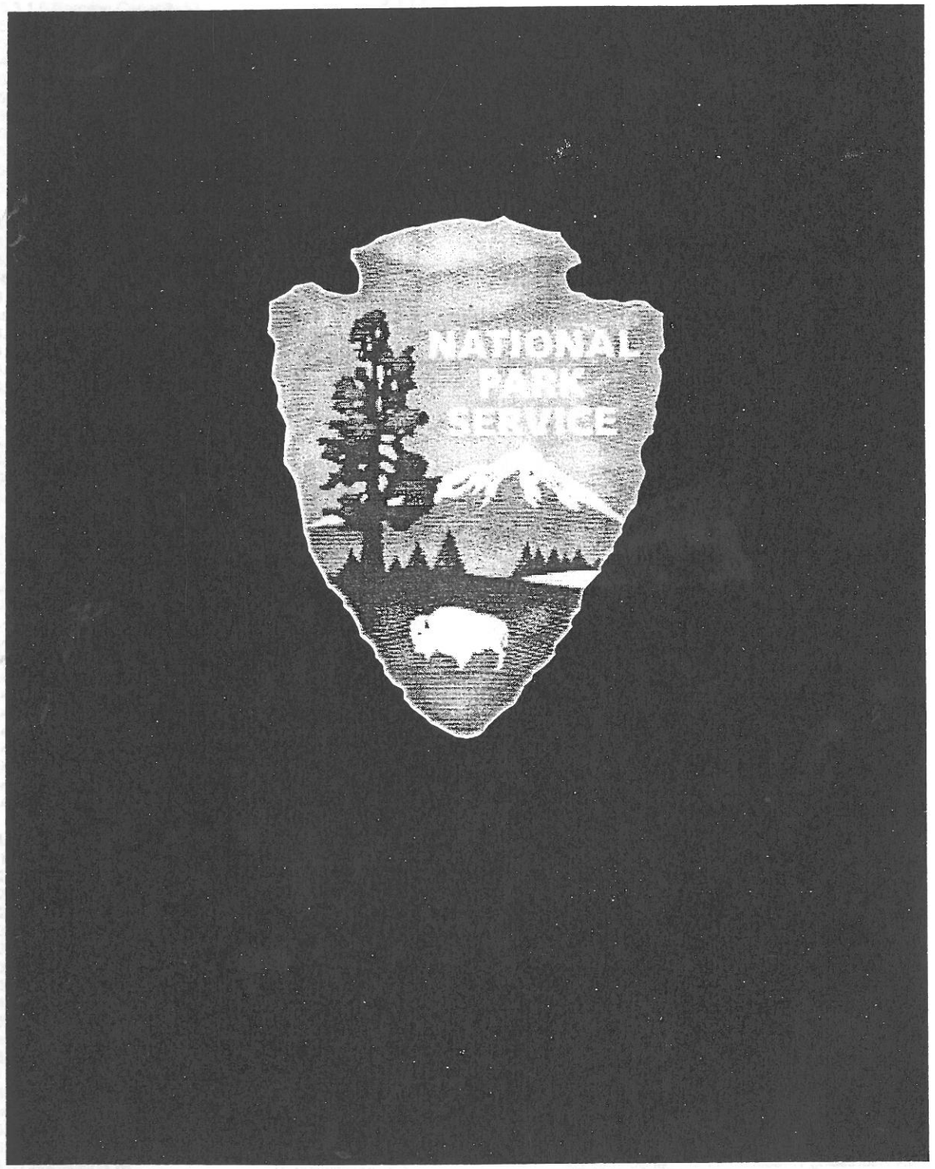
apply to guide dogs accompanying visually impaired persons or hearing ear dogs accompanying hearing-impaired persons.
(2) Failing to crate, cage, restrain on a leash which shall not exceed six feet in length, or otherwise physically confine a pet at all times.
(3) Leaving a pet unattended and tied to an object, except in designated areas or under conditions which may be established by the superintendent.
(4) Allowing a pet to make noise that is unreasonable considering location, time of day or night, impact on park users, and other relevant factors, or that frightens wildlife by barking, howling, or making other noise.
(5) Failing to comply with pet excrement disposal conditions which may be established by the superintendent.
(b) In park areas where hunting is allowed, dogs may be used in support of these activities in accordance with applicable Federal and State laws and in accordance with conditions which may be established by the superintendent.
(c) Pets or feral animals that are running-at-large and observed by an authorized person in the act of killing, injuring or molesting humans, livestock, or wildlife may be destroyed if necessary for public safety or protection of wildlife, livestock, or other park resources.
(d) Pets running-at-large may be impounded, and the owner may be charged reasonable fees for kennel or boarding costs, feed, veterinarian fees, transportation costs, and disposal. An impounded pet may be put up for adoption or otherwise disposed of after being held for 72 hours from the time the owner was notified of capture or 72 hours from the time of capture if the owner is unknown.
(e) Pets may be kept by residents of park areas consistent with the provisions of this section and in accordance with conditions which may be established by the superintendent. Violation of these conditions is prohibited.
(f) This section does not apply to dogs used by authorized Federal, State and local law enforcement officers in the performance of their official duties.

Management Policies 2001



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Management Policies

U.S. Department of the Interior National Park Service

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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 Service[1] Organic Act and other pertinent statutes, all NPS officials and employees must be knowledgeable about the laws, regulations, and policies that pertain to their work. The property clause of the U.S. Constitution, which is the supreme law of the United States, gives Congress the authority to develop laws governing the management of the national park system. The property clause specifically directs that "The Congress will have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States" (article IV, section 3). Once laws are enacted, authority for interpreting and implementing them is delegated to appropriate levels of government. In carrying out this function, the Park Service, like other federal agencies, develops policy to interpret the ambiguities of the law and to fill in the details left unaddressed by Congress in 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, 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.

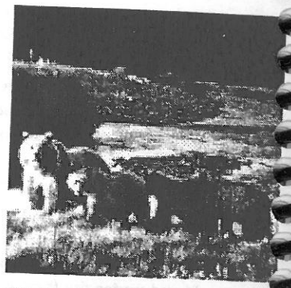
National Park Service Program Policies

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.

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

1
The Foundation

Beginning with Yellowstone, the idea of a national park was an American invention of historic consequences. The areas that now comprise the national park system, and those that will be added in years to come, are cumulative expressions of a single national heritage. The National Park Service must manage park resources and values in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.



Grizzly bears thrive in Yellowstone National Park, which was set aside in 1872 "for the benefit and enjoyment of all the people."

1.1 The National Park Idea

The world's first national park—Yellowstone—was created in 1872, at which time Congress set aside more than one million acres as "a public park or pleasuring ground for the benefit and enjoyment of the people." The legislation assigned control of the new park to the Secretary of the Interior, who would be responsible for issuing regulations to provide for the "preservation, from injury or spoliation, of all timber, mineral deposits, natural curiosities, or wonders, within the park, and their retention in their natural condition." Other park management functions were to include the development of visitor accommodations, the construction of roads and bridle trails, the removal of trespassers, and protection "against the wanton destruction of the fish and game found within the park" (16 USC 21-22).

This idea of a national park was an American invention of historic consequences, marking the beginning of a world-wide movement that has subsequently spread to more than 100 countries and 1,200 national parks and conservation preserves. However, when Yellowstone National Park was created, no concept or plan existed upon which to build a system of such parks. The concept now described as the national park system, which embraces, nationwide, a wide variety of natural and cultural resources, evolved slowly over the years—often through the consolidation of federal land management responsibilities.

As interest grew in preserving the great scenic wonders of the West, efforts were also under way to protect the sites and structures associated with early Native American culture, particularly in the Southwest. The Antiquities Act of 1906 authorized the President "to declare by public proclamation [as national monuments] historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest" (16 USC 431).

In 1916, Congress created the National Park Service in the Department of the Interior to "promote and regulate the use of the federal areas known as national parks, monuments, and reservations" (16 USC 1). (The terms "National Park Service," "Park Service," "Service," and "NPS" are used interchangeably in this document.)

1.2 The National Park System

The number and diversity of parks within the national park system grew as a result of a government reorganization in 1933, another following World War II, and yet another during the 1960s. Today there are more than 375 units in the national park system. These units are variously designated as national parks, monuments, preserves, lakeshores, seashores, wild and scenic rivers, trails, historic sites, military parks, battlefields, historical parks, recreation areas, memorials, and parkways. Regardless of the many names and official designations of the park lands that make up the national park system, all represent some nationally significant aspect of our natural or cultural heritage. As the physical remnants of our past, and great scenic and natural places that continue to evolve—repositories of outstanding recreation opportunities—class rooms of our heritage—and the legacy we leave to future generations—they warrant the highest standard of protection.

1.3 Criteria for Inclusion

Congress has declared in the NPS General Authorities Act of 1970 that areas comprising the national park system are cumulative expressions of a single national heritage. Potential additions to the national park system should therefore contribute in their own special way to a system that fully represents the broad spectrum of natural and cultural resources that characterize our nation. The National Park Service is responsible for conducting professional studies of potential additions to the national park system when specifically authorized by an Act of Congress, and for making recommendations to the Secretary of the Interior, the President, and Congress. Several laws outline criteria for units of the national park system, and for additions to the national wild and scenic rivers system and the national trails system. To receive a favorable recommendation from the Service, a proposed addition to the national park system must (1) possess nationally significant natural or cultural resources; (2) be a suitable addition to the system; (3) be a feasible addition to the system; and (4) require direct NPS management, instead of alternative protection by other public agencies or the private sector. These criteria are designed to ensure that the national park system includes only the most outstanding examples of the nation's natural and cultural resources. They also recognize that there are other management alternatives for preserving the nation's outstanding resources.

1.3.1 National Significance

NPS professionals, in consultation with subject matter experts, scholars, and scientists, will determine whether a resource is nationally significant. An area will be considered nationally significant if it

- is an outstanding example of a particular type of resource;
- possesses exceptional value or quality in illustrating or interpreting the natural or cultural themes of our nation's heritage;
- offers superlative opportunities for public enjoyment, or for scientific study; and
- retains a high degree of integrity as a true, accurate, and relatively unspoiled example of a resource.

National significance for cultural resources will be evaluated by applying the National Historic Landmarks process contained in 36 CFR Part 65.

1.3.2 Suitability

An area is considered suitable for addition to the national park system if it represents a natural or cultural resource type that is not already adequately represented in the national park system, or is not comparably represented and protected for public enjoyment by other federal agencies; tribal, state, or local governments; or the private sector.

Adequacy of representation is determined on a case-by-case basis by comparing the potential addition to other comparably managed areas representing the same resource type, while considering differences or similarities in the character, quality, quantity, or combination of resource values. The comparative analysis also addresses rarity of the resources; interpretive and educational potential; and similar resources already protected in the national park system or in other public or private own-

ership. The comparison results in a determination of whether the proposed new area would expand, enhance, or duplicate resource-protection or visitor-use opportunities found in other comparably managed areas.

1.3.3 Feasibility

To be feasible as a new unit of the national park system, an area must (1) be of sufficient size and appropriate configuration to ensure sustainable resource protection and visitor enjoyment (taking into account current and potential impacts from sources beyond proposed park boundaries); and (2) be capable of efficient administration by the NPS at a reasonable cost.

In evaluating feasibility, the Service considers a variety of factors, such as: size; boundary configurations; current and potential uses of the study area and surrounding lands; land ownership patterns; public enjoyment potential; costs associated with acquisition, development, restoration, and operation; access; current and potential threats to the resources; existing degradation of resources; staffing requirements; local planning and zoning for the study area; the level of local and general public support; and the economic/socioeconomic impacts of designation as a unit of the national park system.

The feasibility evaluation also considers the ability of the National Park Service to undertake new management responsibilities in light of current and projected constraints on funding and personnel.

An overall evaluation of feasibility will be made after taking into account all of the above factors. However, evaluations may sometimes identify concerns or conditions, rather than simply reach a "yes" or "no" conclusion. For example, some new areas may be feasible additions to the national park system only if landowners are willing to sell; or the boundary encompasses specific areas necessary for visitor access; or state or local governments will provide appropriate assurances that adjacent land uses will remain compatible with the study area's resources and values.

1.3.4 Direct NPS Management

There are many excellent examples of the successful management of important natural and cultural resources by other public agencies, private conservation organizations, and individuals. The National Park Service applauds these accomplishments, and actively encourages the expansion of conservation activities by state, local, and private entities, and by other federal agencies. Unless direct National Park Service management of a studied area is identified as the clearly superior alternative, the Service will recommend that one or more of these other entities assume a lead management role, and that the area not receive national park system status.

Studies will evaluate an appropriate range of management alternatives and will identify which alternative or combination of alternatives would, in the professional judgment of the Director, be most effective and efficient in protecting significant resources and providing opportunities for appropriate public enjoyment. Alternatives for NPS management will not be developed for study areas that fail to meet any one of the four criteria for inclusion listed in section 1.3.1.

In cases where a study area's resources meet criteria for national significance but do not meet other criteria for inclusion in the national park system, the Service may instead recommend an alternative status, such as "affiliated" area. To be eligible for "affiliated area" status, the area's resources must: (1) meet the same section 1.3.1 standards for national significance that apply to units of the national park system; (2) require some special recognition or technical assistance beyond what is available through existing NPS programs; (3) be managed in accordance with the policies and standards that apply to units of the national park system; and (4) be assured of sustained resource protection, as documented in a formal agreement between the NPS and the non-federal management entity. Designation as a "heritage area" is another option that may be recommended. Heritage areas are distinctive landscapes that do not necessarily meet the same standards of national significance as national park areas. Either of these two alternatives would recognize an area's importance to the nation without requiring or implying management by the National Park Service.

1.4 Park Management

1.4.1 The Laws Generally Governing Park Management

The most important statutory directive for the National Park Service is provided by interrelated provisions of the NPS Organic Act of 1916, and the NPS General Authorities Act of 1970, including amendments to the latter law enacted in 1978.

The key management-related provision of the Organic Act is:

> [The National Park Service] shall promote and regulate the use of the Federal areas known as national parks, monuments, and reservations hereinafter specified... by such means and measures as conform to the fundamental purpose of the said parks, monuments, and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations. (16 USC 1)

Congress supplemented and clarified these provisions through enactment of the General Authorities Act in 1970, and again through enactment of a 1978 amendment to that law (the "Redwood amendment," contained in a bill expanding Redwood National Park, which added the last two sentences in the following provision). The key part of that act, as amended, is:

> Congress declares that the national park system, which began with establishment of Yellowstone National Park in 1872, has since grown to include superlative natural, historic, and recreation areas in every major region of the United States, its territories and island possessions; that these areas, though distinct in character, are united through their inter-related purposes and resources into one national park system as cumulative expressions of a single national heritage; that, individually and collectively, these areas derive increased national dignity and recognition of their superlative environ mental quality through their inclusion jointly with each other in one national park system preserved and managed for the benefit and inspiration of all the people of the United States; and that it is the purpose of this Act to include all such areas in the System and to clarify the authorities applicable to the system. Congress further reaffirms, declares, and directs that the promotion and regulation of the various areas of the National Park System, as defined in section 1c of this title, shall be consistent with and founded in the purpose established by section 1 of this title [the Organic Act provision quoted above], to the common benefit of all the people of the United States. The authorization of activities shall be construed and the protection, management, and administration of these areas shall be conducted in light of the high public value and integrity of the National Park System and shall not be exercised in derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress. (16 USC 1a-1)

This section 1.4 of Management Policies represents the agency's interpretation of these key statutory provisions.

1.4.2 "Impairment" and "Derogation": One Standard

Congress intended the language of the Redwood amendment to the General Authorities Act to reiterate the provisions of the Organic Act, not create a substantively different management standard. The House committee report described the Redwood amendment as a "declaration by Congress" that the promotion and regulation of the national park system is to be consistent with the Organic Act. The Senate committee report stated that under the Redwood amendment, "The Secretary has an absolute duty, which is not to be compromised, to fulfill the mandate of the 1916 Act to take whatever actions and seek whatever relief as will safeguard the units of the national park system." So, although the Organic Act and the General Authorities Act, as amended by the Redwood amendment, use different wording ("unimpaired" and "derogation") to describe what the National Park Service must avoid, they define a single standard for the management of the national park system—not two different standards. For simplicity, Management Policies uses "impairment," not both statutory phrases, to refer to that single standard.

1.4.3 The NPS Obligation to Conserve and Provide for Enjoyment of Park Resources and Values

The "fundamental purpose" of the national park system, established by the Organic Act and reaffirmed by the General Authorities Act, as amended, begins with a mandate to conserve park resources and values. This mandate is independent of the separate prohibition on impairment, and so applies all the time, with respect to all park resources and values, even when there is no risk that any park resources or values may be impaired. NPS managers must always seek ways to avoid, or to minimize to the greatest degree practicable, adverse impacts on park resources and values. However, the laws do give the Service the management discretion to allow impacts to park resources and values when necessary and appropriate to fulfill the purposes of a park, so long as the impact does not constitute impairment of the affected resources and values.

The fundamental purpose of all parks also includes providing for the enjoyment of park resources and values by the people of the United States. The "enjoyment" that is contemplated by the statute is broad; it is the enjoyment of all the people of the United States, not just those who visit parks, and so includes enjoyment both by people who directly experience parks and by those who appreciate them from afar. It also includes deriving benefit (including scientific knowledge) and inspiration from parks, as well as other forms of enjoyment. Congress, recognizing that the enjoyment by future generations of the national parks can be ensured only if the superb quality of park resources and values is left unimpaired, has provided that when there is a conflict between conserving resources and values and providing for enjoyment of them, conservation is to be predominant. This is how courts have consistently interpreted the Organic Act, in decisions that variously describe it as making "resource protection the primary goal" or "resource protection the overarching concern," or as establishing a "primary mission of resource conservation," a "conservation mandate," "an overriding preservation mandate," "an overarching goal of resource protection," or "but a single purpose, namely, conservation."

1.4.4 The Prohibition on Impairment of Park Resources and Values

While Congress has given the Service the management discretion to allow certain impacts within parks, that discretion is limited by the statutory requirement (enforceable by the federal courts) that the Park Service must leave park resources and values unimpaired, unless a particular law directly and specifically provides otherwise. This, the cornerstone of the Organic Act, establishes the primary responsibility of the National Park Service. It ensures that park resources and values will continue to exist in a condition that will allow the American people to have present and future opportunities for enjoyment of them.

The impairment of park resources and values may not be allowed by the Service unless directly and specifically provided for by legislation or by the proclamation establishing the park. The relevant legislation or proclamation must provide explicitly (not by implication or inference) for the activity, in terms that keep the Service from having the authority to manage the activity so as to avoid the impairment.

1.4.5 What Constitutes Impairment of Park Resources and Values

The impairment that is prohibited by the Organic Act and the General Authorities Act is an impact that, in the professional judgment of the responsible NPS manager, would harm the integrity of park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources or values. Whether an impact meets this definition depends on the particular resources and values that would be affected; the severity, duration, and timing of the impact; the direct and indirect effects of the impact; and the cumulative effects of the impact in question and other impacts.

An impact to any park resource or value may constitute an impairment. An impact would be more likely to constitute an impairment to the extent that it affects a resource or value whose conservation is:

- Necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park;
- Key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park; or
- Identified as a goal in the park's general management plan or other relevant NPS planning documents.

An impact would be less likely to constitute an impairment to the extent that it is an unavoidable result, which cannot reasonably be further mitigated, of an action necessary to preserve or restore the integrity of park resources or values.

Impairment may occur from visitor activities; NPS activities in the course of managing a park; or activities undertaken by concessioners, contractors, and others operating in the park.

1.4.6 What Constitutes Park Resources and Values

The "park resources and values" that are subject to the no-impairment standard include:

- The park's scenery, natural and historic objects, and wildlife, and the processes and conditions that sustain them, including, to the extent present in the park: the ecological, biological, and physical processes that created the park and continue to act upon it; scenic features; natural visibility, both in daytime and at night; natural landscapes; natural soundscapes and smells; water and air resources; soils; geological resources; paleontological resources; archeological resources; cultural landscapes; ethnographic resources; historic and prehistoric sites, structures, and objects; museum collections; and native plants and animals;
- Opportunities to experience enjoyment of the above resources, to the extent that can be done without impairing any of them;
- The park's role in contributing to the national dignity, the high public value and integrity, and the superlative environmental quality of the national park system, and the benefit and inspiration provided to the American people by the national park system; and
- Any additional attributes encompassed by the specific values and purposes for which it was established.

1.4.7 Decision-making Requirements to Avoid Impairments

Before approving a proposed action that could lead to an impairment of park resources and values, an NPS decision-maker must consider the impacts of the proposed action and determine, in writing, that the activity will not lead to an impairment of park resources and values. If there would be an impairment, the action may not be approved.

In making a determination of whether there would be an impairment, a National Park Service decision- maker must use his or her professional judgment. The decision-maker must consider any environmental assessments or environmental impact statements required by the National Environmental Policy Act of 1969 (NEPA); relevant scientific studies, and other sources of information; and public comments.

When an NPS decision-maker becomes aware that an ongoing activity might have led or might be leading to an impairment of park resources or values, he or she must investigate and determine if there is, or will be, an impairment. Whenever practicable, such an investigation and determination will be made as part of an appropriate park planning process undertaken for other purposes. If it determined that there is, or will be, such an impairment, the Director must take appropriate action, to the extent possible within the Service's authorities and available resources, to eliminate the impairment. The action must eliminate the impairment as soon as reasonably possible, taking into consideration the nature, duration, magnitude, and other characteristics of the impacts to park resources and values, as well as the requirements of NEPA, the Administrative Procedure Act, and other applicable law.

(See Levels of Park Planning 2.3;Evaluating Environmental Impacts 4.1.3; Planning 5.2; General 8.1; Visitor Use 8.2; General 9.1. Also see Director's Order #12: Conservation Planning and Environmental Impact Analysis)

1.5 External Threats and Opportunities

Strategies and actions beyond park boundaries have become increasingly necessary as the National Park Service strives to fulfill its mandate to preserve the natural and cultural resources of parks unimpaired for future generations. Ecological processes cross park boundaries, and park boundaries may not incorporate all of the natural resources, cultural sites, and scenic vistas that relate to park resources or the quality of the visitor experience. Therefore, activities proposed for adjacent lands may significantly affect park programs, resources, and values. Conversely, Park Service activities may have impacts outside park boundaries. Recognizing that parks are integral parts of larger regional environments, the Service will work cooperatively with others to anticipate, avoid, and resolve potential conflicts; protect park resources and values; provide for visitor enjoyment; and address mutual interests in the quality of life of community residents, including matters such as compatible economic development and resource and environmental protection. Such local and regional cooperation may involve other federal agencies; tribal, state, and local governments; neighboring landowners; non-governmental organizations; and all other concerned parties.

The Service will use all available authorities to protect park resources and values from potentially harmful activities. Superintendents will monitor land use proposals and changes to adjacent lands, and their potential impacts on park resources and values. It is appropriate for superintendents to engage constructively with the broader community in the same way that any good neighbor would. Superintendents will encourage compatible adjacent land uses, and seek to mitigate potential adverse effects on park resources and values by actively participating in the planning and regulatory processes of other federal agencies, and tribal, state, and local governments, having jurisdiction over property affecting, or affected by, the park. When engaged in these activities, superintendents should promote better understanding and communication by documenting the park's concerns and sharing them with all who are interested, and by listening to the concerns of those who are affected by the park's actions.

(See Cooperative Planning 2.3.1.9; Addressing Threats from External Sources 3.4; Air Quality 4.7.1; Soundscape Management 4.9)

1.6 Environmental Leadership

Given the scope of its responsibility for the resources and values entrusted to its care, the Service has an obligation, as well as a unique opportunity, to demonstrate leadership in environmental stewardship. The NPS must lead by example not only for visitors, other governmental agencies, the private sector, and the public at large, but also for a world-wide audience. Touching so many lives, the Service's management of the parks must awaken the potential of each individual to play a proactive role in protecting the environment.

Environmental leadership will be demonstrated in all aspects of NPS activities, including policy development; park planning; all aspects of park operations; land protection; natural and cultural resource management; wilderness management; interpretation and education; facilities design, construction, and management; and commercial visitor services. In demonstrating environmental leadership, the Service will fully comply with the letter and the spirit of NEPA, and continually assess the impact its operations have on natural and cultural resources so that it may identify areas for improvement. The Service will institutionalize an assessment process, through a Service-wide environmental auditing program, that will evaluate a broad array of NPS activities for meeting the highest standards of environmental protection and compliance. The program will also screen for opportunities to implement sustainable practices, and tangibly demonstrate the highest levels of environmental ethic.

(See Facility Planning and Design 9.1.1)

1.7 Managing Information

The future of the Service as an accountable organization, and the future of individual parks, depends heavily on (1) the availability, management, and dissemination of comprehensive information, and (2) the Service's success in long-term preservation and management of, and access to that information. NPS information resources exist in a variety of different media, including paper records, electronic documents, maps, databases, photography, video, and audio. The NPS will implement professional-quality programs to preserve, manage, and integrate these resources, and to make them accessible. The Service will also use tools and technologies that will enhance:

- Information capture in permanent and durable forms.
- Information management that is required by NPS policy and by legal and professional standards.
- Management of electronic, textual, and audiovisual information resources, including still images, for continuous accessibility by NPS staff and the public.
- Internet and World Wide Web capabilities.
- Geographic information systems (GIS).
- The understanding and management of the nation's natural and cultural resources.

1.7.1 Information Sharing

The Service is committed to the widest possible sharing and availability of knowledge, and to fostering discussion about the national park system, America's natural and cultural heritage found in national parks, and the national experiences and values they represent. Most information shared with the public is presumed to be in the "public domain," and therefore available to anyone who is interested. The only exceptions to information sharing are where disclosure could jeopardize specific park resources or donor agreements, or violate legal or confidentiality requirements.

1.7.2 Proprietary Information

When producing or acquiring new works (such as images, graphic designs, logos, writing, or Web sites) through acquisition by donation, contracting, partnerships, or other means, the NPS will acquire the appropriate copyrights and any necessary releases, such as model or interview releases, whenever there is a current or anticipated need for unrestricted access to those works. The Service will respect the rights of owners of copyrights to control how their works are used, and will comply with "fair use" standards when information or works are not licensed for dissemination.

(Also see Director's Order #67: Copyrights and Trademarks)

1.7.3 Information Confidentiality

While it is the general policy of the NPS to share information widely, the Service also realizes that providing information about the location of park resources may sometimes place those resources at risk of harm, theft, or destruction. This can occur, for example, with regard to caves, archeological sites, and rare plant and animal species. Some types of personnel and law enforcement matters are other examples of information that may be inappropriate for release to the public. Therefore, information will be withheld when the Service foresees that disclosure would be harmful to an interest protected by an exemption under the Freedom of Information Act (FOIA).

Information will also be withheld when the NPS has entered into a written agreement (e.g., deed of gift, interview release, or similar written contract) to withhold data for a fixed period of time at the time of acquisition of the information. Such information will not be provided unless required by FOIA or other applicable law, a subpoena, a court order, or a federal audit.

NPS managers will use these exemptions sparingly, and only to the extent allowed by law. In general, if information is withheld from one requesting party, it must be withheld from anyone else who requests it, and if information is provided to one requesting party, it must be provided to anyone else who requests it. Procedures contained in Director's Order #66: FOIA and Protected Resource Information, will be followed to document any decisions to release information or to withhold information from the public.

(See Natural Resources Information 4.1.3; Studies and Collections 4.2; Caves 4.8.2.2; Research 5.1; Confidentiality 5.2.3; Interpretation and Education Services Beyond Park Boundaries 7.5.2. Also see Director's Orders #5: Paper and Electronic Communications, #19: Records Management, #84: NPS Library Programs, and #70: Internet and Intranet Publishing. Also see Reference Manual 53, Chapter 5)

1.8 Accountability

1.8.1 Management Accountability

Management accountability is the expectation that managers are responsible for the quality and timeliness of program performance, increasing productivity, controlling costs, and mitigating the adverse aspects of agency operations, and for assuring that programs are managed with integrity and in compliance with applicable law.

The National Park Service will comply with OMB Circular A-123 and the Federal Managers' Financial Integrity Act of 1982 (31 USC 3512(d)), which require that all federal agencies and individual managers take systematic and proactive measures to (1) develop and implement appropriate, cost-effective management controls for results-oriented management; (2) assess the adequacy of management controls in federal programs and operations; (3) identify needed improvements; (4) take corresponding corrective action; and (5) report annually on management controls.

The concept of management accountability will be applied to all strategies, plans, guidance, and procedures that govern programs and operations throughout the Service, including those at the park level, the program center level, and the Service-wide level. The Service will, through its organization, policies, and procedures, implement systems of controls to reasonably ensure that:

- Programs achieve their intended results;
- Resources are used consistent with the NPS mission;
- Programs and resources are protected from fraud, waste, abuse, and mismanagement;
- Laws and regulations are followed; and
- Reliable and timely information is obtained, maintained, reported, and used for decision-making.

1.8.2 Government Performance and Results Act

As the business system for the National Park Service, performance management will be used to set goals and track accomplishments. Service-wide strategic plans, annual performance plans, and annual performance reports will be prepared, distributed, used, and analyzed for management accountability. These requirements are based on the Government Performance and Results Act of 1993 (GPRA). In accordance with GPRA:

- Strategic plans will be developed and updated at all organizational levels Service-wide. These plans will drive budgeting and resource allocation decisions, and represent the Service's performance agreement with the American people.
- The superintendent of each park will prepare and make available to the public a 5-year strategic plan, an annual performance plan, and an annual performance report. The strategic plan and annual performance plan will reflect NPS policies and goals stated in the Service-wide Strategic Plan. The park annual performance report will show accomplishments or results toward stated goals to evaluate organizational and individual performance. NPS GPRA goals must be consistent with these Management Policies.
- Park superintendents and other Park Service managers will implement a performance management system that focuses on achieving, through daily operations, the desired conditions or results identified in the plans.

(See Park Annual Performance Planning and Annual Performance Reporting 2.3.4)

1.9 Partnerships

The Service has had many successful relationships with individuals; organizations; tribal, state, and local governments; and other federal agencies that have helped fulfill the NPS mission. Through these relationships, the Service has received valuable assistance in the form of educational programs, living history demonstrations, search and rescue operations, fundraising campaigns, habitat restoration, ecosystem management, and a host of other activities. These relationships—generally referred to as "partnerships"—have produced countless benefits for the Service and for the national park system.[1] Benefits often extend into the future, because many people who participate as partners connect more strongly with the parks and commit themselves to long-term stewardship. The Service will continue to welcome and actively seek partnership activities with individuals, organizations, and others who share the Service's commitment to protecting park resources and values. The Service will embrace any partnership opportunity that will help accomplish the NPS mission, provided that personnel and funding requirements do not make it impractical for the Service to participate, and provided that the partnership activity would not (1) violate legal or ethical standards; (2) otherwise reflect adversely on the NPS mission and image; or (3) imply an unwillingness by the Service to perform an inherently governmental function.

In the spirit of partnership, the Service will also seek opportunities for cooperative management agreements with state or local agencies that will allow for more effective and efficient management of the parks, as authorized by section 802 of the National Parks Omnibus Management Act of 1998 (16 USC 1a-2(l)).

Park superintendents may encounter partnership proposals from groups or organizations who wish to offer advice on park management issues. While the NPS encourages consultation and other forms of public involvement, the Federal Advisory Committee Act (FACA) allows NPS staff to meet or consult with individuals and groups only for the purpose of exchanging views and information, and to solicit individual advice on proposed NPS actions. If consensus advice is sought, an advisory committee must first be chartered pursuant to FACA.

(See Public Involvement 2.3.1.6; Partnerships 4.1.4; Studies and Collections 4.2; Independent Research 5.1.2; Agreements 5.2.2; Interpretive and Educational Partnerships 7.6; Volunteers in Parks 7.6.1; Cooperating Associations 7.6.2; Enforcement Authority 8.3.4; Commercial Visitor Services Chapter 10; also see Director's Orders #7: Volunteers in Parks; #20: Agreements, #21: Donations and Fundraising; #27: Challenge Cost-Share Program; #32: Cooperating Associations; NPS Guide to the Federal Advisory Committee Act)

1.10 An Enduring Message

The need for management policies in the National Park Service was first articulated by Secretary of the Interior Franklin K. Lane in a letter to the first Director of the National Park Service, Stephen T. Mather, on May 13, 1918. Secretary Lane stated that administrative policy should adhere to three broad principles based on the 1916 Organic Act:

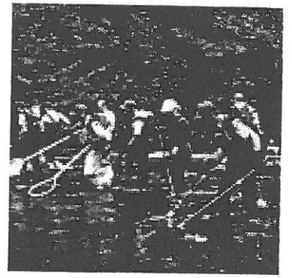
> First, that the national parks must be maintained in absolutely unimpaired form for the use of future generations as well as those of our own time; second, that they are set apart for the use, observation, health, and pleasure of the people; and third, that the national interest must dictate all decisions affecting public or private enterprise in the parks.

Today's national parks have become important to our nation in more ways than Secretary Lane could possibly have imagined. However, his guiding principles remain fundamentally valid, and serve as a useful reminder of the need for a sustained commitment to park resource protection. The Service's commitment to protecting the national parks is embodied in this 2001 edition of Management Policies.

1 This Part 1 of Management Policies focuses only on management of the national park system. Other guidance documents will address the many NPS partnership activities that extend the benefits of natural and cultural resource conservation and outdoor recreation throughout this country and the world.

4 Natural Resource Management

The National Park Service will preserve the natural resources, processes, systems, and values of units of the national park system in an unimpaired condition, to perpetuate their inherent integrity and to provide present and future generations with the opportunity to enjoy them.



Natural resource studies contribute to a better understanding of park resources, and help managers make better decisions.

The National Park Service will strive to understand, maintain, restore, and protect the inherent integrity of the natural resources, processes, systems, and values of the parks. The Service recognizes that natural processes and species are evolving, and will allow this evolution to continue, minimally influenced by human actions. The natural resources, processes, systems, and values that the Service preserves are described generally in the 1916 NPS Organic Act and in the enabling legislation or Presidential proclamation establishing each park. They are described in greater detail in management plans specific to each park. Natural resources, processes, systems, and values found in parks include:

- Physical resources such as water, air, soils, topographic features, geologic features, paleontological resources, natural soundscapes, and clear skies;
- Physical processes such as weather, erosion, cave formation, and wildland fire;
- Biological resources such as native plants, animals, and communities;
- Biological processes such as photosynthesis, succession, and evolution;
- Ecosystems; and
- Highly valued associated characteristics such as scenic views.

In this chapter, natural resources, processes, systems, and values are all included in the term "natural resources." The term "natural condition" is used here to describe the condition of resources that would occur in the absence of human dominance over the landscape.

The Service manages the natural resources of parks to maintain them in an unimpaired condition for future generations in accordance with NPS-specific statutes, including the NPS Organic Act and the National Parks Omnibus Management Act of 1998; general environmental laws such as the Clean Air Act, the Clean Water Act, the Endangered Species Act of 1973, NEPA, and the Wilderness Act; Executive orders; and applicable regulations.

Activities that take place outside park boundaries and that are not managed by the Service sometimes have profound effects on the Service's ability to protect natural resources inside parks. The Service must act to protect natural resources from impacts caused by external activities by working cooperatively with federal, state, and local agencies; Native American authorities; user groups; adjacent landowners; and others to identify and achieve broad natural resource goals. By working cooperatively through both formal and informal lines of communication and consultation, the Service will better achieve park management objectives and the protection of park natural resources.

(See Park Management 1.4; External Threats and Opportunities 1.5; Partnerships 4.1.4)

4.1 General Management Concepts

As explained in chapter 1 of these Management Policies, preserving park resources and values unimpaired is the core, or primary, responsibility of NPS managers. The Service cannot conduct or allow activities in parks that would impact park resources and values to a level that would constitute impairment. To comply with this mandate, park managers must determine in writing whether proposed activities in parks would impair natural resources. Park managers must also take action to ensure that ongoing NPS activities do not cause the impairment of park natural resources. In cases of doubt as to the impacts of activities on park natural resources, the Service will decide in favor of protecting the natural resources.

Natural resources will be managed to preserve fundamental physical and biological processes, as well as individual species, features, and plant and animal communities. The Service will not attempt to solely preserve individual species (except threatened or endangered species) or individual natural processes; rather, it will try to maintain all the components and processes of naturally evolving park ecosystems, including the natural abundance, diversity, and genetic and ecological integrity of the plant and animal species native to those ecosystems. Just as all components of a natural system will be recognized as important, natural change will also be recognized as an integral part of the functioning of natural systems. By preserving these natural components and processes in their natural condition, the Service will prevent resource degradation, and therefore avoid any subsequent need for resource restoration. In managing parks to preserve naturally evolving ecosystems, and in accordance with requirements of the National Parks Omnibus Management Act of 1998, the Service will utilize the findings of science and the analyses of scientifically trained resource specialists in decision-making.

The Service will not intervene in natural biological or physical processes, except:

- When directed by Congress;
- In some emergencies in which human life and property are at stake;
- To restore natural ecosystem functioning that has been disrupted by past or ongoing human activities; or
- When a park plan has identified the intervention as necessary to protect other park resources or facilities.

Any such intervention will be kept to the minimum necessary to achieve the stated management objectives.

Natural systems in the national park system, and the human influences upon them, will be monitored to detect change. The Service will use the results of monitoring and research to understand the detected change and to develop appropriate management actions.

Biological or physical processes altered in the past by human activities may need to be actively managed to restore them to a natural condition or to maintain the closest approximation of the natural condition in situations in which a truly natural system is no longer attainable. Prescribed burning and the control of ungulates when predators have been extirpated are two examples. The extent and degree of management actions taken to protect or restore park ecosystems or their components will be based on clearly articulated, well-supported management objectives and the best scientific information available.

There may be situations in which an area may be closed to visitor use to protect the natural resources (for example, during an animal breeding season) or for reasons of public safety (for example, during a wildland fire). Such closures may be accomplished under the superintendent's discretionary authority, and will comply with applicable regulations (36 CFR 1.5 and 1.7).

(See The Prohibition on Impairment of Park Resources and Values 1.4.4; General Management Planning 2.3.1; Facility Planning and Design 9.1.1)

4.1.1 Planning for Natural Resource Management

Each park will prepare and periodically update a long-range (with at least one to two decades in view) comprehensive strategy for natural resource management, as appropriate. This long-range strategy will describe the comprehensive program of activities needed to achieve the desired future conditions for the park's natural resources. It will integrate the best available science, and will prescribe activities such as inventories, research, monitoring, restoration, mitigation, protection, education, and management of resource uses. The strategy will also describe the natural-resource-related activities needed to achieve desired future conditions for cultural resources (such as historic landscapes) and visitor enjoyment.

Similarly, planning for park operations, development, and management activities that might affect natural resources will be guided by high-quality, scientifically acceptable information, data, and impact assessment. Where existing information is inadequate, the collection of new information and data may be required prior to decision-making. Long-term research or monitoring may also be necessary to correctly understand the effects of management actions on natural resources whose function and significance are not clearly understood.

(See Decision-making Requirements to Avoid Impairments 1.4.7; General Management Planning 2.3.1; Land Protection Plans 3.3; Cultural Landscapes 5.3.5.2; Chapter 8: Use of the Parks; NPS-conducted or NPS-sponsored Inventory, Monitoring, and Research Studies 4.2.1; Chapter 9: Park Facilities)

4.1.2 Natural Resource Information

Information about natural resources that is collected and developed will be maintained in perpetuity. All forms of information collected through inventorying, monitoring, research, assessment, traditional knowledge, and management actions will be managed to professional and NPS archival and library standards.

Most information about park natural resources will be made broadly available to park employees, the scientific community, and the public. Pursuant to provisions of the National Parks Omnibus Management Act, the Service will withhold information about the nature and specific location of sensitive park natural resources—specifically mineral, paleontological, endangered, threatened, rare, or commercially valuable resources—unless the Service determines, in writing, that disclosure of the information would further the purposes of the park, would not create an unreasonable risk of harm, theft, or destruction of resources, and would be consistent with other applicable laws.

Under the Freedom of Information Act (FOIA), the NPS may be able to withhold sensitive natural resource data and information used in ongoing law enforcement investigations or subject to national security clearance classification. The Service may be able to withhold data provided through interim project reporting, pending the completion of relevant projects and the receipt of final project reports, as specified in approved scientific research and collecting permits and associated research proposals if the release of information will cause foreseeable harm to the interests of the NPS. Information that is made available to the public (that is, not withheld under FOIA or other laws) will remain searchable and accessible under the professional and NPS archival and library standards.

(See Information Confidentiality 1.7.3; Confidentiality 5.2.3. Also see Director's Order #66: FOIA and Protected Resource Information; Museum Handbook 24-Part II)

4.1.3 Evaluating Impacts on Natural Resources

Planning, environmental evaluation, and public involvement regarding management actions that may affect the natural resources of the National Park System are essential for carrying out the Service's responsibilities to present and future generations. The Service will ensure that the environmental costs and benefits of proposed operations, development, and resource management are fully and openly evaluated before taking actions that may impact the natural resources of parks. This evaluation must include appropriate participation by the public; the application of scholarly, scientific, and technical information in the planning, evaluation, and decision-making processes; the use of NPS knowledge and expertise through interdisciplinary teams and processes; and the aggressive incorporation of mitigation measures, pollution prevention techniques, and other principles of sustainable park management.

Every environmental assessment and environmental impact statement produced by the Service will include an analysis of whether the impacts of a proposed activity constitute impairment of park natural resources and values. Every finding of no significant impact, record of decision, and National Historic Preservation Act Section 106 memorandum of agreement signed by the NPS will contain a discrete certification that the impacts of the proposed activity will not impair park natural resources and values.

(See Park Management 1.4; Implementation Planning 2.3.3; NPS-conducted or -sponsored Inventory, Monitoring, and Research Studies 4.2.1. Also see Director's Order #12: Conservation Planning and Environmental Impact Analysis)

4.1.4 Partnerships

The Service will pursue opportunities to improve natural resource management within parks and across administrative boundaries by cooperating with public agencies, appropriate Native American representatives, and private landowners. The Service recognizes that cooperation with other land managers can accomplish ecosystem stability and other resource management objectives when the best efforts of a single manager might fail. Therefore, the Service will develop agreements with federal, tribal, state, and local governments and organizations, and private landowners, when appropriate, to coordinate plant, animal, water, and other natural resource management activities in ways that maintain and protect, not compromise, park resources and values. Such cooperation may include park restoration activities, research on park natural resources, and the management of species harvested in parks. Such coopera-

tion also may involve coordinating management activities in two or more separate areas, integrating management practices to reduce conflicts, coordinating research, sharing data and expertise, exchanging native biological resources for species management or ecosystem restoration purposes, establishing native wildlife corridors, and providing essential habitats adjacent to, or across, park boundaries.

In addition, the Service will seek the cooperation of others in minimizing the impacts of influences originating outside parks by controlling noise and artificial lighting, maintaining water quality and quantity, eliminating toxic substances, preserving scenic views, improving air quality, preserving wetlands, protecting threatened or endangered species, eliminating exotic species, managing the use of pesticides, protecting shoreline processes, managing fires, managing boundary influences, and in using other means of preserving and protecting natural resources.

(See External Threats and Opportunities 1.5; Partnerships 1.9; Addressing Threats from External Sources 3.4; Agreements 5.2.2)

4.1.5 Restoration of Natural Systems

The Service will re-establish natural functions and processes in human-disturbed components of natural systems in parks unless otherwise directed by Congress. Landscapes disturbed by natural phenomena, such as landslides, earthquakes, floods, hurricanes, tornadoes, and fires, will be allowed to recover naturally unless manipulation is necessary to protect park developments or visitor safety. Impacts to natural systems resulting from human disturbances include the introduction of exotic species; the contamination of air, water, and soil; changes to hydrologic patterns and sediment transport; the acceleration of erosion and sedimentation; and the disruption of natural processes. The Service will seek to return human-disturbed areas to the natural conditions and processes characteristic of the ecological zone in which the damaged resources are situated. The Service will use the best available technology, within available resources, to restore the biological and physical components of these systems, accelerating both their recovery and the recovery of landscape and biological-community structure and function. Efforts may include, for example:

- Removal of exotic species;
- Removal of contaminants and non-historic structures or facilities;
- Restoration of abandoned mineral lands, abandoned or unauthorized roads, areas over-grazed by domestic animals, or disrupted natural waterways and/or shoreline processes;
- Restoration of areas disturbed by NPS administrative, management, or development activities (such as hazard tree removal, construction, or sand and gravel extraction) or by public use;
- Restoration of natural soundscapes; and
- Restoration of native plants and animals.

When park development is damaged or destroyed and replacement is necessary, the development will be replaced or relocated so as to promote the restoration of natural resources and processes.

(See Decision-making Requirements to Avoid Impairments 1.4.7; Restoration of Native Plant and Animal Species 4.4.2.2; Management of Natural Landscapes 4.4.2.4; Siting Facilities to Avoid Natural Hazards 9.1.1.6. Also see Director's Order #18: Wildland fire Management)

4.1.6 Compensation for Injuries to Natural Resources

The Service will take all steps necessary to protect and restore natural resources and the environmental benefits they provide when actions of another party cause the destruction or loss of, or injury to, park resources or values.

Pursuant to the National Park System Resource Protection Act, the Service will:

- Determine the injury caused to natural resources, assess all appropriate damages, and monitor damages;
- Seek to recover all appropriate costs associated with responses to such actions, and the costs of assessing resource damages, including the direct costs of response, restoration, and monitoring activities; and
- Use all sums recovered in compensation for re source injuries to restore, replace, or acquire the equivalent of the resources that were the subject of the action.

(See Compensation for Damages 5.3.1.3. Also see Director's Order #30C: Damage Assessments)

4.2 Studies and Collections

The Service will encourage appropriately reviewed natural resource studies whenever such studies are consistent with applicable laws and policies. These studies support the NPS mission by providing the Service, the scientific community, and the public with an understanding of park resources, processes, values, and uses that will be cumulative and constantly refined. This approach will provide a scientific and scholarly basis for park planning, development, operations, management, education, and interpretive activities.

The term "studies," as used here, means short- or long-term scientific or scholarly investigations or educational activities that may involve natural resource surveys, inventories, monitoring, and research, including data and specimen collection. Studies include projects conducted by researchers and scholars in universities, foundations and other institutions, tribal colleges and organizations, other federal and state agencies, and Service staff. The data and information acquired through studies conducted in parks will be made publicly available, consistent with section 4.1.2.

The Service will promote cooperative relationships with educational and scientific institutions and qualified individuals offering expertise that can assist the Service in obtaining information, and when the opportunity for research and study in the parks offers the cooperators a significant benefit to their programs. NPS facilities and assistance may be made available to qualified cooperators who are conducting NPS-authorized studies.

Studies in parks will be preceded by (1) an approved scope of work, proposal, or other detailed written description of the work to be performed; and (2) a written statement of environmental and cultural resource compliance appropriate to the proposed methodology and study site. All studies in parks will employ non-destructive methods to the maximum extent feasible with respect to resource protection, research methodology, and the scientific and management value of the information and collections to be obtained. Although studies involving physical impacts to park resources or the removal of objects or specimens may be permitted, studies and collecting activities that will lead to the impairment of park resources and values are prohibited.

Scientific natural resource collecting activities are governed by 36 CFR 2.5. A very limited number of other types of natural resource collecting are governed by 36 CFR 2.1. In most cases, only small quantities may be collected. The repeated collection of materials to ensure a continuing source of supply for research or propagation is prohibited, unless the proposed activity clearly requires repeated collection, as might be the case with a monitoring or park restoration program.

(See Decision-making Requirements to Avoid Impairments 1.4.7; Managing Information 1.7; Research 5.1; Resource Access and Use 5.3.5.3.1; Collecting Natural Products 8.8; Consumptive Uses 8.9; Social Science Studies 8.11. Also see Director's Order #74: Studies and Collecting; Director's Order #78: Social Science)

4.2.1 NPS-conducted or -sponsored Inventory, Monitoring, and Research Studies

The Service will:

- Identify, acquire, and interpret needed inventory, monitoring, and research, including applicable traditional knowledge, to obtain information and data that will help park managers accomplish park management objectives provided for in law and planning documents.
- Define, assemble, and synthesize comprehensive baseline inventory data describing the natural resources under its stewardship, and identify the processes that influence those resources.
- Use qualitative and quantitative techniques to monitor key aspects of resources and processes at regular intervals.
- Analyze the resulting information to detect or predict changes, including interrelationships with visitor carrying capacities, that may require management intervention, and to provide reference points for comparison with other environments and time frames.
- Use the resulting information to maintain—and, where necessary, restore—the integrity of natural systems.

The Service may support studies to (among other things):

- Ensure a systematic, current, and fully adequate park information base;
- Provide a sound basis for policy, guidelines, and management actions;
- Develop effective strategies, methods, and technologies to restore disturbed resources, and to predict, avoid, or minimize adverse impacts on natural and cultural resources, and on visitors and related activities;
- Ensure that plans and actions reflect contemporary knowledge about the natural and cultural context of special natural areas, cultural landscapes, and natural resources having traditional cultural meaning and value to associated human groups;
- Determine the causes and potential resolution of natural resource management problems;
- Understand the ceremonial and traditional resource management practices of Native American tribes, subsistence uses by rural Alaska residents, and traditional uses by groups with demonstrated ties to particular natural resources of parks;
- Further understand park ecosystems and related human social systems, including visitors and gateway communities, and document their components, condition, and significance; and
- Ensure that the interpretation of the natural re sources and issues of parks reflects current standards of scholarship relating to the history, science, and condition of the resources.

Superintendents may authorize National Park Service staff to carry out routine inventory, monitoring, study, and related duties without requiring an NPS scientific research and collecting permit. With or without an NPS permit, Service staff will comply appropriately with professional standards and with general and park- specific research and collecting permit conditions. All research and data and specimen collection conducted by NPS employees will be appropriately documented and carried out in accordance with all laws, regulations, policies, and professional standards pertaining to survey, inventory, monitoring, and research. Service staff will be expected to make their findings available to the public, such as by publication in professional journals or presentation in interpretive programs.

Park inventory, monitoring, and research needs and specific research objectives will be identified in the appropriate management plans for each park, or in park, regional, or Service-wide program plans.

(See Decision-making Requirements to Avoid Impairments 1.4.7; Natural Resource Information 4.1.2; Restoration of Natural Systems 4.1.5; Weather and Climate 4.7.2; Miscellaneous Management Facilities 9.4.5)

4.2.2 Independent Studies

Non-NPS studies conducted in parks are not required to address specifically identified NPS management issues or information needs. However, these studies, including data and specimen collection, require an NPS scientific research and collecting permit. The studies must conform to National Park Service policies and guidelines regarding the collection and publication of data, the conduct of studies, wilderness restrictions, and park-specific requirements identified in the terms and conditions of the permit. Projects will be administered and conducted only by fully qualified personnel, and will conform to current standards of scholarship. Park Service scientific research and collecting permits may include requirements that permittees provide for parks, within agreed-upon time frames, copies of appropriate field notes, cataloging and other data, information about the data, progress reports, interim and final reports, and publications derived from the permitted activities.

(See Independent Research 5.1.2)

4.2.3 Natural Resource Collections

Natural resource collections include non-living and living specimens. Guidance for collecting and managing specimens and associated field records can be found in the Code of Federal Regulations (36 CFR 2.5) and NPS guidance docu-

ments, including the museum handbook. Non-living specimens and their associated field records are managed as museum collections. Living collections will be managed in accordance with the provisions of a park's management plan, the Animal Welfare Act, and other appropriate requirements.

Field data, objects, specimens, and features obtained for preservation during inventory, monitoring, research, and study projects, together with associated records and reports, will be managed over the long term within the museum collection. Specimens that are not authorized for consumptive analysis will be labeled and cataloged into an appropriate cataloging system in accordance with applicable regulations (36 CFR 2.5).

(See Paleontological Resources and Their Contexts 4.8.2.1; Collecting Natural Products 8.8; Consumptive Uses 8.9; Natural and Cultural Studies, Research, and Collection Activities 8.10; Social Science Studies 8.11. Also see Director's Order #24: Museum Management)

4.2.4 Collection Associated with the Development of Commercial Products

Extractive use of park resources for commercial purposes is prohibited except when specifically authorized by law or in the exercise of valid existing rights.

The collection of non-living or living material, or parts thereof, to support research that may lead to the development of commercial products is permitted only in limited circumstances, and is managed under appropriate federal authority. Permits for such collecting may be issued only after the applicant has signed a cooperative research and development agreement (CRADA) that includes equitable benefit sharing for the park research and resource management effort. CRADAs are subject to review by the Director and the Office of the Solicitor. Permits for collections associated with the development of commercial products are subject to NEPA compliance.

(Also see Director's Order #74: Studies and Collecting)

4.3 Special Designations

The Service recognizes that special designation labels apply to parts or all of some parks to highlight the additional management considerations that those designated areas warrant. These labels include Research Natural Area, Experimental Research Area, Wilderness Area, National Wild and Scenic River, National Natural Landmark, Biosphere Reserve, and World Heritage Site. These designations do not reduce the Service's authority for managing the parks, although in some cases they may create additional management requirements.

4.3.1 Research Natural Areas

Research Natural Areas contain prime examples of natural resources and processes, including significant genetic resources, that have value for long-term observational studies or as control areas for manipulative research taking place outside the parks. Superintendents recommend areas of parks to their regional director, who is authorized to designate them as Research Natural Areas. Superintendents cooperate with other federal land managers in identifying park sites for designation, and in planning research and educational activities for this interagency program.

Activities in Research Natural Areas generally will be restricted to non-manipulative research, education, and other activities that will not detract from an area's research values.

4.3.2 Experimental Research Areas

Experimental Research Areas are specific tracts that are set aside and managed for approved manipulative research. Manipulative research is defined as research in which conscious alteration of existing conditions is part of the experiment. The limited situations that may warrant establishment of Experimental Research Areas are identified in Natural Resources Reference Manual 77. Superintendents recommend areas of the park to their regional director, who is authorized to designate them as Experimental Research Areas.

4.3.3 Wilderness Areas

See chapter 6.

4.3.4 National Wild and Scenic Rivers System

Parks containing one or more river segments listed in the national rivers inventory maintained by the NPS, or that have characteristics that might make them eligible for the National Wild and Scenic Rivers System, will comply with section 5(d)(1) of the Wild and Scenic Rivers Act, which instructs each federal agency to assess whether those rivers are suitable for inclusion in the system. Such assessments, and any resulting management requirements, may be incorporated into a park's general management plan or other management plan. No management actions may be taken that could adversely affect the values that qualify a river for inclusion in the National Wild and Scenic Rivers System.

(See Wild and Scenic Rivers 2.3.10. Also see Wild and Scenic Rivers Act)

4.3.5 National Natural Landmarks

Park sites that are among the best examples of a type of biotic community or geological feature in its physiographic province may be nominated to the Secretary of the Interior for inclusion in the National Registry of Natural Landmarks. As the agency responsible for maintaining the registry, the Service has developed criteria for eligibility (36 CFR Part 62).

4.3.6 Biosphere Reserves

Biosphere Reserves are sites that are part of a world-wide network of natural reserves recognized for their roles in conserving genetic resources; facilitating long-term research and monitoring; and encouraging education, training, and the demonstration of sustainable resource use. A Biosphere Reserve is usually representative of a biogeographic province.

Parks may be nominated for recognition as Biosphere Reserves, or as constituents of Biosphere Reserves. Specific guidance for recognition is provided by the United States Man and Biosphere (MAB) program based on the general guidance of the United Nations Education, Scientific, and Cultural Organization (UNESCO). Working within the MAB program, the Service may assist in determining the suitability and feasibility of including parks in U.S. Biosphere Reserves, may participate in research and educational activities, and may furnish information on its Biosphere Reserves for inclusion in domestic and international information systems.

The designation of park lands as Biosphere Reserves, or as constituents of Biosphere Reserves, does not alter the purposes for which the parks were established, change the management requirements, or reduce NPS jurisdiction over parks. To the extent practicable, superintendents of parks that are recognized as Biosphere Reserves will incorporate biosphere reserve objectives into general management plans, implementation plans, action plans, and park interpretive programs. Superintendents will pursue opportunities to use the biosphere reserve designation as a framework for local, regional, and international cooperation.

4.3.7 World Heritage Sites

Parks containing natural features believed to possess "outstanding universal value to mankind" may be nominated to the World Heritage List. U.S. recommendations are approved by an interagency panel chaired by the Assistant Secretary for Fish and Wildlife and Parks, based on criteria promulgated by the World Heritage Committee. These criteria and the rules for U.S. participation in the Convention Concerning the World Cultural and Natural Heritage are published in 36 CFR Part 73. Once an area is designated a world heritage site, the Service will recognize the designation in public information and interpretive programs. Designation as a World Heritage Site will not alter the purposes for which the parks were established, change the management requirements, or reduce NPS jurisdiction over parks.

(See World Heritage List Designation 5.1.3.2.3)

4.4 Biological Resource Management

4.4.1 General Principles for Managing Biological Resources

The National Park Service will maintain as parts of the natural ecosystems of parks all native plants and animals. The term "plants and animals" refers to all five of the commonly recognized kingdoms of living things and includes such groups as flowering plants, ferns, mosses, lichens, algae, fungi, bacteria, mammals, birds, reptiles, amphibians, fishes, insects, worms, crustaceans, and microscopic plants or animals. The Service will achieve this maintenance by:

- Preserving and restoring the natural abundances, diversities, dynamics, distributions, habitats, and behaviors of native plant and animal populations and the communities and ecosystems in which they occur;
- Restoring native plant and animal populations in parks when they have been extirpated by past human-caused actions; and
- Minimizing human impacts on native plants, animals, populations, communities, and ecosystems, and the processes that sustain them.

4.4.1.1 Plant and Animal Population Management Principles

The individual plants and animals found within parks are genetically parts of species populations that may extend across both park and non-park lands. As local populations within a group of populations naturally fluctuate in size, they become vulnerable to natural or human-caused extirpation during periods when their numbers are low. The periodic disappearance of local populations is common in some species, and the regional persistence of these species depends upon the natural recolonization of suitable habitat by individuals from the remaining local populations. Thus, providing for the persistence of a species in a park may require maintaining a number of local populations, often both within and outside the park.

In addition, some populations of vertebrate and invertebrate animals, such as bats, caribou, warblers, marine turtles, frogs, salmon, whales, and butterflies, migrate at regular intervals into and out of parks. For these migratory populations, the parks provide only one of the several major habitats they need, and survival of the species in parks also depends on the existence and quality of habitats outside the parks. The Service will adopt park resource preservation, development, and use management strategies that are intended to maintain the natural population fluctuations and processes that influence the dynamics of individual plant and animal populations, groups of plant and animal populations, and migratory animal populations in parks.

In addition to maintaining all native plant and animal species and their habitats inside parks, the Service will work with other land managers to encourage the conservation of the populations and habitats of these species outside parks whenever possible. To meet its commitments for maintaining native species in parks, the Service will cooperate with states, tribal governments, the U.S. Fish and Wildlife Service, and the National Marine fisheries Service, as appropriate, to:

- Participate in local and regional scientific and planning efforts, identify ranges of populations of native plants and animals, and develop cooperative strategies for maintaining or restoring these populations in the parks;
- Suggest mutually beneficial harvest regulations for lands and waters outside the parks for populations that extend across park boundaries, such as resident deer or fishes; for short-distance seasonal migrant populations, such as elk or fishes; or for long-distance migrant populations, such as salmon;
- Develop data, through monitoring, for use in plant and animal management programs (such as local land management decision-making for assessing resident plant and animal population trends, and in international management negotiations for such far-ranging seasonal migrants as geese, whales, and marine turtles);
- Present information about species life cycles, ranges, and population dynamics in park interpretive programs for use in increasing public awareness of management needs for all species, both resident and migrant, that occur in parks; and
- Prevent the introduction of exotic species into units of the National Park System, and remove populations of these species that have already become established in parks.

4.4.1.2 Genetic Resource Management Principles

The Service will strive to protect the full range of genetic types (genotypes) of native plant and animal populations in the parks by perpetuating natural evolutionary processes and minimizing human interference with evolving genetic diversity.

The restoration of native plants and animals will be accomplished using organisms taken from populations as closely related genetically and ecologically as possible to park populations, preferably from similar habitats in adjacent or local areas. Deviations from this general policy may be made where

the management goal is to increase the variability of the park gene pool to mitigate past, human-induced loss of genetic variability. Actions to transplant organisms for purposes of restoring genetic variability through gene flow between native breeding populations will be preceded by an assessment of the genetic compatibility of the populations.

The need to maintain appropriate levels of genetic diversity will guide decisions on what actions to take to manage isolated populations of species or to enhance the recovery of populations of rare, threatened, or endangered species. All resource management actions involving planting or relocating species, subspecies, or varieties will be guided by knowledge of local adaptations, ranges, and habitat requirements, and detailed knowledge of site ecological histories.

When native plants or animals are removed for any reason—such as hunting, fishing, pest management, or culling to reduce unnatural population conditions resulting from human activities—the Service will maintain the appropriate levels of natural genetic diversity.

(See Restoration of Native Plant and Animal Species 4.4.2.2; Restoration of Natural Systems 4.1.5)

4.4.1.3 Definition of Native and Exotic Species:

"Native species" are defined as all species that have occurred or now occur as a result of natural processes on lands designated as units of the national park system. Native species in a place are evolving in concert with each other. "Exotic species" are those species that occupy or could occupy park lands directly or indirectly as the result of deliberate or accidental human activities. Exotic species are also commonly referred to as non-native, alien, or invasive species. Because an exotic species did not evolve in concert with the species native to the place, the exotic species is not a natural component of the natural ecosystem at that place.

4.4.2 Management of Native Plants and Animals

Whenever possible, natural processes will be relied upon to maintain native plant and animal species, and to influence natural fluctuations in populations of these species. The Service may intervene to manage individuals or populations of native species only when such intervention will not cause unacceptable impacts to the populations of the species or to other components and processes of the ecosystems that support them, and when at least one of the following conditions exists:

- Management is necessary
  - because a population occurs in an unnaturally high or low concentration as a result of human influences (such as loss of seasonal habitat, the extirpation of predators, the creation of highly productive habitat through agriculture or urban landscapes) and it is not possible to mitigate the effects of the human influences;
  - to protect specific cultural resources of parks;
  - to accommodate intensive development in portions of parks appropriate for, and dedicated to, such development;
  - to protect rare, threatened, or endangered species;
  - to protect human health as advised by the U.S. Public Health Service (which includes the Centers for Disease Control and the NPS Public Health Service Program);
  - to protect property in cases in which it is not possible to change the pattern of human activities; or
  - to maintain human safety in cases in which it is not possible to change the pattern of human activities.
- Or, removal of individuals or parts thereof
  - is part of an NPS research project described in an approved management plan, or is part of research being conducted by others who have been issued a scientific research and collecting permit;
  - is done to provide plants or animals for restoring native populations in parks or cooperating areas without diminishing the viability of the park populations from which the individuals are taken; or
  - meets specific park management objectives.

The Service will assess the results of managing plant and animal populations by conducting follow-up monitoring or other studies to determine the impacts of the management methods on non-targeted, as well as targeted, components of the ecosystem.

4.4.2.1 NPS Actions That Remove Plants and Animals:

Whenever the Service removes plants or animals, manages plant or animal populations to reduce their sizes, or allows others to remove plants or animals for an authorized purpose, the Service will seek to ensure that such removals will not cause unacceptable impacts to native resources, natural processes, or other park resources. Whenever the Service identifies a possible need for reducing the size of a park plant or animal population, the Service will use scientifically valid resource information obtained through consultation with technical experts, literature review, inventory, monitoring, or research to evaluate the identified need for population management, and to document it in the appropriate park management plan.

In planning and implementing plant and animal population management actions, the Service will follow established planning procedures, including provisions for public review and comment. The Service will consult, as appropriate, with other federal land-managing agencies, the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, state agencies, tribal governments, and others. Such consultation will address (1) the management of selected animal populations, (2) research involving the taking of animal species of management interest to these agencies, and (3) cooperative studies and plans dealing with the public hunting and fishing of animal populations that occur across park boundaries.

In addition, the Service will manage such removals to prevent them from interfering broadly with:

- Natural habitats, natural abundances, and natural distributions of native species and natural processes;
- Rare, threatened, and endangered plant or animal species or their critical habitats;
- Scientific study, interpretation, environmental education, appreciation of wildlife, or other public benefits;
- Opportunities to restore depressed populations of native species; or
- Breeding or spawning grounds of native species.

Where the need to reduce animal populations may be due to persistent human/animal conflicts, the Service will determine whether or not it can eliminate or mitigate the conflicts by modifying or curtailing the conflicting visitor use or other human activities. Where visitor use or other human activities cannot be modified or curtailed, the Service may directly reduce the animal population by using several animal population management techniques, either separately or together. These techniques include relocation, public hunting on lands outside the park, habitat management, predator restoration, reproductive intervention, and destruction of animals by NPS personnel or their authorized agents. Where animal populations are reduced, destroyed animals may be left in natural areas of the park to decompose. Live animals or carcasses may be removed from parks according to the provisions of applicable laws, agreements, and regulations, including the granting of preference to Native Americans.

(See Pest Management 4.4.5. Also see Director's Order #18: Wildland fire Management; and #60B)

4.4.2.2 Restoration of Native Plant and Animal Species

The Service will strive to restore extirpated native plant and animal species to parks whenever all of the following criteria are met:

- Adequate habitat to support the species either exists or can reasonably be restored in the park, and if necessary also on adjacent public lands and waters, and, once a natural population level is achieved, the population can be self-perpetuating;
- The species does not, based on an effective management plan, pose a serious threat to the safety of people in parks, park resources, or persons or property outside park boundaries;
- The genetic type used in restoration most nearly approximates the extirpated genetic type; and
- The species disappeared, or was substantially diminished, as a direct or indirect result of human-induced change to the species population or to the ecosystem.

Programs to restore animal species may include confining animals in small field enclosures during restoration efforts, but only until the animals have become accustomed to the new area, or they have become sufficiently established to minimize threats from predators, poaching, disease, or other factors. Programs to restore animal species may also include confining animals in cages for captive breeding to increase the number of offspring for release to the wild or to manage the population's gene pool. Programs to restore plant species may include propagating plants in greenhouses, gardens, or other confined areas to develop propagation materials (propagules) for restoration efforts or to manage a population's gene pool.

(See Restoration of Natural Systems 4.1.5)

4.4.2.3 Management of Threatened or Endangered Plants and Animals

The Service will survey for, protect, and strive to recover all species native to national park system units that are listed under the Endangered Species Act. The Service will fully meet its obligations under the NPS Organic Act and the Endangered Species Act to both pro-actively conserve listed species and prevent detrimental effects on these species. To meet these obligations, the Service will:

- Cooperate with both the U.S. Fish and Wildlife Service and the National Marine Fisheries Service to ensure that National Park Service actions comply with both the written requirements and the spirit of the Endangered Species Act. It is particularly important that this cooperation includes the full range of activities associated with the Endangered Species Act, including consultation, conferencing, informal discussions, and securing of all necessary scientific and/or recovery permits.
- Undertake active management programs to inventory, monitor, restore, and maintain listed species' habitats, control detrimental non-native species, control detrimental visitor access, and re-establish extirpated populations as necessary to maintain the species and the habitats upon which they depend.
- Manage designated critical habitat, essential habitat, and recovery areas to maintain and enhance their value for the recovery of threatened and endangered species.
- Cooperate with other agencies to ensure that the delineation of critical habitat, essential habitat, and/or recovery areas on park-managed lands provides needed conservation benefits to the total recovery efforts being conducted by all the participating agencies.
- Participate in the recovery planning process, including the provision of members on recovery teams and recovery implementation teams where appropriate.
- Cooperate with other agencies, states, and private entities to promote candidate conservation agreements aimed at precluding the need to list species.
- Conduct actions and allocate funding to address endangered, threatened, proposed, and candidate species.

The National Park Service will inventory, monitor, and manage state and locally listed species in a manner similar to its treatment of federally listed species, to the greatest extent possible. In addition, the Service will inventory other native species that are of special management concern to parks (such as rare, declining, sensitive, or unique species and their habitats) and will manage them to maintain their natural distribution and abundance.

The Service will determine all management actions for the protection and perpetuation of federally, state, or locally listed species through the park management planning process, and will include consultation with lead federal and state agencies as appropriate.

4.4.2.4 Management of Natural Landscapes

Landscapes disturbed by natural phenomena, such as landslides, earthquakes, floods, hurricanes, tornadoes, and fires, will be allowed to recover naturally unless manipulation is necessary to mitigate for excessive disturbance caused by past human effects, or to protect park developments or the safety of people using those developments. Landscape and vegetation conditions altered by human activity may be manipulated where the park management plan provides for restoring the lands to a natural condition. Management activities to restore human-altered landscapes may include, but are not restricted to:

- Removing constructed features, restoring natural topographic gradients, and revegetating with native park species on acquired inholdings and on sites from which previous development is being removed;

- Restoring natural processes and conditions to areas disturbed by human activities such as fire suppression;
- Rehabilitating areas disturbed by visitor use or by the removal of hazard trees; and
- Maintaining open areas and meadows in situations in which they were formerly maintained by natural processes that now are altered by human activities.

Landscape revegetation efforts will use seeds, cuttings, or transplants representing species and gene pools native to the ecological portion of the park in which the restoration project is occurring. Where a natural area has become so degraded that restoration with gene pools native to the park has proven unsuccessful, improved varieties or closely related native species may be used.

Landscape restoration efforts will use geological materials and soils obtained in accordance with geological and soil resource management policies. Landscape restoration efforts may use, on a temporary basis, appropriate soil fertilizers or other soil amendments so long as that use does not unacceptably alter the physical, chemical, or biological characteristics of the soil and biological community, and does not degrade surface or ground waters.

(See Restoration of Natural Systems 4.1.5; Cultural Landscapes 5.3.5.2)

4.4.2.5 Maintenance of Altered Plant Communities

In altered plant communities managed for a specified purpose, plantings will consist of species that are native to the park or that are historically appropriate for the period or event commemorated. Communities altered to maintain habitat for threatened or endangered species may only use native plants, and the manipulation of existing plants will be carried out in a manner designed to enhance the recovery of the threatened or endangered species, or the recovery of the natural functioning of the plant and animal community of which the endangered species is a natural part. Use of exotic plants must conform to exotic species policy. Use of non-natural plantings in altered communities may be permitted under any of the following conditions:

- In localized, specific areas, screen plantings may be used to protect against the undesirable impacts of adjacent land uses, provided that the plantings do not result in the invasion of exotic species.
- Where necessary to preserve and protect the desired condition of specific cultural resources and landscapes, plants and plant communities generally will be managed to reflect the character of the landscape that prevailed during the historic period. Efforts may be made to extend the lives of specimen trees dating from the historic period being commemorated. An individual tree or shrub known to be of historic value that is diseased beyond recovery and has become hazardous will be removed and may be replaced. While specimen trees or shrubs that need to be perpetuated are still healthy, their own progeny will be propagated from seeds or through vegetative reproduction, such as cuttings.
- Where cultivated crop plants may be needed for livestock or agricultural uses that are allowed as part of the cultural landscape, authorized by federal law, or retained as a property right.
- Where needed for intensive development areas. Such plantings will use native or historic species and materials to the maximum extent possible. Certain native species may be fostered for esthetic, interpretive, or educational purposes.

  Exotic species may not be used to vegetate vista clearings in otherwise-natural vegetation.

Limited, recurring use of soil fertilizers or other soil amendments may be allowed only as needed to maintain the desired condition of the altered plant community, and only where such use does not unacceptably alter the physical, chemical, or biological characteristics of the soil and biological community, and does not degrade surface or ground waters.

(See Management of Exotic Species 4.4.4; Cultural Landscapes 5.3.5.2)

4.4.3 Harvest of Plants and Animals by the Public

Public harvesting of designated species of plants and animals, or their components, may be allowed in park units when:

- Hunting, trapping, subsistence use, or other harvesting is specifically authorized by statute or regulation and not subsequently prohibited by regulation;
- Harvest of certain plant parts or unoccupied seashells for personal consumption or use is specifically authorized by the superintendent in accordance with 36 CFR 2.1(c)(1);
- Recreational fishing is not specifically prohibited; or
- Commercial fishing is specifically authorized by statute or regulation.

Where harvesting is allowed and subject to NPS control, the Service will allow harvesting only when the monitoring requirement contained in section 4.4.2 and the criteria in section 4.4.2.1, above, have been met, and the Service has determined that the harvesting will not unacceptably impact park resources or natural processes, including the natural distributions, densities, age-class distributions, and behavior of:

- Harvested species;
- Native species that the harvested species use for any purpose; or
- Native species that use the harvested species for any purpose.

The Service will manage harvesting programs, and any associated habitat management programs intended to restore and maintain habitats supporting harvested plant or animal populations, to conform with applicable federal and state regulations and in consultation and cooperation, as appropriate, with individual states or tribal governments.

Habitat manipulation for harvested species may include the restoration of a disturbed area to its natural condition so it can become self-perpetuating, but will not include the artificial manipulation of habitat to increase the numbers of a harvested species above its natural range in population levels.

The Service may encourage the intensive harvesting of exotic species in certain situations when needed to meet park management objectives.

In some situations, the Park Service may stock native or exotic animals for recreational harvesting purposes, but only when such stocking will not impair park natural resources or processes, and:

- The stocking is of fish into constructed large reservoirs or other significantly altered large water bodies and the purpose is to provide for recreational fishing; or
- Such stocking is in a national recreation area or preserve that has historically been stocked (in these situations, stocking only of the same species may be continued); or
- Congressional intent for stocking is expressed in statute or a House or Senate report accompanying a statute.

The Service will not stock waters that are naturally barren of harvested aquatic species.

4.4.4 Management of Exotic Species

Exotic species will not be allowed to displace native species if displacement can be prevented.

4.4.4.1 Introduction or Maintenance of Exotic Species

In general, new exotic species will not be introduced into parks. In rare situations, an exotic species may be introduced or maintained to meet specific, identified management needs when all feasible and prudent measures to minimize the risk of harm have been taken, and it is:

- A closely related race, subspecies, or hybrid of an extirpated native species; or
- An improved variety of a native species in situations in which the natural variety cannot survive current, human-altered environmental conditions; or
- Used to control another, already-established exotic species; or
- Needed to meet the desired condition of a historic resource, but only where it is prevented from being invasive by such means as cultivating (for plants), or tethering, herding, or pasturing (for animals). In such cases, the exotic species used must be known to be historically significant, to have existed in the park during the park's period of historical significance, or to have been commonly used in the local area at that time; or
- An agricultural crop used to maintain the character of a cultural landscape; or
- Necessary to provide for intensive visitor use in developed areas, and both of the following conditions exist:
  - Available native species will not meet park management objectives; and
  - The exotic species is managed so it will not spread or become a pest on park or adjacent lands; or
- A sterile, non-invasive plant that is used temporarily for erosion control; or
- Directed by law or expressed legislative intent.

Domestic livestock such as cattle, sheep, goats, horses, mules, burros, reindeer, and llamas are exotic species that are maintained in some parks for purposes of commercial herding, pasturing, grazing, or trailing; for recreational use; or for administrative use for maintaining the historic scene or supporting park operations. The policies applicable to the grazing of commercial domestic livestock are discussed in chapter 8, section 8.6.8. The Service will phase out the commercial grazing of livestock whenever possible, and will manage recreational and administrative uses of livestock to prevent those uses from unacceptably impacting park natural resources.

4.4.4.2 Removal of Exotic Species Already Present

All exotic plant and animal species that are not maintained to meet an identified park purpose will be managed—up to and including eradication—if (1) control is prudent and feasible, and (2) the exotic species:

- Interferes with natural processes and the perpetuation of natural features, native species or natural habitats; or
- Disrupts the genetic integrity of native species; or
- Disrupts the accurate presentation of a cultural landscape; or
- Damages cultural resources; or
- Significantly hampers the management of park or adjacent lands; or
- Poses a public health hazard as advised by the U.S. Public Health Service (which includes the Centers for Disease Control and the NPS Public Health Program); or
- Creates a hazard to public safety.

High priority will be given to managing exotic species that have, or potentially could have, a substantial impact on park resources, and that can reasonably be expected to be successfully controllable. Lower priority will be given to exotic species that have almost no impact on park resources or that probably cannot be successfully controlled.

The decision to initiate management should be based on a determination that the species is exotic. For species determined to be exotic and where management appears to be feasible and effective, superintendents should (1) evaluate the species' current or potential impact on park resources; (2) develop and implement exotic species management plans according to established planning procedures; (3) consult, as appropriate, with federal and state agencies; and (4) invite public review and comment, where appropriate. Programs to manage exotic species will be designed to avoid causing significant damage to native species, natural ecological communities, natural ecological processes, cultural resources, and human health and safety.

(Also see Executive Order # 13112 (Invasive Species))

4.4.5 Pest Management

All park employees, concessioners, contractors, permittees, licensees, and visitors on all lands managed or regulated by the National Park Service will comply with NPS pest management policies.

4.4.5.1 Pests

Pests are living organisms that interfere with the purposes or management objectives of a specific site within a park, or that jeopardize human health or safety. Decisions concerning whether or not to manage a pest or pest population will be influenced by whether the pest is an exotic or a native species. Exotic pests will be managed according to the exotic species policies in section 4.4.4. Native pests will be allowed to function unimpeded, except as noted below. Many fungi, insects, rodents, disease organisms, and other organisms that may be perceived as pests are, in fact, native organisms existing under

natural conditions and are natural elements of the ecosystem. Also, native pests that were evident in pesticide-free times are traditional elements in park cultural settings:

The Service may control native pests to:

- Conserve threatened, rare, or endangered species, or unique specimens or communities;
- Preserve, maintain, or restore the historical integrity of cultural resources;
- Conserve and protect plants, animals, and facilities in developed areas;
- Prevent outbreaks of a pest from invading uninfested areas outside the park; or
- Manage a human health hazard when advised to do so by the U.S. Public Health Service (which includes the Centers for Disease Control and the NPS Public Health Program), or to otherwise protect against a significant threat to human safety.

4.4.5.2 Integrated Pest Management Program

The Service conducts an integrated pest management (IPM) program to reduce risks to the public, park resources, and the environment from pests and pest-related management strategies. IPM is a decision-making process that coordinates knowledge of pest biology, the environment, and available technology to prevent unacceptable levels of pest damage, by cost-effective means, while posing the least possible risk to people, resources, and the environment.

The Service, and each park unit, will use an IPM approach to address pest issues. Proposed pest management activities must be conducted according to the IPM process prescribed in Director's Order #77-7: Integrated Pest Management. Pest issues will be reviewed on a case-by-case basis. Controversial issues, or those that have potential to negatively impact the environment, must be addressed through established planning procedures and be included in an approved park management or IPM plan. IPM procedures will be used to determine when to implement pest management actions, and which combination of strategies will be most effective for each pest situation.

Under the Service's IPM program, all pesticide use on lands managed or regulated by the Service, whether that use was authorized or unauthorized, must be reported annually.

4.4.5.3 Pesticide Use

A pesticide, as defined by the Federal Insecticide, Fungicide and Rodenticide Act, is any substance or mixture that is used in any manner to destroy, repel, or control the growth of any viral, microbial, plant, or animal pest. Except as identified in the next paragraph, all prospective users of pesticides in parks must submit pesticide use requests, which will be reviewed on a case-by-case basis, taking into account environmental effects, cost and staffing, and other relevant considerations. The decision to incorporate a chemical, biological, or bio-engineered pesticide into a management strategy will be based on a determination by a designated IPM specialist that it is necessary, and that all other available options are either not acceptable or not feasible.

Insect repellents, bear deterrent sprays, and insecticides applied to persons or to livestock must conform to NPS policies and approval procedures, except that pesticides used under the following conditions do not require approval:

- Cleansers and disinfectants used in restrooms and restaurants;
- Personal insect repellents, insecticides, and bear deterrent sprays that employees or park visitors personally obtain and use to meet personal needs; or
- Insect repellents and insecticides applied to personally owned pets and pack and saddle stock.

4.4.5.4 Biological Control Agents and Bio-engineered Products

The application or release of any bio-control agent or bio-engineered product relating to pest management activities must be reviewed by designated IPM specialists in accordance with Director's Order #77-7, and conform to the exotic species policies in section 4.4.4.

4.4.5.5 Pesticide Purchase and Storage

Pesticides must not be stockpiled. No pesticides may be purchased unless they are authorized and expected to be used within one year from the date of purchase. Pesticide storage, transport, and disposal will comply with procedures established by (1) the Environmental Protection Agency; (2) the individual states in which parks are located; and (3) Director's Order #30A: Hazardous and Solid Waste Management, Director's Order #77-1: Wetland Protection, and Director's Order 77-7.

(See Planning for Natural Resource Management 4.1.1; Genetic Resource Management Principles 4.4.1.2; Management of Exotic Species 4.4.4)

4.5 Fire Management

Naturally ignited fire is a process that is part of many of the natural systems that are being sustained in parks. Human-ignited fires often cause the unnatural destruction of park natural resources. Wildland fire may contribute to or hinder the achievement of park management objectives. Therefore, park fire management programs will be designed to meet park resource management objectives while ensuring that firefighter and public safety are not compromised.

Each park with vegetation capable of burning will prepare a fire management plan and will address the need for adequate funding and staffing to support its fire management program. The plan will be designed to guide a program that responds to the park's natural and cultural resource objectives; provides for safety considerations for park visitors, employees, neighbors, and developed facilities; and addresses potential impacts to public and private property adjacent to the park. An environmental assessment developed in support of the plan will consider the effects on air quality, water quality, health and safety, and natural and cultural resource management objectives. Preparation of the plan and environmental assessment will include collaboration with adjacent communities, interest groups, state and federal agencies, and tribal governments.

All fires burning in natural or landscaped vegetation in parks will be classified as either wildland fires or prescribed fires. All wildland fires will be effectively managed through application of the appropriate strategic and tactical management options. These options will be selected after comprehensive consideration of the resource values to be protected, firefighter and public safety, and costs. Prescribed fires are those fires ignited by park managers to achieve resource management and fuel treatment objectives. Prescribed fire activities will include monitoring programs that record fire behavior, smoke behavior, fire decisions, and fire effects to provide information on whether specific objectives are met. All parks will use a systematic decision-making process to determine the most appropriate management strategies for all unplanned ignitions, and for any prescribed fires that are no longer meeting resource management objectives.

Parks lacking an approved fire management plan may not use resource benefits as a primary consideration influencing the selection of a suppression strategy, but they must consider the resource impacts of suppression alternatives in their decisions. Until a plan is approved, parks must immediately suppress all wildland fires, taking into consideration park resources and values to be protected, firefighter and public safety, and costs. Parks will use methods to suppress wildland fires that minimize impacts of the suppression action and the fire, and are commensurate with effective control, firefighter and public safety, and resource values to be protected.

Suppression activities conducted within wilderness, including the categories of designated, recommended, potential, proposed, and study areas, will be consistent with the "minimum requirement" concept identified in Director's Order #41: Wilderness Preservation and Management.

(See General Management Concepts 4.1; Partnerships 4.1.4; Restoration of Natural Systems 4.1.5; Air Resource Management 4.7; Fire Detection, Suppression, and Post-fire Rehabilitation and Protection 5.3.1.2; Fire Management 6.3.9; Visitor Safety 8.2.5.1; Structural Fire Protection and Suppression 9.1.8. Also see Director's Order #18: Wildland Fire Management)

4.6 Water Resource Management

4.6.1 Protection of Surface Waters and Groundwaters

The Service will perpetuate surface waters and groundwaters as integral components of park aquatic and terrestrial ecosystems.

4.6.2 Water Rights

Water for the preservation and management of the national park system will be obtained and used in accordance with legal authorities. The Park Service will consider all available authorities on a case-by-case basis and will pursue those that are the most appropriate to protect water-related resources in parks. While preserving its legal remedies, the Service will work with state water administrators to protect park resources, and will participate in negotiations to seek the resolution of conflicts among multiple water claimants. Water essential for NPS needs will be purchased if it is not otherwise available. NPS consumptive use of water will be efficient and frugal, especially in water-scarce areas.

All rights to the use of water diverted from or used on federal lands within the national park system by the United States or its concessioners, lessors, or permittees will be perfected in the name of the United States.

Park waters—either surface waters or groundwater—will be withdrawn for consumptive use only when such withdrawal is absolutely necessary for the use and management of the park. All park water withdrawn for domestic or administrative uses will be returned to the park watershed system once it has been treated to a degree that ensures that there will be no impairment of park resources.

The Service may enter into contracts providing for the sale or lease of water to persons, states, or their political subdivisions that provide public accommodations or services for park visitors outside the park, but within the immediate vicinity of a park, and that have no reasonable alternative sources of water. The Service will authorize such contracts only if the water transfer does not jeopardize or unduly interfere with the natural or cultural resources of the park, and the government's costs are fully recovered. The Service will generally authorize only short-term, truly emergency, sales or leases of water. The Service will follow the requirements and procedures of Director's Orders #35A and #35B when considering the sale or lease of park water.

(See Decision-making Requirements to Avoid Impairments 1.4.7; External Threats to Park Resources and Values 1.5)

4.6.3 Water Quality

The pollution of surface waters and groundwaters by both point and non-point sources can impair the natural functioning of aquatic and terrestrial ecosystems, and diminish the utility of park waters for visitor use and enjoyment. The Service will determine the quality of park surface and groundwater resources and avoid, whenever possible, the pollution of park waters by human activities occurring within and outside of parks. The Service will:

- Work with appropriate governmental bodies to obtain the highest possible standards available under the Clean Water Act for the protection for park waters;
- Take all necessary actions to maintain or restore the quality of surface waters and ground waters within the parks consistent with the Clean Water Act and all other applicable federal, state, and local laws and regulations; and
- Enter into agreements with other agencies and governing bodies, as appropriate, to secure their cooperation in maintaining or restoring the quality of park water resources.

(See Pest Management 4.4.5; Soil Resource Management 4.8.2.4; Backcountry Use 8.2.2.4; Mineral Exploration and Development 8.7; Grazing by Domestic and Feral Livestock 8.6.8; Water Supply Systems 9.1.5.1; Wastewater Treatment Systems 9.1.5.2; Waste Management and Contaminant Issues 9.1.6; Facilities for Water Recreation 9.3.4.2. Also see Director's Order #83: Public Health Programs)

4.6.4 Floodplains

In managing floodplains on park lands, the National Park Service will (1) manage for the preservation of floodplain values; (2) minimize potentially hazardous conditions associated with flooding; and (3) comply with the NPS Organic Act and all other federal laws and Executive orders related to the management of activities in flood-prone areas, including Executive Order 11988 (Floodplain Management), NEPA, applicable provisions of the Clean Water Act, and the Rivers and Harbors Appropriation Act of 1899. Specifically, the Service will:

- Protect, preserve, and restore the natural resources and functions of floodplains;
- Avoid the long- and short-term environmental effects associated with the occupancy and modification of floodplains; and
- Avoid direct and indirect support of floodplain development and actions that could adversely affect the natural resources and functions of floodplains or increase flood risks.

When it is not practicable to locate or relocate development or inappropriate human activities to a site outside and not affecting the floodplain, the Service will:

- Prepare and approve a statement of findings, in accordance with procedures described in Director's Order 77-2: Floodplain Management; and
- Use non-structural measures as much as practicable to reduce hazards to human life and property, while minimizing the impact to the natural resources of floodplains; and
- Ensure that structures and facilities are designed to be consistent with the intent of the standards and criteria of the National Flood Insurance Program (44 CFR Part 60).

(See Siting Facilities to Avoid Natural Hazards 9.1.1.6)

4.6.5 Wetlands

The Service will manage wetlands in compliance with NPS mandates and the requirements of Executive Order 11990 (Wetland Protection), the Clean Water Act, and the Rivers and Harbors Appropriation Act of 1899, and the procedures described in Director's Order 77-1: Wetland Protection. The Service will (1) provide leadership and take action to prevent the destruction, loss, or degradation of wetlands; (2) preserve and enhance the natural and beneficial values of wetlands; and (3) avoid direct and indirect support of new construction in wetlands unless there are no practicable alternatives and the proposed action includes all practicable measures to minimize harm to wetlands.

The Service will implement a "no net loss of wetlands" policy. In addition, the Service will strive to achieve a longer term goal of net gain of wetlands across the national park system through restoration of previously degraded or destroyed wetlands.

When natural wetland characteristics or functions have been degraded or lost due to previous or on-going human actions, the Service will, to the extent practicable, restore them to pre-disturbance conditions.

The Service will conduct or obtain parkwide wetland inventories to help ensure proper planning with respect to the management and protection of wetland resources. Additional, more detailed wetland inventories will be conducted in areas that are proposed for development or are otherwise susceptible to degradation or loss due to human activities.

When practicable, the Service will not simply protect, but will seek to enhance, natural wetland values by using them for educational, recreational, scientific, and similar purposes that do not disrupt natural wetland functions.

For proposed new development or other new activities, plans, or programs that are either located in, or otherwise have the potential for direct or indirect adverse impacts on, wetlands, the Service will employ the following sequence:

- Avoid adverse wetland impacts to the extent practicable;
- Minimize impacts that cannot be avoided; and
- Compensate for remaining unavoidable adverse wetland impacts by restoring wetlands that have been previously destroyed or degraded.

Compensation for wetland impacts or losses will require that at least one acre of wetlands be restored for each acre destroyed or degraded.

Actions proposed by the NPS that have the potential to cause adverse impacts on wetlands must be addressed in an environmental assessment or an environmental impact statement. If the preferred alternative will result in adverse impacts on wetlands, a statement of findings must be prepared and approved in accordance with Director's Order #77-1.

(See Decision-making Requirements to Avoid Impairments 1.4.7; Siting Facilities to Avoid Natural Hazards 9.1.1.6)

4.6.6 Watershed and Stream Processes

The Service will manage watersheds as complete hydrologic systems, and will minimize human disturbance to the natural upland processes that deliver water, sediment, and woody debris to streams. These processes include runoff, erosion, and disturbance to vegetation and soil caused by fire, insects, meteorologic events, and mass movements. The Service will manage streams to protect stream processes that create habitat features such as floodplains, riparian systems, woody debris accumulations, terraces, gravel bars, riffles, and pools. Stream processes include flooding, stream migration, and associated erosion and deposition.

The Service will achieve the protection of watershed and stream features primarily by avoiding impacts to watershed and riparian vegetation, and by allowing natural fluvial processes to proceed unimpeded. When conflicts between infrastructure (such as bridges and pipeline crossings) and stream processes are unavoidable, NPS managers will first consider relocating or redesigning facilities, rather than manipulating streams. Where stream manipulation is unavoidable, managers will use techniques that are visually non-obtrusive and that protect natural processes to the greatest extent practicable.

(See Floodplains 4.6.4; Shorelines and Barrier Islands; 4.8.1.1; Facility Planning and Design 9.1.1. Also see "Unified Federal Policy for a Watershed Approach to Federal Land and Resource Management," 65 FR 62566, October 18, 2000)

4.7 Air Resource Management

4.7.1 Air Quality

The National Park Service has a responsibility to protect air quality under both the 1916 Organic Act and the Clean Air Act (CAA). Accordingly, the Service will seek to perpetuate the best possible air quality in parks to (1) preserve natural resources and systems; (2) preserve cultural resources; and (3) sustain visitor enjoyment, human health, and scenic vistas. Vegetation, visibility, water quality, wildlife, historic and prehistoric structures and objects, cultural landscapes, and most other elements of a park environment are sensitive to air pollution and are referred to as "air quality-related values." The Service will assume an aggressive role in promoting and pursuing measures to protect these values from the adverse impacts of air pollution. In cases of doubt as to the impacts of existing or potential air pollution on park resources, the Service will err on the side of protecting air quality and related values for future generations.

Superintendents will take actions consistent with their affirmative responsibilities under the CAA to protect air quality-related values in Class I areas. Class I areas are national parks over 6,000 acres and national wilderness areas over 5,000 acres that were in existence on August 7, 1977. The CAA establishes a national goal of preventing any future, and remedying any existing, human-made visibility impairment in Class I areas. The Service supports that goal, and will take advantage of opportunities created by the CAA to help achieve it.

The CAA also recognizes the importance of integral vistas, which are those views perceived from within Class I areas of a specific landmark or panorama located outside the boundary of the Class I area. Integral vistas have been identified by the Service and are listed in Natural Resources Reference Manual 77. There are no regulations requiring special protection of these integral vistas, but the Service will strive to protect these park-related resources through cooperative means.

Although the CAA gives the highest level of air quality protection to Class I areas, it provides many opportunities for the Service to participate in the development of pollution control programs to preserve, protect, and enhance the air quality of all units of the National Park System. Regardless of Class I designation, the Service will take advantage of these opportunities.

Air resource management requirements will be integrated into NPS operations and planning, and all air pollution sources within parks – including prescribed fire management and visitor use activities – will comply with all federal, state, and local air quality regulations and permitting requirements. Superintendents will make reasonable efforts to notify visitors and employees when air pollution concentrations within an area exceed the national or state air quality standards established to protect public health. Furthermore, because the current and future quality of park air resources depends heavily on the actions of others, the Service will acquire the information needed to effectively participate in decision-making that affects park air quality. The Service will:

- Inventory the air quality-related values associated with each park;
- Monitor and document the condition of air quality and related values;
- Evaluate air pollution impacts, and identify causes;
- Minimize air quality pollution emissions associated with park operations, including the use of prescribed fire and visitor use activities; and
- Ensure healthful indoor air quality in NPS facilities.

External programs needed to remedy existing, and prevent future, impacts on park resources and values from human-caused air pollution will be aggressively pursued by Service participation in the development of federal, state, and local air pollution control plans and regulations. Permit applications for major new air pollution sources will be reviewed, and potential impacts will be assessed. If it is determined that any such new source might cause or contribute to an adverse impact on air quality-related values, the NPS will recommend to the permitting authority that the construction permit be denied or modified to eliminate adverse impacts.

The public's understanding of park air quality issues will be promoted through educational and interpretive programs.

(See External Threats and Opportunities 1.5; Fire Management 4.5; Environmental Monitoring and Control 5.3.1.4; Resource Issue Interpretation and Education 7.5.3; Visitor Safety and Emergency Response 8.2.5; Energy Management 9.1.7)

4.7.2 Weather and Climate

Parks containing significant natural resources will gather and maintain baseline climatological data for perpetual reference.

Because any human attempt to modify weather has the potential to alter the natural conditions in parks, the Service will not conduct weather-modification activities, and will seek to prevent weather-modification activities conducted by others from affecting park weather, climate, and resources.

(See NPS-conducted or NPS-sponsored Inventory, Monitoring, and Research Studies 4.2.1; Miscellaneous Management Facilities 9.4.5)

4.8 Geologic Resource Management

The Park Service will preserve and protect geologic resources as integral components of park natural systems. As used here, the term "geologic resources" includes both geologic features and geologic proccesses. The Service will (1) assess the impacts of natural processes and human-related events on geologic resources; (2) maintain and restore the integrity of existing geologic resources; (3) integrate geologic resource management into Service operations and planning; and (4) interpret geologic resources for park visitors.

4.8.1 Protection of Geologic Processes

The Service will allow natural geologic processes to proceed unimpeded. Geologic processes are the natural physical and chemical forces that act within natural systems, as well as upon human developments, across a broad spectrum of space and time. Such processes include, but are not limited to, exfoliation, erosion and sedimentation, glaciation, karst processes, shoreline processes, and seismic and volcanic activity. Geologic processes will be addressed during planning and other management activities in an effort to reduce hazards that can threaten the safety of park visitors and staff and the long-term viability of the park infrastructure.

Intervention in natural geologic processes will be permitted only when:

- Directed by Congress;
- Necessary in emergencies that threaten human life and property;
- There is no other feasible way to protect natural resources, park facilities, or historic properties; or

- Intervention is necessary to restore impacted conditions and processes, such as restoring habitat for threatened or endangered species.

4.8.1.1 Shorelines and Barrier Islands

Natural shoreline processes (such as erosion, deposition, dune formation, overwash, inlet formation, and shoreline migration) will be allowed to continue without interference.

Where human activities or structures have altered the nature or rate of natural shoreline processes, the Service will, in consultation with appropriate state and federal agencies, investigate alternatives for mitigating the effects of such activities or structures and for restoring natural conditions. The Service will comply with the provisions of Executive Order 11988 (Floodplain Management) and state coastal zone management plans prepared under the Coastal Zone Management Act of 1972.

Any shoreline manipulation measures proposed to protect cultural resources may be approved only after an analysis of the degree to which such measures would impact natural resources and processes, so that an informed decision can be made through an assessment of alternatives.

Where erosion control is required by law, or where present developments must be protected in the short run to achieve park management objectives, including high-density visitor use, the Service will use the most effective and natural-appearing method feasible, while minimizing impacts outside the target area.

New developments will not be placed in areas subject to wave erosion or active shoreline processes unless (1) the development is required by law; or (2) the development is essential to meet the park's purposes, as defined by its establishing act or proclamation, and

- No practicable alternative locations are available,
- The development will be reasonably assured of surviving during its planned life span, without the need for shoreline control measures, and
- Steps will be taken to minimize safety hazards and harm to property and natural resources.

(See Floodplains 4.6.4; Cultural Resources Chapter 5; Siting Facilities to Avoid Natural Hazards 9.1.1.6. Also see Director's Order #77-2: Floodplain Management)

4.8.1.2 Karst

The Service will manage karst terrain to maintain the inherent integrity of its water quality, spring flow, drainage patterns, and caves. Karst processes (the processes by which water dissolves soluble rock such as limestone) create areas typified by sinkholes, underground streams, caves, and springs.

Local and regional hydrological systems resulting from karst processes can be directly influenced by surface land use practices. If existing or proposed developments do or will significantly alter or adversely impact karst processes, these impacts will be mitigated. Where practicable, these developments will be placed where they will not have an effect on the karst system.

4.8.1.3 Geologic Hazards

Naturally-occurring geologic processes, which the NPS is charged to preserve unimpaired, can be hazardous to humans and park infrastructure. These include earthquakes, volcanic eruptions, mudflows, landslides, floods, shoreline processes, tsunamis, and avalanches. The Service will work closely with specialists at the U.S. Geological Survey and elsewhere, and with local, state, and federal disaster management officials, to devise effective geologic hazard identification and management strategies. Although the magnitude and timing of future geologic hazards are difficult to forecast, park managers will strive to understand future hazards and, once the hazards are understood, minimize their potential impact on visitors, staff, and developed areas. Before interfering with natural processes that are potentially hazardous, superintendents will consider alternatives such as closing an area to visitors or relocating facilities.

The Service will try to avoid placing new visitor and other facilities in geologically hazardous areas. Superintendents will examine the feasibility of phasing out, relocating, or providing alternative facilities for park developments subject to hazardous processes, consistent with other sections of these management policies.

(See Siting Facilities to Avoid Natural Hazards 9.1.1.6)

4.8.2 Management of Geologic Features

The Service will protect geologic features from the adverse effects of human activity, while allowing natural processes to continue. The term "geologic features" describes the products and physical components of geologic processes. Examples of geologic features in parks include rocks, soils, and minerals; geysers and hot springs in geothermal systems; cave and karst systems; canyons and arches in erosional landscapes; sand dunes, moraines, and terraces in depositional landscapes; dramatic or unusual rock outcrops and formations; and paleontological and paleoecological resources such as fossilized plants or animals, or their traces.

4.8.2.1 Paleontological Resources and Their Contexts

Paleontological resources, including both organic and mineralized remains in body or trace form, will be protected, preserved, and managed for public education, interpretation, and scientific research. The Service will study and manage paleontological resources in their paleoecological context (that is, in terms of the geologic data associated with a particular fossil that provides information about the ancient environment).

Superintendents will establish programs to inventory paleontological resources and systematically monitor for newly exposed fossils, especially in areas of rapid erosion. Scientifically significant resources will be protected by collection or by on-site protection and stabilization. The Service will encourage and help the academic community to conduct paleontological field research in accordance with the terms of a scientific research and collecting permit. Fossil localities and associated geologic data will be adequately documented when specimens are collected. Paleontological resources found in an archeological context are also subject to the policies for archeological resources. Paleontological specimens that are to be retained permanently are subject to the policies for museum objects.

The Service will take appropriate action to prevent damage to, and unauthorized collection of, fossils. To protect paleontological resources from harm, theft, or destruction, the Service will ensure, where necessary, that information about the nature and specific location of these resources remains confidential, in accordance with the National Parks Omnibus Management Act of 1998.

Parks will exchange fossil specimens only with other museums and public institutions dedicated to the preservation and interpretation of natural heritage and qualified to manage museum collections. Fossils to be deaccessioned in an exchange must fall outside of the park's scope of collection statement. Exchanges must follow deaccession procedures in the Museum Handbook, Part II, chapter 6.

The sale of original paleontological specimens is prohibited in parks.

The Service generally will avoid purchasing fossil specimens. Casts or replicas should be acquired instead. A park may purchase fossil specimens for the park museum collection only after making a written determination that:

- The specimens are scientifically significant, and are accompanied by detailed locality data and pertinent contextual data;
- The specimens were legally removed from their site of origin, and all transfers of ownership have been legal;
- The preparation of the specimens meets professional standards;
- The alternatives for making these specimens available to science and the public are unlikely; and
- Acquisition is consistent with the park's enabling legislation and Scope of Collection Statement, and will ensure the specimens' availability in perpetuity for public education and scientific research.

All National Park Service construction projects in areas with potential paleontological resources must be preceded by a pre-construction surface assessment prior to disturbance. For any occurrences noted, or when the site may yield paleontological resources, the site will be avoided, or the resources will, if necessary, be collected and properly cared for prior to the initiation of the construction disturbance. Areas with potential paleontological resources must also be monitored during construction projects.

(See Natural Resource Information 4.1.2; Studies and Collections 4.2; Independent Research 5.1.2; Artifacts and Specimens 10.2.4.5. Also see 36 CFR 2.5)

4.8.2.2 Caves

As used here, the term "caves" includes karst (such as limestone and gypsum caves) and non-karst caves (such as lava tubes, littoral caves, and talus caves). The Service will manage caves in accordance with approved cave management plans to perpetuate the natural systems associated with the caves, such as karst and other drainage patterns, air flows, mineral deposition, and plant and animal communities. Wilderness and cultural resources and values will also be protected.

No developments or uses, including those that allow for general public entry, such as pathways, lighting, and elevator shafts, will be allowed in, above, or adjacent to caves until it can be demonstrated that they will not unacceptably impact natural cave conditions, including sub-surface water movements. Developments already in place above caves will be removed if they are impairing or threatening to impair natural conditions or resources.

Parks will strive to close caves or portions of caves to public use, or to control such use, when such actions are required for the protection of cave resources or for human safety. Some caves or portions of caves may be managed exclusively for research, with access limited to permitted research personnel. All recreational use of undeveloped caves will be governed by a permit system. "Significant" caves will be identified using the criteria established in the 43 CFR Part 37 regulations for the Federal Cave Resources Protection Act of 1988 (FCRPA). As further established by the FCRPA, specific locations of significant cave entrances may be kept confidential and exempted from FOIA requests.

(See Decision-making Requirements to Avoid Impairments 1.4.7; Information Confidentiality 1.7.3; Caves 6.3.11.2)

4.8.2.3 Geothermal and Hydrothermal Resources

Thermal resources within units of the national park system will be protected, preserved, and managed as a critical component of the units' natural resource systems, and for public education, interpretation, and scientific research. Thermal resources, also known as geothermal or hydrothermal systems, are comprised of a subsurface heat source, heat conduit rock formations, and air and/or water that circulates through the formations and may discharge at the surface, creating features such as geysers, hot springs, mudpots, fumaroles, unique/rare mineral precipitates and formations, and hydrophilic biotic communities.

Superintendents will strive to maintain the natural integrity of thermal systems, including the movement of air and/or water through the heated rock, cold water recharge, the proximity of the hot and warm water to the heat source, and the hydrostatic pressure and elevated temperature.

Superintendents will work to prevent impacts caused by the development of thermal resources. Such impacts include the loss of surface thermal features; land subsidence; an increase in seismic activity; the release of noxious gases; noise and surface disturbance from drilling or power plant construction; and the release of polluted water or brines. Because thermal systems may extend well beyond park boundaries, the NPS will work closely with federal, state, and tribal agencies to delineate the full extent of thermal resources, and protect those that occur within parks. In protecting park thermal resources, superintendents should consider authorities available under the Geothermal Steam Act of 1970, as amended; state water rights; and mineral leasing laws.

As required by the Geothermal Steam Act, the NPS will maintain a list of significant thermal features within park units. The criteria and procedures for designating significant thermal resources within parks are specified within the Geothermal Steam Act Amendments of 1988. In cooperation with the U.S. Geological Survey, the NPS will conduct a monitoring program for the designated significant thermal features.

4.8.2.4 Soil Resource Management

The Service will actively seek to understand and preserve the soil resources of parks, and to prevent, to the extent possible,

the unnatural erosion, physical removal, or contamination of the soil, or its contamination of other resources. Parks will obtain surveys of soils adequate for the management of park resources. All soil surveys will follow National Cooperative Soil Survey Standards. Products will include soil maps, determinations of the physical and chemical characteristics of soils, and the interpretations needed to guide resource management and development decisions.

Management action will be taken by superintendents to prevent—or if that is not possible, to minimize—adverse, potentially irreversible impacts on soils. Soil conservation and soil amendment practices may be implemented to reduce impacts. Importation of off-site soil or soil amendments may be used to restore damaged sites. Off-site soil normally will be salvaged soil, not soil removed from pristine sites, unless the use of pristine site soil can be achieved without causing any overall ecosystem impairment. Prior to using any off-site materials, parks must develop a prescription, and select the materials that will be needed to restore the physical, chemical, and biological characteristics of original native soils without introducing any exotic species.

When soil excavation is an unavoidable part of an approved facility development project, the Service will minimize soil excavation, erosion, and off-site soil migration during and after the development activity.

When use of a soil fertilizer or other soil amendment is an unavoidable part of restoring a natural landscape or maintaining an altered plant community, the use will be guided by a written prescription. The prescription will be designed to ensure that such use of soil fertilizer or soil amendment does not unacceptably alter the physical, chemical, or biological characteristics of the soil, biological community, or surface or ground waters.

(See Evaluating Environmental Impacts 4.1.3; Natural Re source Collections 4.2.3; Floodplains 4.6.4; Wetlands 4.6.5; Facility Planning and Design 9.1.1)

4.9 Soundscape Management

The National Park Service will preserve, to the greatest extent possible, the natural soundscapes of parks. Natural soundscapes exist in the absence of human-caused sound. The natural soundscape is the aggregate of all the natural sounds that occur in parks, together with the physical capacity for transmitting natural sounds. Natural sounds occur within and beyond the range of sounds that humans can perceive, and can be transmitted through air, water, or solid materials.

Some natural sounds in the natural soundscape are also part of the biological or other physical resource components of the park. Examples of such natural sounds include:

- Sounds produced by birds, frogs, or katydids to define territories or aid in attracting mates;
- Sounds produced by bats or porpoises to locate prey or navigate;
- Sounds received by mice or deer to detect and avoid predators or other danger; and
- Sounds produced by physical processes, such as wind in the trees, claps of thunder, or falling water.

The Service will restore degraded soundscapes to the natural condition wherever possible, and will protect natural soundscapes from degradation due to noise (undesirable human-caused sound).

Using appropriate management planning, superintendents will identify what levels of human-caused sound can be accepted within the management purposes of parks. The frequencies, magnitudes, and durations of human-caused sound considered acceptable will vary throughout the park, being generally greater in developed areas and generally lesser in undeveloped areas. In and adjacent to parks, the Service will monitor human activities that generate noise that adversely affects park soundscapes, including noise caused by mechanical or electronic devices. The Service will take action to prevent or minimize all noise that, through frequency, magnitude, or duration, adversely affects the natural soundscape or other park resources or values, or that exceeds levels that have been identified as being acceptable to, or appropriate for, visitor uses at the sites being monitored.

(See Use of Motorized Equipment 8.2.3; Overflights and Aviation Uses 8.4)

4.10 Lightscape Management

The Service will preserve, to the greatest extent possible, the natural lightscapes of parks, which are natural resources and values that exist in the absence of human-caused light. The absence of light in caves and at the bottom of deep bodies of water influences biological processes and the evolution of species, such as the blind cave cricket. The phosphorescence of waves on dark nights helps hatchling sea turtles orient to the ocean. The stars, planets, and earth's moon that are visible during clear nights influence humans and many other species of animals, such as birds that navigate by the stars or prey animals that reduce their activities during moonlit nights.

Recognizing the roles that light and dark periods and darkness play in natural resource processes and the evolution of species, the Service will protect natural darkness and other components of the natural lightscape in parks. To prevent the loss of dark conditions and of natural night skies, the Service will seek the cooperation of park visitors, neighbors, and local government agencies to prevent or minimize the intrusion of artificial light into the night scene of the ecosystems of parks. The Service will not use artificial lighting in areas such as sea turtle nesting locations, where the presence of the artificial lighting will disrupt dark-dependent natural resource components of a park.

The Service will:

- Restrict the use of artificial lighting in parks to those areas where security, basic human safety, and specific cultural resource requirements must be met;
- Utilize minimal impact lighting techniques; and
- Shield the use of artificial lighting where necessary to prevent the disruption of the night sky, natural cave processes, physiological processes of living organisms, and similar natural processes.

The decision about whether or not to install artificial lighting in particular circumstances is left to the discretion of the superintendent, and is made through the planning process.

(See Visitor Safety and Emergency Response 8.2.5, Facility Planning and Design 9.1.1; Integration of Facilities into the Park Environment 9.1.1.2; Energy Management 9.1.7)

4.11 Chemical Information and Odors

The Service will preserve, to the greatest extent possible, the natural flow of natural chemical information and odors, by preventing (1) the release of human-generated chemicals that can block the release, deposition, or perception of natural chemicals; and (2) human actions that disrupt or commingle the pathways through which natural chemicals are dispersed.

Such information and odors are naturally produced and chemically based, and transmit information that is received by living organisms. Natural chemicals involved in the transmission of information are released by animals, plants, and geologic materials. Once released, these chemicals can be transmitted through air and water. Many animals can perceive these natural chemicals and modify their behaviors, such as mating, migration, feeding, predator avoidance, prey selection, and the establishment of social structures, as a response. Specific examples of relationships that involve natural chemical information and odors include, among others:

- Scent posts where one animal deposits one or more chemicals by rubbing, urination, defecation, or other means, and where other animals can detect the passage of the first animal because of the odor produced by a deposited chemical;
- Flowers that produce odors that attract insects, birds, and other animals, with resulting cross-pollination of the flowers and reproduction of the species as the outcome;
- Female insects that release chemicals (pheromones) that attract males, with fertilization of the female's eggs and reproduction of the species as the outcome;
- Stressed trees that emit chemicals that some types of beetles use to find weakened trees, which they then successfully can colonize and use as habitat for reproducing themselves; and
- Geologic materials (soils or bedrock) that emit characteristic chemicals that fish can sense and use as guides to find the places in streams where they hatched and where they subsequently return to breed and deposit fertilized eggs, with reproduction of the species as the outcome.

The Service acknowledges that some of its management activities may necessarily alter the natural flow of natural chemical information and odors. The Service may, for example:

- Introduce pesticides or pheromones into parks as part of an integrated pest management program;
- Construct and operate intensive development areas that eliminate animal scent stations and introduce unnatural chemicals;
- Change the vegetation and thereby change the kinds of natural plant chemicals released to the air;
- Move water from one drainage to another through water and sewer systems; or
- Provide for the use of exhaust-emitting motors in the air, on land, and on water.

Whenever the Service engages in activities that disrupt the natural flow of natural chemical information or odors, it will comply with all applicable laws, regulations, and policies, and seek to minimize harm to the environment. In no case will the Service engage in an activity if it will impair park resources or values.

8
Use of the Parks

National parks belong to all Americans, and all Americans should feel welcome to experience the parks. The National Park Service will promote and regulate appropriate use of the parks, and will provide the services necessary to meet the basic needs of park visitors and to achieve each park's mission goals.

The National Park Service will provide visitor enjoyment opportunities that are uniquely suited and appropriate to the superlative natural and cultural resources found within parks.

8.1 General

Many different types of uses take place in the hundreds of parks that comprise the national park system. Some of those uses are carried out by the National Park Service, but many more are carried out by park visitors, permittees, lessees, and licensees. The 1916 Organic Act, which created the National Park Service, directs the Service to conserve park resources "unimpaired" for the enjoyment of future generations. The 1970 National Park System General Authorities Act, as amended in 1978, prohibits the Service from allowing any activities that would cause derogation of the values and purposes for which the parks have been established (except as directly and specifically provided by Congress). Taken together, these two laws impose on NPS managers a strict mandate to protect park resources and values, and a responsibility to actively manage all park uses and, when necessary, to regulate their amount, kind, time, and place. (Throughout Management Policies, the term "impairment" is construed to also encompass "derogation.")

Providing opportunities for appropriate public enjoyment is an important part of the Service's mission. Other park uses—unrelated to public enjoyment—may sometimes be allowed as a right or a privilege if they are not otherwise prohibited by law or regulation. In exercising its discretionary authority, the Service will allow only uses that are (1) appropriate to the purpose for which the park was established, and (2) can be sustained without causing unacceptable impacts to park resources or values. Recreational activities and other uses that would impair a park's resources, values, or purposes cannot be allowed. The only exception is when an activity that would cause impairment is directly and specifically mandated by Congress.

The fact that a park use may have an impact does not necessarily mean it will impair park resources or values for the enjoyment of future generations. Impacts may affect park resources or values and still be within the limits of the discretionary authority conferred by the Organic Act. However, negative or adverse environmental impacts are never welcome in national parks, even when they fall far short of causing impairment. For this reason, the Service will not knowingly authorize a park use that would cause negative or adverse impacts unless it has been fully evaluated, appropriate public involvement has been obtained, and a compelling management need is present. In those situations, the Service will ensure that any negative or adverse impacts are the minimum necessary, unavoidable, cannot be further mitigated, and do not constitute impairment of park resources and values.

When a use is mandated by law, but causes adverse impacts to park resources or values, the Service will take appropriate management actions to avoid or mitigate the adverse effects. When a use is authorized by law, but not mandated, and may cause adverse impacts to park resources or values, the Service will avoid or mitigate the impacts to the point where there will be no unacceptable impacts; or, if necessary, the Service will deny a proposed activity or eliminate an existing activity.

All proposals for park uses will be evaluated for their:

- consistency with applicable laws, Executive orders, regulations, and policies;
- consistency with existing plans for public use and resource management;
- actual and potential effects on park resources and values;
- total costs to the Service, and whether the public interest will be served.

Park superintendents must continually examine all park uses to ensure that unanticipated and unacceptable impacts do not occur. Unless mandated by statute, only uses that meet the criteria listed in section 8.2 may be allowed.

Specific park uses will be guided by the following subsections of this chapter, and must comply also with the other chapters of these Management Policies. The Service will coordinate with appropriate state authorities regarding activities that are subject to state regulation, or to joint state/federal regulation. The regulatory framework for implementing NPS policies governing use of the parks, and for determining when and where activities may be allowed, is found in 36 CFR Parts 2, 3, 4, 5, 7, 12, and 13. Procedures for implementing or terminating a restriction, condition, public use limit, or closure within a park area are found in 36 CFR 1.5 (but see also 36 CFR 13.30 and 43 CFR 36.11(h) for procedures specific to park areas in Alaska). Some activities may be allowed in parks only after park-specific regulations have been published.

(See Park Management 1.4; Consumptive Uses 8.9. Also see Director's Order #12; 36 CFR 2.1)

8.2 Visitor Use

Enjoyment of park resources and values by the people of the United States is part of the fundamental purpose of all parks. The Service is committed to providing appropriate, high quality opportunities for visitors to enjoy the parks, and will maintain within the parks an atmosphere that is open, inviting, and accessible to every segment of American society. However, many forms of recreation enjoyed by the public do not require a national park setting, and are more appropriate to other venues. The Service will therefore:

- Provide opportunities for forms of enjoyment that are uniquely suited and appropriate to the superlative natural and cultural resources found in the parks.
- Defer to local, state, and other federal agencies; private industry; and non-governmental organizations to meet the broader spectrum of recreational needs and demands.

To provide for enjoyment of the parks, the National Park Service will encourage visitor activities that:

- Are appropriate to the purpose for which the park was established; and
- Are inspirational, educational, or healthful, and otherwise appropriate to the park environment; and.
- Will foster an understanding of, and appreciation for, park resources and values, or will promote enjoyment through a direct association with, interaction with, or relation to park resources; and
- Can be sustained without causing unacceptable impacts to park resources or values.

The primary means by which the Service will actively foster and provide activities that meet these criteria will be through its interpretive and educational programs, which are described in detail in chapter 7. The Service will also welcome the efforts of private-sector organizations to provide structured activities that meet these criteria. In addition to structured activities, the Service will, to the extent practicable, afford visitors ample opportunity for inspiration, appreciation, and enjoyment through their own personalized experiences, without the formality of program or structure.

The Service will allow other visitor uses that do not meet all the above criteria if they are appropriate to the purpose for which the park was established and they can be sustained without causing unacceptable impacts to park resources or values.

Unless mandated by statute, the Service will not allow visitors to conduct activities that:

- Would impair park resources or values;
- Create an unsafe or unhealthful environment for other visitors or employees;
- Are contrary to the purposes for which the park was established; or
- Unreasonably interfere with:
  - The atmosphere of peace and tranquility, or the natural soundscape maintained in wilderness and natural, historic, or commemorative locations within the park;
  - NPS interpretive, visitor service, administrative, or other activities;
  - NPS concessioner or contractor operations or services; or
  - Other existing, appropriate park uses.

Management controls must be imposed on all park uses to ensure that park resources and values are preserved and protected for the future. If and when a superintendent has a reasonable basis for believing that an ongoing or proposed public use would cause unacceptable impacts to park resources or values, the superintendent must make adjustments to the way the activity is conducted, so as to eliminate the unacceptable impacts. If necessary, the superintendent may (1) temporarily or permanently close a specific area; (2) prohibit a particular use; or (3) otherwise place limitations on the use to ensure that impairment does not occur.

Any closures or restrictions—other than those imposed by law—must be consistent with applicable laws, regulations, and policies, and (except in emergency situations) require a written determination by the superintendent that such measures are needed to:

- protect public health and safety;
- prevent unacceptable impacts to park resources or values;
- carry out scientific research;
- minimize visitor use conflicts; or
- otherwise implement management responsibilities.

When practicable, restrictions will be based on the results of study or research, including (when appropriate) research in the social sciences. Any restrictions imposed will be fully explained to visitors and the public. Visitors will be given appropriate information on how to keep adverse impacts to a minimum, and how to enjoy the safe and lawful use of the parks.

(See Park Management 1.4; Management of Recreational Use 8.2.2.1. Also see 36 CFR 1.5: "Closures and Public Use Limits"; Director's Order #12: Tourism)

8.2.1 Visitor Carrying Capacity

Visitor carrying capacity is the type and level of visitor use that can be accommodated while sustaining the desired resource and visitor experience conditions in the park. By identifying and staying within carrying capacities, superintendents can prevent park uses that may unacceptably impact the resources and values for which the parks were established. For all zones, districts, or other logical management divisions within a park, superintendents will identify visitor carrying capacities for managing public use. Superintendents will also identify ways to monitor for, and address, unacceptable impacts to park resources and visitor experiences.

When making decisions about carrying capacity, superintendents must utilize the best available natural and social science and other information, and maintain a comprehensive administrative record relating to their decisions. The decision-making process should be based on desired resource conditions and visitor experiences for the area; quality indicators and standards that define the desired resource conditions and visitor experiences; and other factors that will lead to logical conclusions and the protection of park resources and values. The level of analysis necessary to make decisions about carrying capacities is commensurate with the potential impacts or consequences of the decisions. The greater the potential for significant impacts or consequences to park resources and values (or the opportunities to enjoy them), the greater the level of study and analysis needed to support the decisions.

The general management planning process will determine the desired resource and visitor experience conditions that are the foundation for carrying capacity analysis and decision-making. If a general management plan is not current or complete, or if more detailed decision-making is required, a carrying capacity planning process, such as the Visitor Experience and Resource Protection (VERP) framework, should be applied in an implementation plan or an amendment to an existing plan. If the time frame for making decisions is insufficient to allow the application of a carrying capacity planning process, then superintendents must make decisions based on the best available scientific and other information. In either case, such planning must be accompanied by appropriate environmental impact analysis, in accordance with Director's Order #12.

As use changes over time, superintendents must continue to decide if management actions are needed to keep use at acceptable and sustainable levels. If indicators and standards have been prescribed for an impact, the acceptable level is the prescribed standard. If indicators and standards do not exist, the superintendent must determine how much impact can be tolerated before management intervention is required.

If and when park uses reach a level at which they must be limited or curtailed, the preferred choice will be to continue uses that best meet the criteria listed in section 8.2 for preferred uses, and to limit or curtail those that least meet those criteria.

(See Decision-making Requirements to Avoid Impairments 1.4.7; General Management Planning 2.3.1; Carrying Capacity 5.3.1.6; Management of Recreational Use 8.2.2.1. Also see Director's Order #2: Park Planning)

8.2.2 Recreational Activities

The National Park Service will encourage, allow, or not allow recreational activities according to the criteria listed in section 8.2. Examples of recreational activities that may be encouraged or allowed include, but are not limited to, boating, camping, bicycling, fishing, hiking, horseback riding and packing, outdoor sports, picnicking, scuba diving, cross-country skiing, caving, mountain and rock climbing, and swimming. However, not all of these activities will be appropriate or allowable in all parks; that determination must be made on the basis of park-specific planning. Service-wide regulations addressing aircraft use, off-road bicycling, hanggliding, off-road vehicle use, personal watercraft, and snowmobiling require that special, park-specific regulations be developed before these uses may be allowed in parks. (Somewhat different statutory and regulatory provisions apply to snowmobile, motorboat, and aircraft use in units of the national park system in Alaska.)

The Service will monitor new or changing patterns of use or trends in recreational activities, and assess their potential impacts on park resources. A new form of recreational activity will not be allowed within a park until after an environmental analysis has determined that it will not result in unacceptable impacts on park resources. Restrictions placed on recreational uses that have been found to be appropriate will be limited to the minimum necessary to protect park resources and values, and promote visitor safety and enjoyment.

8.2.2.1 Management of Recreational Use

Superintendents will develop and implement visitor use management plans and take management actions, as appropriate, to ensure that recreational uses and activities within the park are consistent with its authorizing legislation or proclamation and do not cause unacceptable impacts to park resources or values. Depending on local park needs and circumstances, these plans may be prepared as coordinated activity-specific documents (such as river use plan, backcountry use plan, wilderness management plan, off-road vehicle use plan, winter use plan); as action plan components of a resource management plan or general management plan; or as a single integrated plan that addresses a broad spectrum of recreational activities. Regardless of their format or complexity, visitor use management plans will (1) contain specific, measurable management objectives related to the activity or activities being addressed; (2) be periodically reviewed and updated; and (3) be consistent with the carrying capacity decisions made in the general management plan.

The Service will seek consistency in recreation management policies and procedures on both a Service-wide and interagency basis to the extent practicable. However, because of differences in the enabling legislation and resources of individual parks, and differences in the missions of the Service and other federal agencies, an activity that is entirely appropriate when conducted in one location may be inappropriate when conducted in another. The Service will consider a park's purposes and the effects on park resources and visitors when determining the appropriateness of a specific recreational activity.

Superintendents will consider a wide range of techniques in managing recreational use to avoid adverse impacts on park resources and values, or desired visitor experiences. Examples of appropriate techniques include visitor information and education programs; separation of conflicting uses by time or location; "hardening" sites; modifying maintenance practices; and permit and reservation systems. Superintendents may also use their discretionary authority to impose local restrictions, public use limits, and closures, and designate areas for a specific use or activity (see 36 CFR 1.5). Any restriction of appropriate recreational uses will be limited to what is necessary to protect park resources and values, to promote visitor safety and enjoyment, or to meet park management needs. To the extent practicable, public use limits established by the Service will be based on the results of scientific research and other available support data. However, an activity will be restricted or prohibited when, in the judgment of the superintendent, its occurrence, continuation, or expansion would (1) violate the criteria listed in section 8.2, or (2) conflict with the findings of a carrying capacity analysis, and there is no reasonable alternative that would avoid or satisfactorily mitigate the violation or conflict.

Recreational activities that are proposed as organized events or that involve commercialization, advertising, or publicity on the part of participants or organizers are defined as "special events," and are managed in accordance with the policies in section 8.6.2; regulations in 36 CFR 2.50; and criteria and procedures in Director's Order #53: Special Park Uses.

(See Park Planning Processes 2.3; Wilderness Management Planning 6.3.4.2; General Policy 6.4.1; Carrying Capacity 8.2.1; Commercial Visitor Services 8.2.2.2; River Use 8.2.2.3, Backcountry Use 8.2.2.4; fishing 8.2.2.5; Hunting and Trapping 8.2.2.6; Off-road Vehicle Use 8.2.3.1; Snowmobiles 8.2.3.2; Visitor Safety 8.2.5.1; Native American Use 8.5; Special Park Uses 8.6; Collecting Natural Products 8.8. Also see Director's Order #2: Park Planning, and #12: Conservation Planning and Environmental Impact Analysis)

8.2.2.2 Commercial Visitor Services

The Park Service may permit commercial visitor services that are necessary and appropriate for public use and enjoyment of the park, and that are consistent to the highest practicable degree with the preservation and conservation of the park's resources and values. Commercial visitor services: .

- Will be operated only under concession contracts or commercial use permits;
- Should not be provided within a park if the identified needs for visitor services can be adequately met outside park boundaries; and
- Must comply with chapter 10; Director's Orders #48A: Concession Management, and 48B: Commercial Use Authorizations; and the regulations found in 36 CFR Part 51.

(See Commercial Services 6.4.4; Planning Criteria for Park Concessions 10.2.2.1; Commercial Use Authorizations 8.3)

8.2.2.3 River Use

A river use management plan will be developed for each park having significant levels of river use, or the potential for such use, unless the planning is accomplished through some other document. Appropriate types and levels of public uses will be identified and managed to prevent adverse impacts on aquatic resources, the riparian environment, and visitor enjoyment. Each river management plan will include specific procedures for disposing of refuse and human waste. Plans should be coordinated with interested state and/or local governments.

(See Implementation Planning 2.3.3; National Wild and Scenic Rivers System 4.3.4; Water Resource Management 4.6; Flood plains 4.6.4; Wetlands 4.6.5; Grazing by Domestic and Feral Livestock 8.6.8)

8.2.2.4 Backcountry Use

The Park Service uses the term "backcountry" to refer to primitive, undeveloped portions of parks. This is not a specific management zone, but rather refers to a general condition of land that may occur anywhere within a park. Back-country use will be managed in accordance with a backcountry management plan (or other plan addressing backcountry uses) that is designed to avoid unacceptable impacts on park resources or adverse effects on the visitor enjoyment of appropriate recreational experiences. The Service will seek to identify acceptable limits of impacts, monitor backcountry use levels and resource conditions, and take prompt corrective action when unacceptable impacts occur. Strategies designed to guide the preservation, management, and use of the back-country and to achieve the park's management objectives will be integrated into the park's backcountry management plan. Backcountry under study, proposed, or recommended for wilderness designation will be managed as wilderness.

The number and types of facilities to support visitor use, including sanitary facilities, will be limited to the minimum necessary to achieve a park's backcountry management objectives and to provide for the health and safety of park visitors. To avoid the need for sanitary facilities, public use levels will be managed, where practicable, in accordance with the natural system's ability to absorb human waste. The Service will not provide refuse containers in backcountry areas. All refuse must be carried out, except that combustible materials may be burned when authorized by the superintendent.

(See Water Resource Management 4.6, Management Facilities 6.3.10; Wilderness Use Management 6.4; Visitor Carrying Capacity 8.2.1; Waste Management 9.1.6.1; Comfort Stations 9.3.3. Also see Director's Order #83: Public Health).

8.2.2.5 Fishing

Recreational fishing will be allowed in parks when it is authorized, or not specifically prohibited, by federal law, provided that it does not jeopardize natural aquatic ecosystems or riparian zones. When fishing is allowed, it will be conducted in accordance with applicable federal laws and treaty rights, and state laws and regulations. The Service may restrict fishing activities whenever necessary to achieve management objectives outlined in a park's resource management plan or to otherwise protect park resources or public safety, unless such restrictions would violate a federal law or treaty. Before the Service issues regulations or other restrictions, representatives of appropriate tribes and state and federal agencies will be consulted to ensure that all available scientific data is considered in the decision-making process. Any such regulations or other restrictions will be developed with public involvement.

Commercial fishing will be allowed only when specifically authorized by federal law or treaty right.

(See Implementation Planning 2.3.3; Planning for Natural Resource Management 4.1.1; Harvest of Plants and Animals by the Public 4.4.3; Facilities for Water Recreation 9.3.4.2)

8.2.2.6 Hunting and Trapping

Hunting, trapping, or any other method of harvesting wildlife by the public will be allowed where it is specifically mandated by federal law. Where hunting activity is not mandated, but is authorized on a discretionary basis under federal law, it may take place only after the Service has determined that the activity will not compromise public safety and enjoyment, and that the proposed use is consistent with sound resource management principles.

Hunting and trapping, whether it takes place as a mandated or a discretionary activity, will be conducted in accordance with federal law and applicable laws of the state or states in which a park is located. However, except for Alaska park units (which are subject to regulations published at 36 CFR Part 13), the park in which it occurs must also publish special regulations to govern the activity, and those regulations may be more restrictive than applicable state regulations. For example, the superintendent may designate areas where, and establish periods when, no hunting or trapping will be permitted for reasons of public safety, area administration, wildlife management, or public use and enjoyment. Before the Service issues regulations or other restrictions, representatives of appropriate tribes and state and federal agencies will be consulted to ensure that all available scientific data is considered in the decision-making process. Any such regulations or other restrictions will be developed with public involvement.

(See Harvest of Plants and Animals by the Public 4.4.3; Genetic Resource Management Principles 4.4.1.2)

8.2.2.7 BASE Jumping

BASE (Buildings, Antennae, Spans, Earth forms) jumping—also known as fixed object jumping—involves an individual wearing a parachute jumping from buildings, antennae, spans (bridges), and earth forms (cliffs). This is not an appropriate public use activity within national park areas, and is prohibited by 36 CFR 2.17(3)..

8.2.3 Use of Motorized Equipment

The variety of motorized equipment—including visitor vehicles, concessioner equipment, and Park Service administrative or staff vehicles and equipment—that operates in national parks has the potential to adversely impact park resources, including the park's natural soundscape. In addition to their natural values, natural sounds, such as waves breaking on the shore, the roar of a river, and the call of a loon, form a valued part of the visitor experience. Conversely, the sounds of motor

vehicle traffic, an electric generator, or loud music can greatly diminish the solemnity of a visit to a national memorial, the effectiveness of a park interpretive program, or the ability of a visitor to hear a bird singing its territorial song. Many parks that appear as they did in historical context no longer sound the way they once did.

The Service will strive to preserve or restore the natural quiet and natural sounds associated with the physical and biological resources of parks. To do this, superintendents will carefully evaluate and manage how, when, and where motorized equipment is used by all those—including park staff—who operate equipment in the parks. Uses and impacts associated with the use of motorized equipment will be addressed in park planning processes. Where such use is necessary and appropriate, the least impacting equipment, vehicles, and transportation systems should be used, consistent with public and employee safety. The natural ambient sound level—that is, the environment of sound that exists in the absence of human-caused noise—is the baseline condition, and the standard against which current conditions in a soundscape will be measured and evaluated.

To meet its responsibilities under Executive Order 13149 (Greening the Government Through Federal fleet and Transportation Efficiency), the Service will develop and implement a strategy to reduce its vehicle fleet's annual petroleum consumption.

(See Soundscape Management 4.9)

8.2.3.1 Off-road Vehicle Use

Off-road motor vehicle use in national park units is governed by Executive Order 11644 (as amended by Executive Order 11989), which defines off-road vehicles as "any motorized vehicle designed for or capable of cross-country travel on or immediately over, land, water, sand, snow, ice, marsh, swampland, or other natural terrain" (except any registered motorboat or any vehicle used for emergency purposes). Unless otherwise provided by statute, any time there is a proposal to allow a motor vehicle meeting this description to be used in a park, the provisions of the Executive order must be applied.

Within the national park system, routes and areas may be designated for off-road motor vehicle use only by special regulation, and only when it would be consistent with the purposes for which the park unit was established. Routes and areas may be designated only in locations in which there will be no adverse impacts on the area's natural, cultural, scenic, and esthetic values, and in consideration of other visitor uses. The criteria listed in section 8.2 must also be applied to determine whether off-road vehicle use may be allowed. As required by the Executive order and the Organic Act, superintendents must immediately close a designated off-road vehicle route whenever the use is causing, or will cause, unacceptable adverse effects on the soil, vegetation, wildlife, wildlife habitat, or cultural or historic resources.

NPS administrative off-road motor vehicle use will be limited to what is necessary to manage the public use of designated off-road vehicle routes and areas; to conduct emergency operations; and to accomplish essential maintenance, construction, and resource protection activities that cannot be accomplished reasonably by other means.

(See Park Management 1.4; Minimum Requirement 6.3.5. Also see 36 CFR 4.10)

8.2.3.2 Snowmobiles

Snowmobile use is a form of off-road vehicle use governed by Executive Order 11644 (as amended by Executive Order 11989) and, in Alaska, by provisions of ANILCA (16 USC 3121 and 3170). Implementing regulations are published at 36 CFR 2.18, 36 CFR Part 13, and 43 CFR Part 36.

NPS administrative use of snowmobiles will be limited to what is necessary to manage public use of snowmobile routes and areas; to conduct emergency operations; and to accomplish essential maintenance, construction, and resource protection activities that cannot be accomplished reasonably by other means.

(See Minimum Requirement 6.3.5; Management Facilities 6.3.10; General Policy 6.4.1)

8.2.3.3 Personal Watercraft

Motorized Personal Watercraft (PWC) use is prohibited unless it has been identified as appropriate for a specific park. PWC may be authorized if an evaluation of the park's enabling legislation, resources and values, other visitor uses, and overall management objectives confirms that PWC use is appropriate and consistent with the criteria in section 8.2.

8.2.4 Accessibility for Persons with Disabilities

All reasonable efforts will be made to make NPS facilities, programs, and services accessible to and usable by all people, including those with disabilities. This policy reflects the commitment to provide access to the widest cross section of the public, and to ensure compliance with the intent of the Architectural Barriers Act and the Rehabilitation Act. The Service will also comply with section 507 of the ADA (42 USC 12207), which relates specifically to the operation and management of federal wilderness areas. Specific guidance for implementing these laws is found in the Secretary of the Interior's regulations regarding enforcement of nondiscrimination on the basis of disability in Department of the Interior programs (43 CFR Part 17, Subpart E).

One primary tenet of disability rights requirements is that, to the highest degree reasonable, people with disabilities should be able to participate in the same programs and activities available to everyone else. In choosing among methods for providing accessibility, higher priority will be given to those methods that offer programs and activities in the most integrated setting appropriate. Special, separate, or alternative facilities, programs, or services will be provided only when existing ones cannot reasonably be made accessible. The determination of what is reasonable will be made only after careful consultation with persons with disabilities, or their representatives. Any decision that would result in "less than equal opportunity" is subject to the filing of an official disability rights complaint under the Departmental regulations cited above.

(See Physical Access for Persons with Disabilities 5.3.2; Accessibility for Persons with Disabilities 6.4.10; Accessibility for Persons with Disabilities 9.1.2. Also see Director's Order #16A: Reasonable Accommodation for Applicants and Employees with Disabilities; Director's Order #42: Accessibility for Visitors with Disabilities)

8.2.5 Visitor Safety and Emergency Response

8.2.5.1 Visitor Safety

The saving of human life will take precedence over all other management actions as the Park Service strives to protect human life and provide for injury-free visits. The Service will do this within the constraints of the 1916 Organic Act. The primary—and very substantial—constraint imposed by the Organic Act is that discretionary management activities may be undertaken only to the extent that they will not impair park resources and values.

While recognizing that there are limitations on its capability to totally eliminate all hazards, the Service and its concessioners, contractors, and cooperators will seek to provide a safe and healthful environment for visitors and employees. The Service will work cooperatively with other federal, tribal, state, and local agencies, organizations, and individuals to carry out this responsibility. The Service will strive to identify recognizable threats to the safety and health of persons and to the protection of property by applying nationally accepted codes, standards, engineering principles, and the guidance contained in Director's Orders #50, #58, and #83 and their associated reference manuals. When practicable, and consistent with congressionally designated purposes and mandates, the Service will reduce or remove known hazards and apply other appropriate measures, including closures, guarding, signing, or other forms of education. In doing so, the Service's preferred actions will be those that have the least impact on park resources and values.

The Service recognizes that the park resources it must protect are not only a visitor attraction, but that they may also be potentially hazardous. In addition, the recreational activities of some visitors may be of an especially high-risk, high-adventure type, which pose a significant personal risk to participants, and which the Service cannot totally control. Park visitors must assume a substantial degree of risk and responsibility for their own safety when visiting areas that are managed and maintained as natural, cultural, or recreational environments.

These management policies do not impose park-specific visitor safety prescriptions. The means by which public safety concerns are to be addressed is left to the discretion of superintendents and other decision-makers at the park level, who must work within the limits of funding and staffing. Examples include decisions about whether to install warning signs or artificial lighting; distribute weather warnings or advisories; initiate search and rescue operations, or render emergency aid; eliminate potentially dangerous animals; close roads and trails, or install guardrails and fences; and grant or deny backcountry or climbing permits. Some forms of visitor safeguards—such as fences, railings, and paved walking surfaces—typically found in other public venues may not be appropriate or practicable in a national park setting.

(See Air Quality 4.7.1; Lightscape Management 4.10; General Policy 6.4.1; Siting Facilities to Avoid Natural Hazards 9.1.1.6; Waste Management and Contaminant Issues 9.1.6; Risk Management Program 10.2.4.8; Food Service Sanitation Inspections 10.2.4.14)

8.2.5.2 Emergency Preparedness and Emergency Operations

The National Park Service will develop a program of emergency preparedness in accordance with title VI of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 USC 5195—5197g); National Security Decision Directive 259 (February 4, 1987); Department of the Interior policy; and other considerations at the Washington headquarters, regional, and park levels. The purpose of the program will be to maximize visitor and employee safety and the protection of resources and property. This program will include a systematic method for alerting visitors about potential disasters and evacuation procedures.

Superintendents may assist other agencies with emergencies outside of parks, as authorized by 16 USC 1b(1). To the extent practicable, written agreements with other agencies, in accordance with Director's Order #20, must first be in effect. NPS employees who are outside the area of their jurisdiction, and who are directed by their supervisors to provide emergency assistance to other agencies, will be considered to be acting within the scope of their employment.

Park Service emergency operations will be conducted utilizing the Incident Command System (IS) of the National Interagency Incident Management System. The Unified Command System (within IS) will be utilized when other agencies are involved. Each park superintendent will develop and maintain an emergency operations plan to ensure an effective response to all types of emergencies that can be reasonably anticipated.

As one element of the emergency operations plan, or as a separate document, each park must have an oil and chemical spill response management plan for spills that result from NPS activities or from activities that are beyond the NPS's control (such as commercial through-traffic on roads that pass through a park). The plans will place first priority on responder and public safety. Employees will not be permitted to respond to hazardous material spills unless they are properly qualified and certified in accordance with Director's Order #30C: Hazardous Spill Response. The Service will seek to recover all allowable direct and indirect costs for responding to oil or hazardous materials spills.

Parks that have their own aircraft, or incidents of aircraft contracting, must have an aircraft crash rescue response plan in place.

(See Emergency Management 5.3.1.1. Also see Director's Order 60A: Aviation Management)

8.2.5.3 Search and Rescue

To provide for the protection and safety of park visitors, the Service will make reasonable efforts to search for lost persons, and to rescue sick, injured, or stranded persons. This responsibility may be fulfilled by Service staff or by qualified search-and-rescue organizations or agencies that are capable of responding to life-threatening emergencies pursuant to the terms of a formal agreement. Deceased persons will be evacuated unless the level of risk to the rescue party is found to be unacceptably high. Search managers and superintendents will jointly determine when to terminate a search. The NPS will not charge visitors for search-and-rescue operations. Search-and-rescue operations will be conducted utilizing the ICS.

(See Management Facilities 6.3.10; General Policy 6.4.1)

8.2.5.4 Emergency Medical Services

The Service will make reasonable efforts to provide appropriate emergency medical services for persons who become ill or injured. An emergency medical services program will be maintained to provide transportation of the sick and injured, and emergency pre-hospital care, which may range from minor first aid to advanced life support in various environmental settings. Transportation may include everything from patrol cars and ambulances, to fixed-wing planes and helicopter air ambulances.

Qualified emergency medical services in local communities may be used if such services can respond rapidly enough in life-threatening emergencies. When such services are not available, the NPS will make a reasonable effort to provide a level of emergency medical service commensurate with park needs, and in response to an emergency medical needs assessment. Each superintendent will develop and implement a program to meet those needs, in accordance with Director's Order #51: Emergency Medical Services. Extended emergency medical services operations will be conducted utilizing the IS.

8.2.6 Recreation Fees and Reservations

The National Park Service may charge a recreation admission or use fee at parks when authorized by law. Although these fees may provide for the support of the overall management and operation of parks, they are not intended to totally offset the operational costs associated with a park. Such services include protection; resource management; information and orientation; maintenance of park facilities; and interpretation to foster an understanding and appreciation of each park's resources, management procedures, regulations, and programs. Fees may be instituted for secondary or special services that the NPS cannot, or elects not to, offer because of economic constraints or the need for special skills or equipment, or because they are purely supplemental programs. The Service may also contract for the collection of recreational fees if there is a demonstrated benefit to the collecting park unit. In all cases, fee programs will support park purposes and comply with appropriate Service policies and standards.

(See Commercial Use Authorizations 10.3. Also see Director's Order #22: Fee Collection)

8.2.6.1 Recreation Fees

Visitors who use federal facilities and services for recreation may be required to pay a greater share of the cost of providing those opportunities than the population as a whole. Under the guidelines and criteria established by law and regulation, the Service will collect recreation fees of the appropriate type for its parks, facilities, and programs. No fees will be collected in circumstances in which the costs of collection would exceed revenue, or where prohibited by law or regulation. Fees charged for recreational activities will be collected only in accordance with the applicable authority, and recreation fee revenues will be managed according to law and policy. Fee rates will be reasonable and equitable, and consistent with criteria and procedures contained in law and NPS guidance documents. Those who lawfully enter or use a park for activities not related to recreation will not be charged an entrance fee, recreation use fee, or special recreation permit fee. Examples of non-recreation exemptions include persons entering parks for

- First Amendment activities, which are exempt from all fees;
- Special park uses such as agricultural, grazing, and commercial filming activities (all of which are subject to special park use fees);
- NPS-authorized research activities;
- Federal, state, tribal, and local government business; and
- Outings conducted for educational purposes by schools and other bonafide educational institutions.

(See Fees 8.6.1.2; first Amendment Activities 8.6.3. Also see 36 CFR 71.13)

8.2.6.2 National Park Reservation Service

To better serve park visitors, to ensure the protection of park resources, or to improve operational efficiency, the NPS will operate a national reservation service of its own, or participate in an inter-agency system. A reservation service may involve campgrounds, other facilities, tours, or other services operated or provided by the NPS for visitors. Existing reservation services may be expanded or new services developed, based on NPS needs.

Superintendents are encouraged to have their parks participate in the Service-wide reservation system whenever it will improve visitor services, better market less-used parks, or improve the efficiency of park administration. In order to avoid duplicative costs and confusion, a park must first determine that a Service-wide system already in operation will not accommodate the park's reservation needs, before participating in some other type of reservation system.

(See Chapter 7: Interpretation and Education)

8.3 Law Enforcement Program

8.3.1 General

The law enforcement program is an important tool in carrying out the National Park Service mission. The objectives of the NPS law enforcement program are (1) the prevention of criminal activities through resource education, public safety efforts, and deterrence; and (2) the detection and investigation of criminal activity and the apprehension and successful prosecution of criminal violators. In carrying out the law enforcement program, the Service will make reasonable efforts to provide for the protection, safety, and security of park visitors, employees, concessioners, and public and private property, and to protect the natural and cultural resources entrusted to its care.

Law enforcement is characterized by high risks and inherent dangers to enforcement officers, and by high public expectations that law enforcement activities will be performed in a professional manner. It is therefore essential that the Service issue clear policies and procedures to guide the law enforcement program, and that commissioned employees receive the training and equipment necessary to perform their jobs successfully. The NPS law enforcement program will be managed and supervised in accordance with all applicable laws and regulations; Part 446 of the Department of the Interior Manual;

these Management Policies; and Director's Order #9: Law Enforcement Program (or U.S. Park Police General Orders, as appropriate). To help sustain the high level of public trust necessary for an effective law enforcement program, commissioned employees will adhere to the Department of the Interior's law enforcement code of conduct, and the standards of ethical conduct found in Reference Manual 9.

The authority and responsibility to manage the law enforcement program will flow from the Director to the regional directors, and from regional directors to park superintendents. To aid in meeting their responsibilities, each park superintendent will prepare a Law Enforcement Needs Assessment and update it at least every three years, guided by the Visitor Management-Resource Protection Assessment Program.

8.3.2 The Context for Law Enforcement

Park law enforcement activities will be managed by superintendents as part of a comprehensive, interdisciplinary effort to protect resources, manage public use, and promote public safety and appropriate enjoyment. This is in keeping with guidance provided by Congress in 1976 when it amended the General Authorities Act (16 USC 1a-3):

> The Committee intends that the clear and specific enforcement authority contained in this subsection, while necessary for the protection of the Federal employees so involved, will be implemented by the Secretary to ensure that law enforcement activities in our National Park System will continue to be viewed as one function of a broad program of visitor and resource protection. (House Report No. 94-1569, September 16, 1976)

8.3.3 Shared Responsibilities

Congress has authorized the designation of certain employees as law enforcement officers, with the responsibility to "...maintain law and order and protect persons and property within areas of the National Park System" (16 U.S.C. 1a-6(b)). Only employees who meet the standards prescribed by, and who are designated by, the Secretary of the Interior may perform law enforcement duties. The duties of these commissioned employees will not be limited to just law enforcement; they will also continue to incorporate a diversity of other protection concerns, as stipulated in House Report No. 94-1569.

The Service recognizes that effective enforcement requires a cooperative community effort. Therefore, employees without law enforcement commissions will continue to share responsibility for the protection of park resources and visitors, and they will be expected to report any apparent violations or suspicious activities. All park employees will be trained to recognize, observe, and record criminal acts and illegal activities. The Service will also encourage and assist park neighbors in the development of cooperative crime prevention and detection programs.

Extended law enforcement operations will be conducted using the NIIMS Incident Command System.

8.3.4 Enforcement Authority

Within park boundaries, the Service will fulfill its law enforcement responsibilities using NPS employees. However, the NPS is authorized by 16 USC 1a-6(c) to appoint (deputize) another agency's qualified personnel as special police when it will benefit the administration of a park area. Deputations may be issued only for the purpose of obtaining supplemental law enforcement assistance during emergencies or special events, and not to delegate NPS law enforcement responsibilities to state or local governments. All such appointments must be approved by the park superintendent and supported by a written agreement with the other agency at the park or national level, except when there is insufficient time because of an emergency law enforcement situation.

The Service is also authorized to use appropriated funds for "Rendering of emergency rescue, fire fighting, and [other] cooperative assistance to nearby law enforcement and fire prevention agencies and for related purposes outside of the National Park System" (16 U.S.C. 1b(1)). This authority will be used only after first determining that such actions will facilitate the administration of the park, or be an effective management tool for obtaining mutual assistance from other agencies. Furthermore, the authority will generally be used only in response to an unexpected occurrence that requires immediate action, which may include one or more of the following:

- Emergency responses such as life or death incidents, serious injury/fatality accident/incident scenes, crime scenes involving the protection of human life, officer in trouble, threat(s) to health or safety of the public.
- Emergency or law enforcement incidents directly affecting visitor safety or resource protection.
- Probable-cause felonies and felonies committed in the presence of and observed by National Park Service rangers.
- Misdemeanors committed in the presence of National Park Service rangers that present an immediate threat to the health and safety of the public.

Cooperative assistance rendered to nearby law enforcement agencies outside of park boundaries should be limited to only those actions or efforts that support or assist those agencies. Further, insofar as 16 USC 1b(1) does not confer arrest authority to NPS personnel who act outside park areas, state arrest authority is first needed before NPS personnel may enforce state law or engage in law enforcement activity. The Service may not assume law enforcement responsibility outside of park boundaries in lieu of the legitimate responsibilities of nearby agencies.

8.3.5 Jurisdiction

The term "jurisdiction" defines the sphere of authority and outlines the boundaries or territorial limits within which any particular authority may be exercised. Jurisdiction may be either "exclusive," "partial," "concurrent," or "proprietary." Insofar as is practicable, the Service will seek to acquire concurrent legislative jurisdiction for all units of the national park system, as required by the 1976 amendment to the General Authorities Act. Concurrent jurisdiction allows the NPS to enforce federal criminal statutes and also to assimilate state law under 18 USC 13, when no applicable federal law or regulation exists. Concurrent jurisdiction will allow for the more efficient conduct of both state and federal law enforcement functions within the parks.

8.3.6 Use of Force

Commissioned employees may use a wide variety of defensive equipment and force options in response to various threats and other enforcement situations. The primary consideration is the timely and effective application of the appropriate level of force required to establish and maintain lawful control. The only justifications for the use of force are:

- To defend self;
- To defend others;
- To effect an arrest;
- To restrain or control violent, threatening, or resistive behavior, or to disperse an unlawful group.

Commissioned employees may use deadly force only when necessary; that is, when the ranger has an objectively reasonable belief, in light of the facts and circumstances confronting the ranger, that the subject of such force poses an imminent danger of death or serious physical injury to the ranger or to another person. "Deadly force" is the use of any force that is likely to cause death or serious physical injury. Deadly force does not include force that is not likely to cause death or serious physical injury, but unexpectedly results in such death or injury.

If force other than deadly force reasonably appears to be sufficient to accomplish an arrest or otherwise accomplish the law enforcement purpose, that is the preferred level of force. In no instance may deadly force be utilized unless such use is objectively reasonable under the circumstances.

Animals may be destroyed when necessary in self-defense or in the defense of others. Pets or feral animals that are running at large and observed in the act of killing, injuring, or molesting humans, livestock, or wildlife may be destroyed, as provided by regulations at 36 CFR 2.15(c).

8.3.7 Public Information and Media Relations

The National Park Service will provide information to the public and the news media in accordance with applicable laws, Departmental policy, and Director's Order #75: Media Relations. Superintendents should identify appropriate opportunities to (1) enhance deterrence by publicizing arrests, weapons seizures, and successful prosecutions; (2) highlight cooperation and assistance activities such as Park Watch; and (3) educate the public about the full range of threats to, and the difficulty in protecting, park resources.

The right of the public to obtain information about government operations and activities is subject to the requirements of FOIA and the Privacy Act.

8.4 Overflights and Aviation Uses

A variety of aircraft, including military, commercial, general aviation, and aircraft used for National Park Service administrative purposes, fly in the airspace over national parks. While there are many legitimate aviation uses, overflights can adversely affect park resources and values and interfere with visitor enjoyment. The Service will take all necessary steps to avoid or to mitigate adverse effects from aircraft overflights.

Because the nation's airspace is managed by the Federal Aviation Administration (FAA), the Service will work constructively and cooperatively with the FAA, as well as with national defense and other agencies, to ensure that authorized aviation activities affecting units of the national park system occur in a safe and appropriate manner, with minimal impact on park resources and values and visitor experiences. The Service will build and maintain a cooperative and problem-solving relationship with national defense agencies to address the congressionally mandated mission of each agency, and which will prevent or mitigate any adverse effects of military training or operational flights on park resources or visitors. Cooperation is essential because the other agencies involved have statutory authorities and responsibilities that must be recognized by the Service.

(See Soundscape Management 4.9. Also see Director's Orders #47: Soundscape Preservation and Noise Management; #60: Aviation Management)

8.4.1 Alaska and Remote Areas

Aviation can provide an important, and in some cases the preferred, means of access to remote areas in certain parks, especially in Alaska. In such cases, access by aircraft may make an important contribution to the protection and enjoyment of those areas. Dependence on aviation will be fully considered

and addressed in the planning process for those parks. Alaska parks have specific regulations concerning fixed-wing aircraft, published at 36 CFR Part 13, and 43 CFR 36.11(f).

8.4.2 Education

The Service will develop educational materials for the general public and for aviation interests, describing the importance of the natural soundscape and tranquility to park visitors, as well as the need for cooperation from the aviation community.

(See Chapter 7: Interpretation and Education; Soundscape Management 4.9)

8.4.3 General Aviation

The Service will work closely with the FAA and with general aviation organizations to ensure that general aviation operations over units of the national park system are conducted in accordance with applicable FAA advisories and "fly-friendly" techniques and procedures designed to help pilots minimize impacts on national parks. The Service will seek the assistance of these organizations in problem resolution if general aviation concerns arise over national parks.

8.4.4 Administrative Use

Aviation is a necessary and acceptable management tool in some parks when used in a manner consistent with the NPS mission. Aviation activities will comply with all applicable policies and regulations issued by the Department of the Interior, the FAA, and the NPS. In its administrative use of aircraft, the Service will:

- Use, to the maximum extent practicable, the quietest air craft available for its aviation operations.
- Limit official use of flights over parks to those needed to support or carry out emergency operations or essential management activities in cases where there are no practical

alternatives or when alternative methods would be unreasonable. Full consideration will be given to safety; wilderness management implications; impacts on resources, values, or visitors; impacts on other administrative activities and overall cost-effectiveness.

- Plan, schedule, and consolidate flights so as to avoid or minimize adverse impacts on park resources and values and visitor enjoyment.
- Require other agencies that request to use aircraft within park boundaries to comply with the standards and policies applicable to NPS aircraft.

(Also see Director's Order #60: Aviation Management)

8.4.5 Military Aviation

The Service will work cooperatively with agencies of the Department of Defense in order to address the congressionally mandated missions of all agencies. In addition, the Service will prevent or strive to mitigate any adverse effects of overflights related to military training or operational low-level overflights on park resources, values, or visitor experiences in national park units. Superintendents are responsible for opening lines of communication with base commanders controlling Military Training Routes or Military Operations Areas that may affect their parks, and for developing formal agreements that mitigate identified impacts.

8.4.6 Commercial Air Tour Management

The National Parks Air Tour Management Act of 2000, and implementing FAA regulations, provide for a joint FAA/NPS planning process that will lead to the management of commercial air tours over national parks by the FAA (with the exception of parks in Alaska, which are specifically excluded from the process). The NPS, as a cooperating agency, will assist the FAA in developing an air tour management plan (ATMP) for each park with existing or proposed air tours. Superintendents will work cooperatively with the FAA, air tour operators, and other stakeholders in the development of ATMPs, and will determine the nature and extent of impacts on natural and cultural resources and visitor experience opportunities inside park boundaries. The FAA, with responsibility for ensuring the safe and efficient use of the nation's airspace and for protecting the public health and welfare from aircraft noise, will implement the ATMP and regulate commercial air tours in accordance with it.

8.4.7 Permitted Overflights

When issuing permits for activities such as filming or research, in which the use of aircraft is proposed, the superintendent will impose conditions to protect park resources and values from adverse impacts. Permit requests will be denied if the activity will have unacceptable impacts on a park's resources, values, or desired visitor experiences.

8.4.8 Airports and Landing Sites

Private or commercial aircraft may be operated in parks only on lands or water surfaces designated by the Park Service as landing sites through special regulation. (See section 8.4.1 regarding Alaska and some remote areas.) The Service will evaluate and manage aircraft landing sites under its jurisdiction to ensure that the use of the sites will have no unacceptable impacts on park resources and values, public safety, or visitor enjoyment. Existing sites that meet these criteria and that have been designated as a result of previously established use may be retained as long as the administrative need for them continues. New sites will be designated only where essential to provide administrative access to remote areas (other than wilderness), and only where the site can be established, used, and maintained without the need for new construction or major site improvements.

The National Park Service will also work with entities having jurisdiction over landing sites and airports adjacent to parks for the purpose of preventing, reducing, or otherwise mitigating the effects of aircraft operations. Whether landing sites or airports are situated within or adjacent to parks, the objective will be to minimize noise and other impacts, and confine them to the smallest and most appropriate portion of the park as possible, consistent with safe aircraft operations.

(Also see 36 CFR 2.17; 43 CFR 36.11(f); Reference Manual 47)

8.5 Native American Use

The National Park Service will develop and implement its programs in a manner that reflects knowledge of and respect for the cultures of Native American tribes or groups with demonstrated ancestral ties to particular resources in parks. Evidence of such ties will be established through systematic archeological or ethnographic studies, including ethnographic oral history and ethnohistory studies, or a combination of these sources. For purposes of these policies, the term "Native American" includes American Indians, Alaskan natives, native peoples of the Caribbean, native Hawaiians, and other native Pacific islanders. The term will be applicable to federally and state-recognized tribes and to those Native Americans who are defined by themselves and known to others as members of a named cultural unit that has historically shared a set of linguistic, kinship, political, or other distinguishing cultural features.

The Service will regularly and actively consult with traditionally associated Native American individuals or groups regarding planning, management, and operational decisions that affect subsistence activities, sacred materials or places, or other ethnographic resources with which they are historically associated. Information about the outcome of these consultations will be made available to those consulted.

In developing its plans and carrying out its programs, the Service will ensure the following:

- Park Service general regulations governing access to and use of natural and cultural resources in parks will be applied in an informed and balanced manner that is consistent with park purposes, does not unreasonably interfere with Native American use of traditional areas or sacred resources, and does not violate the criteria listed in section 8.2 for use of the parks.
- Superintendents will establish and maintain consulting relationships with potentially affected Native American tribes or groups.
- Management decisions will reflect knowledge about and understanding of potentially affected Native American cultures and people, gained through research and consultations with the potentially affected groups.

AIRFA (42 USC 1996) states that "henceforth it shall be the policy of the United States to protect and preserve for

American Indians their inherent right to freedom to believe, express, and exercise the traditional religions of the American Indians, Eskimo, Aleut, and Native Hawaiians, including but not limited to access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites." The National Park Service recognizes that site-specific worship is vital to Native American religious practices. As a matter of policy, and in keeping with the spirit of the law, the Service will be as unrestrictive as possible in permitting Native American tribes access to park areas to perform traditional religious, ceremonial, or other customary activities at places that have been used historically for such purposes, provided the criteria listed in section 8.2 for use of the parks are not violated. In allowing religious access by other entities, including nonrecognized Indian groups, the NPS will consider requests individually, being mindful to not take actions which will either advance or inhibit religion. The Service will not direct visitor attention to the performance of religious observances unless the Native American group so wishes.

With regard to consumptive use of park resources, current NPS policy is reflected in regulations published at 36 CFR 2.1. These regulations allow superintendents to designate certain fruits, berries, nuts, or unoccupied seashells which may be gathered by hand for personal use or consumption if it will not adversely affect park wildlife or the reproductive potential of a plant species, or otherwise adversely affect park resources. The regulations do not authorize the taking, use, or possession of fish, wildlife, or plants for ceremonial or religious purposes, except where specifically authorized by Federal statute or treaty rights, or where hunting, trapping, or fishing are otherwise allowed. These regulations are under review, and NPS policy is evolving in this area.

The Service will protect sacred resources to the extent practicable and in a manner consistent with the goals of the traditionally associated Native American tribe or group, when authorized under NHPA. The location and character of sacred sites will be withheld from public disclosure, if disclosure will cause significant invasion of privacy, risk harm to the historic resource, or impede the use of a traditional religious site by practitioners.

As with other non-recreational users, members of Native American tribes or groups may enter parks for traditional non-recreational activities without paying an entrance fee.

The ceremonial use of peyote will be limited to members of the Native American Church during religious ceremonies, in accordance with regulations of the Department of Justice, Drug Enforcement Administration ("Special Exempt Persons, Native American Church," 21 CFR 1307.31).

(See Consultation 5.2.1; Ethnographic Resources 5.3.5.3; first Amendment Activities 8.6.3; Consumptive Uses 8.9. Also see Executive Order 13007; Director's Orders #71A: Relationships with Indian Tribes, and #71B: Indian Sacred Sites)

8.6 Special Park Uses

8.6.1 General

A special park use is defined as a short-term activity that takes place in a park area, and that:

- Provides a benefit to an individual, group, or organization rather than the public at large;
- Requires written authorization and some degree of management control from the Service in order to protect park resources and the public interest;
- Is not prohibited by law or regulation;
- Is not initiated, sponsored, or conducted by the Service; and
- Is not managed under a concession contract (see chapter 10), a recreation activity for which the NPS charges a fee, or a lease (see chapter 5).

8.6.1.1 Requests for Permits

Each request to permit a special park use or to renew authorization of an existing use will be reviewed and evaluated by the superintendent according to the terms of applicable legislation, regulations, and management planning documents, using criteria and procedures outlined in Director's Order #53: Special Park Uses. When considering permit requests, superintendents will take into account the Service-wide implications of their decisions. A superintendent must deny initial requests, or requests for renewal, upon finding that the proposed activity would not be allowed under the criteria listed in section 8.2. The superintendent likewise must terminate previously authorized special park uses based on such a finding.

8.6.1.2 Fees

Appropriate fees for cost recovery, as well as performance bond and liability insurance requirements, will be imposed, consistent with applicable statutory authorities and regulations. All costs incurred by the Service in writing the permit, monitoring, providing protection services, restoring park areas, or otherwise supporting a special park use will be reimbursed by the permittee. When appropriate, the Service will also include a fair charge for the use of the land or facility.

(See Park Management 1.4; Recreation Fees and Reservations 8.3; Special Events 8.6.2)

8.6.2 Special Events

8.6.2.1 General

Special events—such as sports, pageants, regattas, public spectator attractions, entertainment, ceremonies, and encampments—may be permitted by the superintendent when (1) there is a meaningful association between the park area and the event, and (2) the event will contribute to visitor understanding of the significance of the park area. However, a permit must be denied if the event would be disallowed under the criteria listed in section 8.2. The superintendent must ensure that appropriate permit conditions are imposed for special events.

The Park Service will not permit the public staging of special events that are conducted primarily for the material or financial benefit of organizers or participants; or are commercial in nature; or that demand in-park advertising or publicity; or for which a separate public admission fee is to be charged. However, park buildings or specially designated locations that are suitable and appropriate may be made available for private, "by-invitation-only" events. Admission fees for, or any other monies associated with the "by-invitation-only" event, may not be collected by the permittee on park premises.

Large scale events will be managed utilizing the NIBS Incident Command System.

(See Special Events 6.4.5; Personal Services 7.3.1; Cultural Demonstrators 7.5.6; Facilities for Arts and Culture 9.3.1.7. Also see 36 CFR 2.50 and 36 CFR 7.96)

8.6.2.2 Helium-Filled Balloons

Helium-filled balloons pose a danger to the health and safety of marine wildlife (such as sea turtles and sperm whales) and create a litter problem. Therefore, no releases of helium-filled balloons into the atmosphere within a park will be authorized, except for research or planning purposes. Releasing balloons indoors where they can be retrieved may be authorized under permit.

8.6.2.3 Fireworks Displays

Fireworks displays will not be permitted if they pose an unacceptable risk to park resources or values. In all instances, the decision to approve or deny a request will be made by the superintendent, following consultation with the regional safety officer. Fireworks displays will be conducted in compliance with the National Fire Protection Association Code for the Display of Fireworks (NFPA 1123).

8.6.2.4 Sale of Food or Merchandise

The sale of food in the parks is allowed when managed under a permit which does not conflict with a concession contract, and complies with applicable public health codes and Director's Order #83: Public Health. The sale of printed material as defined in 36 CFR 2.52, 36 CFR 7.96(k), and Reference Manual 53, is allowed; but the sale of all other merchandise, including, but not limited to, T-shirts, clothing, and arts and crafts, is prohibited. These restrictions do not apply to sales operations managed under concession contracts or under agreements with cooperating associations operating within their designated sales areas. *(For the sale of products produced in the conduct of living exhibits, interpretive demonstrations, or park programs, see section 7.5.6 of chapter 7.)*

(Also see 60 FR 17639, April 7, 1995)

8.6.3 First Amendment Activities

The National Park Service will authorize the use of park land for public assemblies, meetings, demonstrations, religious activities, and other public expressions of views protected under the First Amendment of the U.S. Constitution, in accordance with NPS regulations. To ensure public safety and the protection of park resources and values, and to avoid assigning the same location and time to two or more activities, the Service may manage these activities by issuing a permit to regulate the time, location, number of participants, use of the facilities, and number and type of equipment used, but not the content of the message presented.

For all parks except those within the National Capital Region, locations that are available for public assemblies and other First Amendment activities, including the sale and distribution of printed matter, will be so designated by the superintendent on a map in accordance with procedures and criteria found in NPS regulations (36 CFR 1.5, 1.7, 2.51, and 2.52), unless the sites are otherwise protected from public disclosure, such as sites sacred to Native Americans or sites with vulnerable natural and cultural resources. National Capital Region parks are subject to special demonstration regulations found at 36 CFR 7.96(g)(4)(iii), and do not have such areas designated by the superintendent.

When the Service allows one group to use an area or facility for expressing views, it must provide other groups with a similar opportunity, if requested. No group wishing to assemble lawfully may be discriminated against or denied the right of assembly, provided that all permit conditions are met. Whenever religious activities are conducted in parks, any Park Service actions pertaining to them must reflect a clearly secular purpose, must have a primary effect that neither advances nor inhibits religion, and must avoid "excessive governmental entanglement with religion."

NPS staff on duty in an area in which a First Amendment activity is being conducted will be neutral toward the activity, but will remain responsible for the protection of participants, spectators, private property, public property, and park resources. On-duty staff may not participate in a First Amendment activity. NPS employees exercising their First Amendment rights when off-duty must not, in any way, imply any official Park Service endorsement of the activity.

When a permit is requested for the exercise of first Amendment rights, including freedom of assembly, speech, religion, and the press, the superintendent will issue the permit without any requirement for fees, cost recovery, bonding, or insurance. The superintendent will issue or deny a first Amendment permit request under 36 CFR 2.51 within 2 business days after receiving a proper application. National Capital Parks subject to special demonstration regulations found at 36 CFR 7.96(g)(3) are deemed granted within 24 hours of receipt.

(See Confidentiality 5.2.3. Also see Reference Manual 53)

8.6.4 Rights-of-Way for Utilities and Roads

8.6.4.1 General

A right-of-way is a special park use allowing a utility to pass over, under, or through NPS property. It may be issued only pursuant to specific statutory authority, and generally only if there is no practicable alternative to such use of Park Service lands. The criteria listed in section 8.2 must also be met.

When an application for a right-of-way is submitted, the superintendent will establish conditions, and develop documentation of compliance with NEPA, NHPA, and other statutory compliance requirements as appropriate. Due to the potentially high costs and values associated with rights-of-way, special attention will be paid to fees and the recovery of a fair market value for use of the land. New rights-of-way will be executed by the regional director; conversions from other authorizing documents, amendments, and renewals of existing rights-of-way may be signed by the superintendent. A right-of-way issued by the Park Service is considered a temporary document, and does not convey an interest in land.

National Park Service regulations pertaining to the issuance of rights-of-way are in 36 CFR Part 14; Department of the Interior regulations pertaining to rights-of-way in Alaska are found in 43 CFR Part 36. Additional guidance can be found

in Director's Order #53, and Reference Manual 53: Special Park Uses. A utility or road right-of-way proposed for a park in Alaska is subject to the authorities and procedural requirements of title XI of ANILCA.

(See Park Management 1.4, Rights-of-Way 6.4.8. Also see Director's Order #53)

8.6.4.2 Utilities

Utility rights-of-way over lands administered by the NPS are governed by statutory authorities in 16 USC 5 (electrical power transmission and distribution, radio and TV, and other forms of communication facilities), and 16 USC 79 (electrical power, telephone, and water conduits). Rights-of-way issued under 16 USC 5 or 79 are discretionary, and conditional upon a finding by the Service that the proposed use will not cause unacceptable impacts to park resources, values, or purposes, and is not incompatible with the public interest.

8.6.4.3 Telecommunication Antenna Sites

Requests to site non-NPS telecommunication antennas and related facilities on Park Service lands will be considered in accordance with the Telecommunications Act of 1996 (47 USC 332 note), which authorizes the NPS to issue rights-of-way permits for telecommunications services. Superintendents will accept an application for a telecommunications antenna site only from a Federal Communications Commission licensee authorized to provide these services.

As with other special park uses, telecommunication proposals must meet the criteria listed in section 8.2. In addition:

- Superintendents will encourage preliminary meetings with telecommunication antenna applicants who wish to discuss the pending applications and address NPS concerns. Similar meetings should be held during the decision-making process, as necessary, particularly if the superintendent is considering denying the application.
- Superintendents will consider the safety of the visiting public when reviewing telecommunication antenna applications, including the potential benefit of having telephone access to emergency law enforcement and public safety services.
- Reviews under NEPA and NHPA will be conducted expeditiously and consistent with all applicable statutes, and within timetables established under Director's Order #53.

8.6.4.4 Roads and Highways

Right-of-way permits are not issued for roads and highways within the federal aid highway system. These highways require specific statutory authority. A request for lands for highway purposes under 23 USC 107(d) or 317 is subject to compliance with 23 USC 138—commonly referred to as 4(f). The 4(f) evaluation is to be completed by the Secretary of Transportation and concurred in by the Secretary of the Interior. There are no general NPS statutory authorities for non-NPS roads or for gas pipelines; however, individual park enabling legislation may provide such authorizations. If park-specific enabling legislation is absent, the Service will generally object to proposals for the use of park lands for highway purposes that do not directly benefit a park.

(See Fees 8.6.1.2; Non-NPS Roads 9.2.1.2,Construction and Expansion Proposals 9.2.1.2.2. Also see Director's Order #87D: Non-NPS Federal Aid Roads)

8.6.5 Access to Private Property

The Park Service will not prevent access to the private property of adjacent landowners, as well as the property of landowners within park boundaries, when

- It would contribute in a material way to the park's mission, without causing unacceptable impacts to park resources or values, or the purposes for which the park was established; or
- Access is the landowner's right by law or by deed reservation.

When one of these circumstances exist, commercial vehicles will be allowed access to private property only in accordance with 36 CFR 5.6, "Commercial Vehicles."

8.6.6 Filming and Photography

8.6.6.1 General

The National Park Service will encourage filming and photography when it will promote the protection and public enjoyment of park resources, provided that the activity does not violate the criteria listed in section 8.2.

Filming and photography activities that do not necessarily promote the protection and public enjoyment of parks, but which meet the section 8.2 criteria, will also be permitted. For the purposes of this policy, "filming" is defined as any technology that may be used for recording images or the sound tracks associated with them, including still, motion, and video filming.

8.6.6.2 Permits and Fees

A permit will be required for any filming or photography that (1) involves the use of a model, set, or prop; (2) requires entry into a closed area; or (3) requires access to the park after normal visiting hours.

A permit will not be required for a visitor using a camera and/or a recording device for his/her own personal use within normal visitation areas and hours. Press coverage of breaking news never requires a permit; however, it is subject to the restrictions and conditions necessary to protect park resources and public health and safety, and to prevent impairment of park resources and values.

Appropriate fees for cost recovery and use of Park Service lands and/or facilities, as well as performance bond and liability insurance requirements, will be imposed. All costs incurred by the Service in writing the permit, monitoring, providing protection services, or otherwise supporting filming or photography activities will be reimbursed by the permittee as a condition of the permit.

8.6.6.3 NPS Participation

The Service's participation is governed by the following:

- The NPS may actively assist filming and photography activities that promote public understanding and appreciation of the national park system, and the Director may authorize use of the arrowhead symbol for such filming projects.
- A superintendent may request a credit line, provided that the content or subject matter of the filming project would not reflect adversely on the National Park Service.
- Park Service employees, while on duty or in uniform, will not be employed by filming permittees.

- Identifiable NPS equipment, uniforms, or insignia must not be portrayed in any way that would imply Service endorsement of a product or service.
- The NPS will not censor the content of any filming project, or require finished film products for review, files, or documentation purposes. However, a superintendent may review a story board or other material offered by the applicant to help determine whether (1) a credit line would be appropriate, or (2) it would be appropriate for the NPS to actively assist a filming activity or authorize use of the arrowhead symbol.

Additional guidance is provided by Director's Order #53: Special Park Uses; and by Reference Manual 53.

(Also see Director's Order #52D: Arrowhead Symbol)

8.6.7 Agricultural Uses

Agricultural uses and activities are authorized in parks in accordance with the direction provided by a park's enabling legislation and general management plan. Agricultural practices and techniques, including the use of pesticides and other biocontrol agents such as genetically modified or engineered organisms, should be specified in an approved resource management plan, and are subject to review and approval by the NPS integrated pest management (IPM) program manager. These practices and techniques are also subject to the provisions of federal and state laws, NPS regulations and policies, and Director's Orders #53 and #77-7. In general, agricultural activities should be conducted in accordance with accepted, best management practices.

Agricultural activities, including demonstration farms, prescribed to meet a park's management objectives, will be allowed if (1) they do not result in unacceptable impacts to park resources, values, or purposes; (2) they conform to activities that occurred during the historic period; and (3) they support the park's interpretive themes. Agricultural uses that do not conform to those in practice during the historic period may be allowed if (1) they are authorized by the park's enabling legislation; (2) they are retained as a right subsequent to NPS land acquisition; (3) they contribute to the maintenance of a cultural landscape; or (4) they are carried out as part of a living exhibit or interpretive demonstration.

The Service may issue leases or special use permits to individuals or organizations to conduct agricultural activities that are allowed on park lands under the criteria listed in the preceding paragraph. The use of a lease (versus a special use permit) is appropriate only when (1) specifically authorized by the park's enabling legislation; or (2) it is part of an historic preservation program authorized by 16 USC 470h-3; or (3) it is associated with a building that is leased pursuant to 16 USC 1a-2(k). NPS and concession employees living in parks may cultivate gardens for personal use under terms and conditions established by the superintendent. Such use will not be permitted if it would have unacceptable impacts on park resources, values, or purposes, or visitor enjoyment thereof. In urban parks, areas may be designated for community recreational gardening under the same conditions.

(See Park Planning Processes 2.3; Biological Resource Management 4.4; Pest Management 4.4.5; Cultural Landscapes 5.3.5.2; Personal Services 7.3.1. Also see Director's Order #77-7: Integrated Pest Management)

8.6.8 Domestic and Feral Livestock

8.6.8.1 General

The NPS will allow livestock use only when the use is consistent with the criteria listed in section 8.2, and the use is either:

- Specifically authorized by a park's enabling legislation;
- Required under a reserved right of use arising from the acquisition of a tract of land;
- Required in order to maintain a historic scene; or
- Conducted as a necessary and an integral part of a recreational activity appropriate to a park.
- Where livestock use (including cattle, sheep, goats, horses, mules, burros, reindeer, llamas, and alpacas) occurs in parks, it will be categorized as (1) livestock operations, (2) recreational stock, (3) trespass animals, or (4) feral herds. No livestock use or activity, regardless of how authorized, will be allowed that would cause unacceptable impacts to a park's resources, values, or purposes. In particular, livestock use that depletes or degrades non-renewable resources, or whose effects cannot be satisfactorily mitigated, will not be allowed.

8.6.8.2 Managing the Use

Where domestic or feral livestock use occurs, the National Park Service will foster "best management practices" that protect vegetation, and wildlife and its habitat; safeguard sensitive species; control proliferation of exotic species; conserve soil; protect riparian areas and ground water; avoid toxic contamination; and preserve cultural sites. Integrated pest management methods and pesticide use on and around livestock must comply with NPS pest management policy in section 4.4.11. Livestock may be used as part of an integrated program to control exotic plants.

The National Park Service must manage its resources in a manner that conserves them for future generations. Park uses, including domestic and feral livestock, that may jeopardize the sustainability of a park's natural and cultural resources must be evaluated continuously. Livestock, including trail stock, will be kept within the carrying capacity of the area to be used. Managers must regulate livestock so that ecosystem dynamics, and the composition, condition, and distribution of native plants and animal communities, are not significantly altered or otherwise threatened, and cultural values are protected. Conflicts with public use and enjoyment must be kept to a minimum.

The use of pack-in feed, preferably pellets, is encouraged for all recreational stock while on the trail, and is required whenever grazing would have unacceptable impacts on a park's resources. When not being actively used for recreation in a park, livestock will either be removed from the park or be confined within an appropriate corral or other structure, and it will be fed pelletized feed or hay that is free of weed seeds. Livestock activities must be discontinued whenever they would be disallowed by the criteria listed in section 8.2.

In parks with legislation that states that livestock use is administered by another agency, the superintendent will work closely with the other agency to manage the amounts and types of use, and to ensure that the best management practices are followed. Administration by another agency does not release the NPS from its responsibility to ensure that the activity is managed in compliance with the NPS mission and all applicable laws and policies.

8.6.8.3 Management Plans

Each park that allows domestic or feral livestock, including parks where the livestock use is administered by another agency, will prepare a livestock management plan designed to sustain and protect park resources and values. Restrictions will be placed on the amount and type of use to protect resources and values, and to minimize conflicts with visitors. Particular attention will be given to protecting wetland and riparian areas, sensitive species and their habitats, water quality, and cultural resources. Natural and cultural resource protection will be given first priority when determining livestock management priorities. A monitoring program must be implemented, and will be used to detect change and adjust management to protect resources.

Plans will include an evaluation of impacts as directed by NEPA and NHPA. Benefits and impacts must be carefully weighed. A rigorous assessment is especially important for areas with unique natural and cultural resources, low precipitation, limited vegetation cover, water quality concerns, highly erodable soils, or sensitive species. Areas that have been continuously grazed for long periods, or that are in poor ecological health, will require special emphasis in the plan. Until a plan is completed for livestock operations or recreational stock, environmental impact analysis will be done when the permitting document is issued or renewed.

8.6.8.4 Permitting Instruments

Livestock activities by parties other than the NPS will be conducted only pursuant to the terms and conditions of a special use permit, lease, concession contract, or commercial use authorization. The use of a lease (versus some other instrument) is appropriate only when (1) specifically authorized by the park's enabling legislation; or (2) it is part of an historic preservation program authorized by 16 USC 470h-3; or (3) the livestock use is associated with a building that is leased pursuant to 16 USC 1a-2(k).

In addition to any other penalty provisions, violation of the terms and conditions of the permitting instrument may result in revocation of the livestock use privilege. In parks where the NPS shares livestock allotment management with another government agency, or where another government agency, through legislation, administers the use, a general agreement between agencies is necessary to describe the relationship and responsibilities.

8.6.8.5 Structures

No structures except those specifically authorized by law or approved by the National Park Service will be allowed in parks to increase livestock numbers, sustain livestock in areas in which they cannot otherwise be sustained, or introduce livestock into areas that previously have not been open to livestock. The Service will not expend funds to construct or maintain livestock structures unless there is a direct benefit to the protection of park resources. The permittee may be required to remove structures when livestock activities are no longer authorized.

(See Management of Exotic Species 4.4.4; Water Resource Management 4.6; Identification and Designation of the Wilderness Resource 6.2; Grazing and Livestock Driveways 6.4.7; Equestrian Trails 9.2.3.3; Miscellaneous Management Facilities 9.4.5. Also see Director's Order #77-3: Domestic and Feral Livestock, and Reference Manual 77-3; Director's Order #53: Special Park Uses, and Reference Manual 53; Director's Order #77-7: Integrated Pest Management)

8.6.9 Military Operations

In general, military activities are discouraged in parks, except for study of military history at related NPS sites. Periodically, an armed services unit may request the use of park areas for non-combat exercises such as search-and-rescue and outdoor survival. Determining when and where military units may conduct such activities is a discretionary decision of the superintendent. A permitted military activity must conform to the following conditions:

- A permit will be issued that clearly states all necessary conditions or stipulations to protect park resources and visitors;
- All applicable park rules and regulations will be followed;
- No weaponry will be carried, displayed, or used, except for ceremonial purposes or authorized public demonstrations;
- The activity will be conducted away from visitor use locations and out of public view (except where a public demonstration is specifically authorized);
- The military organization will designate a liaison officer who will be available to the superintendent throughout the exercise; and
- Permittees will be educated about how the purpose, mission, and regulations of the park differ from their own missions, especially in regard to resource protection and visitor use and enjoyment.

National security and law enforcement agencies, such as the CIA, FBI, and state police, may wish to conduct similar exercises. These requests should be evaluated in the same way as military special use requests.

8.6.10 Cemeteries and Burials

8.6.10.1 National Cemeteries

All national cemeteries administered by the National Park Service will be managed as historically significant resources, and as integral parts of larger historical parks. Burials in national cemeteries will be permitted, pursuant to applicable regulations, until available space has been filled. The management and preservation of national cemeteries are subject to the provisions of the National Cemeteries Act of 1973; NPS "National Cemetery Regulations" (36 CFR Part 12); and Director's Order #61: National Cemeteries.

The enlargement of a national cemetery for additional burials constitutes a modern intrusion, compromising the historical character of both the cemetery and the historical park; and will not be permitted.

8.6.10.2 Family Cemeteries

The burial of family members in family cemeteries that have been acquired by the Park Service in the course of establishment of parks will be permitted to the extent practicable, pursuant to applicable regulations, until space allotted to the cemeteries has been filled. Family members (or their designees) will be allowed access for purposes of upkeep and commemoration (such as wreath-laying and religious rituals) that do not jeopardize safety or resource protection. Park superintendents will keep active files on cemeteries for the purpose of responding to requests and inquiries.

(Also see Director's Order #19: Records Management)

8.6.10.3 Other Burials and the Scattering of Ashes
Other burials or re-interments outside established cemeteries in parks will be prohibited except where permitted by cultural resource policies. The scattering of ashes from cremation may be permitted by a superintendent, in accordance with NPS general regulations in 36 CFR 2.62, and applicable state laws. Authorization to scatter ashes must take into account potential conflicts with the spiritual or cultural practices of the indigenous people associated with the area.

(See Stewardship of Human Remains and Burials 5.3.4; Cultural Resources 6.3.8, Consultation 7.5.5)

8.6.11 Other Special Park Uses
Other special park uses that may be allowed under permit or special regulations include the use of explosives, and the use of portable power equipment. Specific guidance is provided in 36 CFR Part 2; Director's Order #53: Special Park Uses; and Reference Manual 53.

8.7 Mineral Exploration and Development

Mineral exploration and development include exploration, extraction, production, storage, and transportation of minerals. Mineral exploration or development may be allowed in parks only when prospective operators demonstrate that they hold rights to valid mining claims, federal mineral leases, or non-federally-owned minerals. If this right is not clearly demonstrated, the National Park Service will inform the prospective operator that, until proof of a property right is shown, the Service will not further consider the proposed activity. If the Service determines that the proposed mineral development would impair park resources, values, or purposes, or does not meet approval standards under applicable NPS regulations and cannot be sufficiently modified to meet those standards, the Service will seek to extinguish the associated mineral right through acquisition, unless otherwise directed by Congress. In some parks, all or certain types of mineral development are specifically prohibited by law.

All persons who conduct mineral development within parks will do so only in conformance with applicable laws, regulations, and NPS policies. These laws include the Mining in the Parks Act; the Mineral Leasing Act; the Acquired Lands Mineral Leasing Act; the Surface Mining Control and Reclamation Act of 1977; the National Park System General Authorities Act; ANILCA; and enabling statutes for individual parks. Applicable regulations include 36 CFR Part 9, Subpart A and Subpart B; 43 CFR Parts 3100-3500; and special use regulations. Persons may not use or occupy surface lands in a park for purposes of removing minerals outside the park unless provided for in law. General management plans, land protection plans, and other planning documents for parks with mining claims, federal mineral leases, or non-federally-owned mineral interests will address these non-federal property interests as appropriate. Lands with mineral interests will be zoned according to their anticipated management and use, based on their resource values, park management objectives, and park-specific legislative provisions relating to mineral interests.

(See Park Planning Processes 2.3; Land Protection Plans 3.3; Identification and Designation of the Wilderness Resource 6.2; Mineral Development 6.4.9)

8.7.1 Mining Claims
The location of new mining claims pursuant to the General Mining Act of 1872 is prohibited in all park areas. The National Park Service may permit mineral development only on existing patented and valid unpatented mining claims in conformance with the park's enabling legislation and the regulations for mining claims in 36 CFR Part 9, Subpart A. The Service may initiate a validity examination on unpatented mining claims at any time. The Service will perform a validity examination of all unpatented mining claims before approving any operations on such claims in accordance with 36 CFR Part 9, Subpart A. However, a validity examination is not required prior to the NPS authorization of activities that are conducted only to re-claim a site. All mineral development and use of resources in connection with a claim will be confined to the boundaries of the claim itself, except for the access and transport that are permitted under 36 CFR Part 9, Subpart A; or, for Alaska, 43 CFR Part 36.

8.7.2 Federal Mineral Leases
All parks are closed to new federal mineral leasing except for three national recreation areas (Lake Mead, Whiskeytown, and Glen Canyon), in which Congress has explicitly authorized federal mineral leasing in each area's enabling legislation. Through park planning documents, the National Park Service has closed portions of these areas to federal mineral leasing because of the presence of sensitive resources. No person may explore for federal minerals in any of these areas except under a lease issued pursuant to regulations in 43 CFR Part 3100, or under a prospecting permit pursuant to 43 CFR 3500. Before consenting to a federal mineral lease or subsequent mineral development connected with a lease, the regional director must find, in writing, that leasing and subsequent mineral development will not result in a significant adverse effect on park resources or administration.

Some park areas contain leases that existed at the time the park was created or expanded. These leases are valid existing rights, and will continue to exist until such time as they expire under the regulations that govern federal mineral leasing (43 CFR Parts 3100 and 3500).

8.7.3 Non-federally-owned Minerals
Non-federal mineral interests in park units consist of oil and gas interests, or rights to mineral interests other than oil and gas (such as private outstanding mineral rights, mineral rights through general land grant patents, homestead patents, or other private mineral rights that did not derive from the General Mining Act. The Park Service governs activities associated with these two categories of non-federal mineral rights under separate regulatory schemes.

The Park Service may approve operations associated with non-federal oil and gas interests under the standards and procedures in 36 CFR Part 9, Subpart B. If an operator's plan fails to meet the approved standards of these regulations, the NPS generally has authority to deny the operation, and may initiate acquisition. Absent a decision to acquire the property, application of the regulations is not intended to result in a taking of the property interest, but rather to impose reasonable regulation of the activity.

The Service may approve operations associated with non-federal mineral interests, other than oil and gas, under 36 CFR Part 5, "Commercial and Private Operations," and 36 CFR 1.6. The Service must determine that operations associated with these mineral interests would not adversely impact "public health and safety, environmental, or scenic values, natural or cultural resources, scientific research, implementation or management responsibilities, proper allocation and use of facilities, or the avoidance of conflict among visitor use activities ...." If the operation cannot be sufficiently mitigated to meet this standard, the NPS may seek to acquire the mineral interest.

8.8 Collecting Natural Products

The collection of natural products for personal use or consumption is governed by NPS general regulations contained in 36 CFR 2.1. A superintendent may designate certain fruits, berries, nuts, or unoccupied seashells that can be gathered by hand for personal use or consumption upon a written determination by the superintendent that such an activity will not adversely affect park wildlife or the reproductive potential of a plant species or otherwise adversely affect park resources. In some cases, peer-reviewed scientific information may be needed to support the determination. The collection of minerals or rocks for personal use will be allowed only when specifically authorized by federal law or treaty rights.

While campfires are a traditional element of camping and the park experience, the gathering of firewood will be prohibited, except where subsistence use is authorized by federal law, or in specific areas designated by a superintendent in which dead and down wood may be collected for campfires or in small quantities for other uses within the park. Natural resource products that accumulate as a result of site clearing for development, hazard tree removal, vista clearing, or other management actions will be recycled through the ecosystem when practicable. When recycling is not practicable, the products may be disposed of by other means. Disposal may be accomplished by contract, if the result of the work done under contract and the value are calculated in the contract cost, or by sale at fair market value in accordance with applicable laws and regulations. Wood that accumulates as a result of the management actions described above may also be used for park purposes, such as heating public buildings or offices, or for interpretive campfire programs.

(See Consumptive Uses 8.9, Natural and Cultural Studies, Research, and Collection Activities 8.10. Also see Director's Order #18: Wildland Fire Management)

8.9 Consumptive Uses

Consumptive uses of park resources may be allowed only when they are:

- Specifically authorized by federal law or treaty rights (such as hunting, trapping, or mining in specifically identified parks);
- Specifically authorized pursuant to other existing rights (such as a right retained by a donor of the land on which the use would occur);
- Grazing activities authorized in accordance with section 8.6.8.1; or
- Traditional visitor activities, such as fishing or berry picking, that are authorized in accordance with NPS general regulations.

As a matter of policy, the Service general supports the limited and controlled consumption of natural resources for traditional religious and ceremonial purposes, and is moving toward a goal of greater access and accommodation. As a general matter, a superintendent may not allow consumptive use of park resources by any particular group to the exclusion of others.

Current NPS policy is reflected in regulations published at 36 CFR Part 13. The general regulations at 36 CFR 2.1 allow superintendents to designate certain fruits, berries, nuts, or unoccupied seashells which may be gathered by hand for personal use or consumption if it will not adversely affect park wildlife or the reproductive potential of a plant species, or other wise adversely affect park resources. The regulations do not authorize the taking , use, or possession of fish, wildlife, or plants for ceremonial or religious purposes, except where specifically authorized by Federal statute or treaty rights, or where hunting, trapping, or fishing are otherwise allowed.

The 36 CFR Part 13 regulations address the consumptive use of park resources for subsistence purposes in Alaska, where it is allowed in the 10 parks and "expanded areas" established by ANILCA. Some park-specific enabling acts (e.g., Big Cypress National Preserve and Kaloka-Honokohau National Historical Park) also allow subsistence or other traditional uses of park resources.

(See Park Management 1.4; Harvest of Plants and Animals by the Public 4.4.3;General 8.1, Native American Use 8.5. Also see 36 CFR Part 13, Subpart B)

8.10 Natural and Cultural Studies Research and Collection Activities

Studies, research, and collection activities by non-NPS personnel involving natural and cultural resources will be encouraged and facilitated when they otherwise comport with NPS policies. Scientific activities that involve field work or specimen collection, or have the potential to disturb resources, the visitor experience, or park operations, require a permit issued by the superintendent that prescribes appropriate conditions for protecting park resources, visitors, and operations.

(See Studies and Collections 4.2; Independent Research 5.1.2; Independent and Commercial Studies 8.11.3)

8.11 Social Science Studies

8.11.1 General
The National Park Service will facilitate social science studies that support the NPS mission by providing an understanding of park visitors, the non-visiting public, gateway communities and regions, and human interactions with park resources. This approach will provide a scientific basis for park planning, development, operations, management, education, and interpretive activities. Investigators will be encouraged to use the parks for scientific studies whenever such use is consistent with Service policies that recognize the scientific value of

parks as laboratories. Specific guidance is provided in Director's Order #78: Social Science.

Studies include short- or long-term scientific investigations in NPS areas that may involve social science surveys and research. The data and information acquired through scientific activities conducted in the parks will be made broadly available to park managers, the scientific community, and the public, except where legal restrictions apply. Studies may include projects conducted by researchers and scholars with universities, foundations, state and federal agencies, and NPS staff. The NPS will promote cooperative relationships with educational and scientific institutions and qualified individuals when specialized expertise exists that can be of significant assistance to the Service in obtaining information, and when the opportunity for research and study in the parks offers institutions a significant benefit to their programs. NPS facilities and assistance may be made available to qualified researchers conducting NPS-authorized studies. NPS or other federally funded studies that rely on survey instruments are strictly regulated and must be approved by the NPS, the Department of the Interior, and the Office of Management and Budget before they can be used to gather information directly from visitors or the general public.

(See Information Resources Management 1.7; Studies and Collections 4.2; Research 5.1, Planning 5.2; Special Park Uses 8.6; NPS-supported Studies 8.11.2; Independent and Commercial Studies 8.11.3)

8.11.2 NPS-supported Studies

The National Park Service is responsible for the identification and acquisition of needed inventory, monitoring, and research, as well as for the interpretation of the management and operational implications of such studies. The Service will use the best available science to assist park managers in addressing management needs and objectives that have been identified in legislation and planning documents.

The Service will support studies to:

- Reach a level of understanding that will minimize "crisis" management;
- Ensure a systematic and fully adequate park information base;
- Provide a sound basis for policy, planning, and decision-making;
- Develop effective strategies, methods, and technologies to predict, avoid, or minimize adverse impacts on resources, visitors, and related activities;
- Determine causes of resource management problems;
- Further understand park ecosystems and related human social systems, and document their components, condition, and significance;
- Evaluate visitor satisfaction with services, facilities, and recreational opportunities;
- Ensure that the interpretation of park resources and issues reflects current standards of scholarship for the history, science, and condition of the resources; and
- Evaluate performance measures in support of strategic plan goals.

Superintendents may authorize park staff to carry out routine duties without requiring a research/collecting permit. NPS-supported research will rely on high-quality methods, and undergo peer review. NPS-supported scientists will be expected to publish their findings in refereed journals, among other outlets.

8.11.3 Independent and Commercial Studies

Non-NPS social science studies conducted in parks are not required to address specifically identified NPS management issues or information needs. However, these studies (excluding research in museum collections) require an NPS research/collecting permit. The studies must conform to NPS policies and other guidance regarding activities such as the collection and publication of data, conduct of studies, and wilderness restrictions, pursuant to the terms and conditions of the permit. NPS research/collecting permits may include requirements that permittees provide parks, within reasonable time-frames, with the appropriate field notes (subject to ethical guidelines of the appropriate discipline), data, information about the data, catalog data, progress reports, interim and final reports, and publications derived from the permitted activities. Projects will be administered and conducted only by fully qualified personnel, and will conform to current standards of scholarship.

The collection of data from the public and employees to support the research, development, and marketing of commercial products or services may be permitted only in limited circumstances. Such activity will not be permitted when the superintendent determines that it would impose an undue burden on visitors and/or employees, and/or when it has the potential to adversely impact park resources or detract from visitors' experiences in the park. All necessary data collection permits must be obtained, including the Scientific Research and Collecting Permit, as well as the permission of the park superintendent. Names and addresses and any other unique identifying information collected from park visitors and/or employees cannot be distributed, shared, or sold for commercial purposes.

(Also see Director's Order #84: Library Resources)

8.11.4 Management and Conduct of Studies

All studies in parks will employ non-destructive methods to the maximum extent possible, so as to avoid the irretrievable commitment of park resources. Studies will be preceded by an approved scope of work, proposal, or other detailed written description of the work to be performed.

(See Studies and Collections 4.2. Also see Director's Order #74: Studies and Collecting)

Public Law 92-589
92 Congress, H.R. 16444
October 27, 1972

An Act

To establish the Golden Gate National Recreation Area in the State of California, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

ESTABLISHMENT

Section 1. In order to preserve for public use and enjoyment certain areas of Marin and San Francisco Counties, California, possessing outstanding natural historic, scenic, and recreational values, and in order to provide for the maintenance of needed recreational open space necessary to urban environment and planning, the Golden Gate National Recreation Area (hereinafter referred to as the "recreation area") is hereby established. In the management of the recreation area, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall utilize the resources in a manner which will provide for recreation and educational opportunities consistent with sound principles of land use planning and management. In carrying out the provisions of this Act, the Secretary shall preserve the recreation area, as far as possible, in its natural setting, and protect it from development and uses which would destroy the scenic beauty and natural character of the area.

COMPOSITION AND BOUNDARIES

Sec. 2. (a) The recreation area shall comprise the lands, waters, and submerged lands generally depicted on the map entitled "Boundary Map, Golden Gate National Recreation Area", numbered NRA-GG-80.003A, sheets 1 through 3, and dated July, 1972.

(b) The map referred to in this section shall be on file and available for public inspection in the Offices of the National Park Service, Department of the Interior, Washington, District of Columbia. After advising the Committees on Interior and Insular Affairs of the United States House of Representatives and the United States Senate (hereinafter referred to as the "committees") in writing, the Secretary may make minor revisions of the boundaries of the recreation area when necessary by publication of a revised drawing or other boundary description in the Federal Register.

ACQUISITION POLICY

Sec 3. (a) Within the boundaries of the recreation area, the Secretary may acquire lands, improvements, waters, or interests therein, by donation, purchase, exchange or transfer. Any lands, or interests therein, owned by the State of California or any political subdivision thereof, may be acquired only by donation. When any tract of land is only partly within such boundaries, the Secretary may acquire all or any portion of the land outside of such boundaries in order to minimize the payment of severance costs. Land so acquired outside of the boundaries may be exchanged by the Secretary for non-Federal lands within the boundaries. Any portion of land acquired outside the boundaries and not utilized for exchange shall be reported to the General Services Administration for disposal under the Federal Property and Administrative Service Act of 1949 (63 Stat. 377), as amended: *Provided,* That no disposal shall be for less than fair market value. Except as hereinafter provided, Federal property within the boundaries of the recreation area is hereby transferred without consideration to the administrative jurisdiction of the Secretary for the purposes of this Act, subject to the continuation of such existing uses as may be agreed upon between the Secretary and the head of the agency formerly having jurisdiction over the property. Notwithstanding any other provision of law, the Secretary may develop and administer for the purposes of this Act structures or other improvements and facilities on lands for which he receives a permit of use and occupancy from the Secretary of the Army.

(b) Fort Cronkhite, Fort Barry, and the westerly one-half of Fort Baker, in Marin Country, California, as depicted on the map entitled "Golden Gate Military Properties" numbered NRAGG-20.002 and dated January 1972, which shall be on file and available for public inspection in the offices of the National Park

Service are hereby transferred to the jurisdiction of the Secretary for purposes of this Act, subject to continued use and occupancy by the Secretary of the Army of those lands needed for existing air defense missions, reserve activities and family housing, until he determines that such requirements no longer exist. The Coast Guard Radio Receiver Station, shall remain under the jurisdiction of the Secretary of the Department in which the Coast Guard is operating. When this station is determined to be excess to the needs of the Coast Guard, it shall be transferred to the jurisdiction of the Secretary for purposes of this Act.

(c) The easterly one-half of Fort Baker in Marin County, California, shall remain under the jurisdiction of the Department of the Army. When this property is determined by the Department of Defense to be excess to its needs, it shall be transferred to the jurisdiction of the Secretary for purposes of this Act. The Secretary of the Army shall grant to the Secretary reasonable public access through such property to Horseshoe Bay, together with the right to construct and maintain such public service facilities as are necessary for the purposes of this Act. The precise facilities and location thereof shall be determined between the Secretary and the Secretary of the Army.

(d) Upon enactment, the Secretary of the Army shall grant to the Secretary the irrevocable use and occupancy of one hundred acres of the Baker Beach area of the Presidio of San Francisco, as depicted on the map referred to in subsection (b).

(e) The Secretary of the Army shall grant to the Secretary within a reasonable time, the irrevocable use and occupancy of forty-five acres of the Crissy Army Airfield of the Presidio, as depicted on the map referred to in subsection (b).

(f) When all or any substantial portion of the remainder of the Presidio is determined by the Department of Defense to be excess to its needs, such lands shall be transferred to the jurisdiction of the Secretary for purposes of this Act. The Secretary shall grant a permit for continued use and occupancy for that portion of said Fort Point Coast Guard Station necessary for activities of the Coast Guard.

(g) Point Bonita, Point Diablo, and Lime Point shall remain under the jurisdiction of the Secretary of the Department in which the Coast Guard is operating. When this property is determined to be excess to the needs of the Coast Guard, it shall be transferred to the jurisdiction of the Secretary for purposes of this Act. The Coast Guard may continue to maintain and operate existing navigational aids: *Provided,* That access to such navigational aids and the installation of necessary new navigational aids within the recreation area shall be undertaken in accordance with plans which are mutually acceptable to the Secretary and the Secretary of the Department in which the Coast Guard is operating and which are consistent with both the purposes of this Act and the purpose of existing statutes dealing with establishment, maintenance, and operation of navigational aids.

(h) That portion of Fort Miley comprising approximately one and seven-tenths acres of land presently used and required by the Secretary of the Navy for its inshore, underseas warfare installations shall remain under the administrative jurisdiction of the Department of the Navy until such time as all or any portion thereof is determined by the Department of Defense to be excess to its needs, at which time such excess portion shall be transferred to the administrative jurisdiction of the Secretary for purposes of this Act.

(i)New construction and development within the recreation area on property remaining under the administrative jurisdiction of the Department of the Army and not subject to the provisions of subsection (d) or (e) hereof shall be limited to that which is required to accommodate facilities being relocated from property being transferred under this Act of the administrative jurisdiction of the Secretary or which is directly related to the essential missions of the Sixth United States Army: *Provided, however,* That any construction on presently undeveloped open space may be undertaken only after prior consultation with the Secretary. The foregoing limitation on construction and development shall not apply to expansion of those facilities known as Letterman General Hospital or the Western Medical Institute of Research.

(j) The owner of improved property on the date of its acquisition by the Secretary under this Act may, as a condition of such acquisition, retain for himself and his heirs and assigns a right of use and occupancy for the improved property for noncommercial residential purposes for a definite term of not more than twenty-five years, or, in lieu thereof, for a term ending at the death of the owner or the death of his spouse, whichever is later. The owner shall elect the term to be reserved. Unless the property is wholly or partially donated to the United States, the Secretary shall pay to the owner the fair market value of the property on the date of acquisition minus the fair market value on that date of the right retained by the owner. A right retained pursuant to this section shall be subject to termination by the Secretary upon his determination that it is being exercised in a manner inconsistent with the purpose of this Act, and it shall terminate by operation of law upon the Secretary's notifying the holder of the right of such determination and tendering to him an amount equal to the fair market value of that portion of the right which remains unexpired.

(k) The term "improved property", as used in subsection (j), means a detached, noncommercial residential dwelling, the construction of which was begun before June 1, 1971, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonable necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

(l) Whenever an owner of property elects to retain a right of use and occupancy as provided for in the Act, such owner shall be deemed to have waived any benefits or rights accruing under sections 203, 204, 205, and 206 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894), and for the purposes of those sections such owner shall not be considered a displaced person as defined in section 101(6) of that Act.

(m) Notwithstanding any other provision of law, the Secretary shall have the same authority with respect to contracts for the acquisition of land and interests in land for the purposes of this Act as was given the Secretary of the Treasury for other land acquisitions by section 34 of the Act of May 30, 1908 relating to purchase of sites for public buildings (35 Stat. 545), and the Secretary and the owner of the land to be acquired under this Act may agree that the purchase price will be paid in periodic installments over a period that does not exceed ten years, with interest on the unpaid balance thereof at a rate which is not in excess of the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities on the installments. Judgements against the United States for amounts in excess of the deposit in court made in condemnation actions shall be subject to the provisions of the Act of July 27, 1956 (70 Stat. 624) and sections 2414 and 2517 of title 28, United States Code.

ADMINISTRATION

Sec. 4. (a) The Secretary shall administer the lands, waters and interests therein acquired for the recreation area in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2-4), as amended and supplemented, and the Secretary may utilize such statutory authority available to him for the conservation and management of wildlife and natural resources as he deems appropriate to carry out the purposes of this Act. Notwithstanding their inclusion within the boundaries of the recreation area, the Muir Woods National Monument and Fort Point National Historic Site shall continue to be administered as distinct and identifiable units of the national park system in accordance with the laws applicable to such monument and historic site.

(b) The Secretary may enter into cooperative agreements with any Federal agency, the State of California, or any political subdivision thereof, for the rendering, on a reimbursable basis, of rescue, firefighting, and law enforcement and fire prevention assistance.

(c) The authority of the Army to undertake or contribute to water resource developments, including shore erosion control, beach protection, and navigation improvements on land and /or waters within the recreation area shall be exercised in accordance with plans which are mutually acceptable to the Secretary and the Secretary of the Army and which are consistent with both the purpose of this Act and the purpose of existing statues dealing with water and related resource development.

(d) The Secretary, in cooperation with the State of California and affected political subdivisions thereof, local and regional transit agencies, and the Secretaries of Transportation and of the Army, shall make a study for a coordinated public and private transportation system to and within the recreation area and other units of the national park system in Marin and San Francisco Counties.

ADVISORY COMMISSION

Sec. 5. (a) There is hereby established the Golden Gate National Recreation Area Advisory Commission (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of fifteen members appointed by the Secretary for terms of three years each.

(c) Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(d) Members of the Commission shall serve without compensation, as such, but the Secretary may pay, upon vouchers signed by the Chairman, the expenses reasonably incurred by the Commission and its members in carrying out their responsibilities under this Act.

(e) The Secretary, or his designee, shall from time to time, but at least annually, meet and consult with the Commission on general policies and specific matters related to planning, administration and development affecting the recreation area and other units of the national park system in Marin and San Francisco Counties.

(f) The Commission shall act and advise by affirmative vote of a majority of the members thereof.

(g) The Commission shall cease to exist ten years after the enactment of this Act.

APPROPRIATION LIMITATION

Sec. 6. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not more than $61,610,000 shall be appropriated for the acquisition of lands and interests in lands. There are authorized to be appropriated not more than $58,000,000 (May 1971 prices) for the development of the recreation area, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in constructions costs as indicated by engineering costs indices applicable to the type of construction involved herein.

Approved October 27, 1972.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 92-1391 (Comm. on Interior and Insular Affairs).

SENATE REPORT No. 92-1271 accompanying S. 3174 (Comm. on Interior and Insular Affairs).

CONGRESSIONAL RECORD Vol. 118 (1972):

Oct. 11, considered and passed House.

Oct. 12, considered and passed Senate, in lieu of S. 3174.

WEEKLY COMPILATION OF PRESIDENDTIAL DOCUMENTS, Vol. 8, No. 44:

Oct. 28, Presidential Statement

NATIONAL PARK SERVICE ORGANIC ACT
(Public Law 64-235, 16 U.S.C. § 1)

NATIONAL PARK SERVICE GENERAL AUTHORIES ACT
(Public Law 94-458, 16 U.S.C. § 1a-1)

MIGRATORY BIRD TREATY ACT
(Public Law 186, 16 U.S.C. § 703)

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Sec. 1. - Service created; director; other employees

There is created in the Department of the Interior a service to be called the National Park Service, which shall be under the charge of a director who shall be appointed by the President, by and with the advice and consent of the Senate. The Director shall have substantial experience and demonstrated competence in land management and natural or cultural resource conservation. The Director shall select two Deputy Directors. The first Deputy Director shall have responsibility for National Park Service operations, and the second Deputy Director shall have responsibility for other programs assigned to the National Park Service. There shall also be in said service such subordinate officers, clerks, and employees as may be appropriated for by Congress. The service thus established shall promote and regulate the use of the Federal areas known as national parks, monuments, and reservations hereinafter specified, except such as are under the jurisdiction of the Secretary of the Army, as provided by law, by such means and measures as conform to the fundamental purpose of the said parks, monuments, and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations

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Sec. 1a-1. - National Park System: administration; declaration of findings and purpose

Congress declares that the national park system, which began with establishment of Yellowstone National Park in 1872, has since grown to include superlative natural, historic, and recreation areas in every major region of the United States, its territories and island possessions; that these areas, though distinct in character, are united through their inter-related purposes and resources into one national park system as cumulative expressions of a single national heritage; that, individually and collectively, these areas derive increased national dignity and recognition of their superb environmental quality through their inclusion jointly with each other in one national park system preserved and managed for the benefit and inspiration of all the people of the United States; and that it is the purpose of this Act to include all such areas in the System and to clarify the authorities applicable to the system. Congress further reaffirms, declares, and directs that the promotion and regulation of the various areas of the National Park System, as defined in section 1c of this title, shall be consistent with and founded in the purpose established by section 1 of this title, to the common benefit of all the people of the United States. The authorization of activities shall be construed and the protection, management, and administration of these areas shall be conducted in light of the high public value and integrity of the National Park System and shall not be exercised in derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress

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SUBCHAPTER II - MIGRATORY BIRD TREATY

- Sec. 703. Taking, killing, or possessing migratory birds unlawful
- Sec. 704. Determination as to when and how migratory birds may be taken, killed, or possessed
- Sec. 705. Transportation or importation of migratory birds; when unlawful
- Sec. 706. Arrests; search warrants
- Sec. 707. Violations and penalties; forfeitures
- Sec. 708. State or Territorial laws or regulations
- Sec. 709. Omitted
- Sec. 709a. Authorization of appropriations
- Sec. 710. Partial invalidity; short title
- Sec. 711. Breeding and sale for food supply
- Sec. 712. Treaty and convention implementing regulations; seasonal taking of migratory birds for essential needs of indigenous Alaskans to preserve and maintain stocks of the birds; protection and conservation of the birds

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Sec. 703. - Taking, killing, or possessing migratory birds unlawful

Unless and except as permitted by regulations made as hereinafter provided in this subchapter, it shall be unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill, possess, offer for sale, sell, offer to barter, barter, offer to purchase, purchase, deliver for shipment, ship, export, import, cause to be shipped, exported, or imported, deliver for transportation, transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, or export, any migratory bird, any part, nest, or eggs of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or part, of any such bird or any part, nest, or egg thereof, included in the terms of the conventions between the United States and Great Britain for the protection of migratory birds concluded August 16, 1916 (39 Stat. 1702), the United States and the United Mexican States for the protection of migratory birds and game mammals concluded February 7, 1936, the United States and the Government of Japan for the protection of migratory birds and birds in danger of extinction, and their environment concluded March 4, 1972 (FOOTNOTE 1) and the convention between the United States and the Union of Soviet Socialist Republics for the conservation of migratory birds and their environments concluded November 19, 1976.

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[1] So in original. Probably should be followed by a comma

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NATIONAL PARK SERVICE DIRECTORS ORDERS

DO-12 Conservation Planning, Environmental Impact Analysis And Decision Making
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A5623(2310)

January 8, 2001

Memorandum

To: Directorate, Field Directorate and Park Superintendents

From: Director /s/ Robert Stanton

Subject: Director's Order #12: Conservation Planning, Environmental Impact Analysis, and Decision-making

I am pleased to send you Director's Order #12: Conservation Planning, Environmental Impact Analysis, and Decision-making and its accompanying Handbook. Together, these documents set forth the policy and procedures by which the National Park Service carries out its responsibilities under the National Environmental Policy Act (NEPA). NEPA and the National Park Service Organic Act are recognized as the two pieces of "landmark" environmental legislation passed by Congress. The provisions of NEPA also supply the Service with a powerful tool we can use to accomplish our mission of protecting this country's parks for future generations.

Director's Order #12 and the Handbook lay the groundwork for a necessary evolution in the way we approach environmental analysis, public involvement, and making resource-based decisions. They set forth a new direction in using interdisciplinary teams, incorporating scientific and technical information, and establishing a solid administrative record for our actions.

Recent court challenges have stopped or redirected some of the Service's actions and decisions. Court decisions are generally based on the adequacy of environmental analysis under NEPA, and the accompanying administrative record. Common themes seen in the court decisions indicate defects in the NPS decision-making process. The courts have cited a lack of, or failure to incorporate, critical information in decisions. In some cases, there has been a basic disregard of laws, regulations, and policies designed to foster resource preservation and conservation. Because of this, I asked a subcommittee of the National Leadership Council to recommend actions to be taken to address these issues. These recommendations, as well as others, are incorporated in the Director's Order and Handbook. They include:

- Use of interdisciplinary approaches and principles in decision-making;
- Decisions based on technical and scientific information;
- Establishment of benchmarks demonstrating best management processes (such as resource councils and project review teams) in development, analysis, and review of projects;
- Use of alternative dispute resolution and other processes to resolve internal and external disputes;
- Peer review panels to address conflicts among resource specialists regarding validity and interpretation of data and resource information;
- Analysis of impairment to resources as part of the environmental impact analysis process; and
- Post-litigation review and analysis of decision-making for potential improvements to resource-based decisions.

To assist in the implementation of the Director's Order, I am directing the Associate Director, Natural Resource Stewardship and Science to re-direct resources and seek additional funding so that the Environmental Quality Division can provide increased technical assistance to parks and regions according to the general model adopted by other Natural Resource Program Center Divisions. Service-wide funding proposals should also be developed so that parks, system support offices and regions have adequate resources to implement the order. Lastly, an advisory group made up of regional environmental coordinators, and others from parks, regions, and SSOs should also be established to provide recommendations on improvement of methods and processes used in environmental impact analysis and policy implementation.

No amount of policy, guidance, or oversight will be successful unless we make a personal commitment to affirmatively fulfill these responsibilities. Our world and our jobs are more complicated now than in any time in history. With this and other issues we must achieve a level of excellence that others will emulate in exercising our resource stewardship responsibilities.

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National Park Service

DIRECTOR'S ORDER #12: CONSERVATION PLANNING AND ENVIRONMENTAL IMPACT ANALYSIS, AND DECISION-MAKING

Approved: /s/ Robert Stanton
Director, National Park Service

Effective Date: January 8, 2001

Sunset Date: January 8, 2005

NPS-12, "NEPA Compliance," is superseded and replaced by this Director's Order and Handbook 12.

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I. Background

The National Environmental Policy Act of 1969 (NEPA), as amended, is landmark environmen-tal protection legislation establishing as a goal for federal decision-making a balance between use and preservation of natural and cultural resources. NEPA requires all federal agencies to: (1) prepare in-depth studies of the impacts of and alternatives to proposed "major federal actions"; (2) use the information contained in such studies in deciding whether to proceed with the actions; and (3) diligently attempt to involve the interested and affected public before any decision affecting the environment is made. The 1916 National Park Service Organic Act directs the National Park Service to "conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the

enjoyment of future generations." (16 USC 1)

Read together, the provisions of NEPA and the National Park Service Organic Act are consonant and jointly commit the Service to make informed decisions that perpetuate the conservation and protection of park resources unimpaired for the benefit and enjoyment of future generations. Planning, environmental evaluation and public involvement in management actions that may affect national park system resources are essential in carrying out the trust responsibilities of the National Park Service (NPS). Particularly in this era of heightened environmental concern, it is essential that NPS management decisions (1) be scientifically informed, and (2) insist on resource preservation as the highest of many worthy priorities.

II. Purpose and Scope

The purpose of this Director's Order is to set forth the policy and procedures by which the NPS will comply with NEPA.

The Council on Environmental Quality (CEQ), part of the Executive Office of the President, is the "caretaker" of NEPA. The NPS will abide by all CEQ NEPA regulations (40 CFR 1500-1508) and any other procedures and requirements imposed by other higher authorities, such as the Department of the Interior (DOI). This Director's Order is not intended, however, to document all those procedures and requirements; for a comprehensive compilation, employees must refer to Handbook 12.

III. Authority

Authority to issue this Director's Order is contained in the NPS Organic Act (16 U.S.C. 1 et seq.), and in delegations of authority found in Part 245 of the DOI Manual (DM). Other specific authorities and requirements governing NPS conservation planning and environmental impact analysis are found in NEPA (42 U.S.C. 4321 et seq.); 40 C.F.R. 1500-1508; Executive Order 11514 as amended by Executive Order 11991; and the National Parks Omnibus Management Act of 1998 (NPOMA) (16 U.S.C. 5901 et seq.).

IV. Instructions, Requirements, and Policies

4.1 Sources of NEPA Guidance. The NPS will comply with the substantive and procedural requirements of NEPA, 40 CFR 1500-1508, 516 DM, and any additional NPS procedures or instructions regarding NEPA.

4.2 Director's Order and Handbook. References in NPS *Management Policies* to public involvement, alternative analysis, and environmental evaluation of NPS and other government actions on resources administered by the NPS are supplemented by this Director's Order and Handbook 12. The Associate Director for Natural Resources Stewardship and Science will develop and issue Handbook 12, containing uniform Servicewide implementing procedures and such supplemental material as may be necessary to carry out NPS responsibilities under NEPA and related statutes. Where other directives and guidelines appear to differ from this Director's Order and Handbook in the areas of impact analysis and other responsibilities under the National Environmental Policy Act, this Director's Order and Handbook take precedence.

4.3 Full and Open Evaluation. The procedures contained in Handbook 12 will ensure that environmental costs and benefits of NPS proposed actions are fully and openly evaluated before actions are taken that may impact the human environment. This evaluation must include provisions for:

- Meaningful participation by the public and other stakeholders;
- Development and critical evaluation of alternative courses of action;
- Rigorous application of scientific and technical information in the planning, evaluation and decision-making processes;
- Use of NPS knowledge and expertise through interdisciplinary teams and processes; and
- Aggressive incorporation of mitigation measures, pollution prevention techniques and
- other principles of sustainable park management in all actions.

4.4 Technical and Scientific Analysis. Pursuant to the NPOMA and NEPA, NPS management decisions will be based on ample technical and scientific studies properly considered and appropriate to the decisions made. In making decisions, the NPS will articulate a reasoned connection between technical and scientific information and the final agency action. Technical and scientific analyses on potential impacts that are essential in making a well-reasoned decision will be obtained even though such information may not be readily available. If such information cannot be obtained due to excessive cost or technical impossibility, the proposed alternative for

decision will be modified to eliminate the action causing the unknown or uncertain impact or other alternatives will be selected.

4.5 Unknown or Uncertain Impacts. When it is not possible to modify alternatives to eliminate an activity with unknown or uncertain potential impacts, and such information is essential to making a well-reasoned decision, the NPS will follow the provisions of the regulations of the Council on Environmental Quality (40 CFR 1502.22). The NPS will state in the environmental document that: (1) such information is incomplete or unavailable; (2) the relevance of the incomplete or unavailable information to evaluating reasonably foreseeable significant adverse impacts on the human environment; (3) a summary of existing credible scientific evidence which is relevant to evaluating the reasonably foreseeable significant adverse impacts on the human environment; and (4) an evaluation of such impacts based upon theoretical approaches or research methods generally accepted in the scientific community. Reasonably foreseeable impacts -- including impacts that have catastrophic consequences -- will be included, even if their probability of occurrence is low, if such analysis (1) is supported by credible scientific evidence, (2) is not based on pure conjecture, and (3) is within the rule of reason. Scoping processes will be used to help determine data needs.

4.6 The Administrative Record. Where an action undertaken by the NPS may cause an adverse effect on park resources, an adequate and public administrative record must reflect the manner in which park unit resource studies have been considered, alternatives examined, mitigations incorporated, and final decisions reached.

4.7 Prohibition on Impairment. In managing units of the national park system, the Service may undertake actions that have both beneficial and adverse impacts on park resources and values. However, by the provisions of the laws governing the NPS, the Service is prohibited from taking or authorizing any action that would, or is likely to, impair park resources or values. In addition, under other environmental laws, adverse impacts may be prohibited as well. Impacts that may constitute an impairment of park resources or values will be evaluated and described in impact analysis contained within environmental documents produced by the Service.

4.8 Records of Decision. Decisions described in Findings of No Significant Impact and Records of Decision will record information as required by the Council on Environmental Quality and by NPS policies and practices described in the handbook accompanying this order. In addition, such documents will summarize impacts, and whether or not such impacts may constitute an impairment of park resources or values using any criteria established under NPS Management Policies and best professional judgment.

4.9 Peer Review. Peer review will be used to address conflicts among resource specialists regarding validity and interpretation of data and resource information. When conflicting information and opinions concerning resource impacts exists, managers must resolve such disputes. Peer review and similar mechanisms will be used as a primary method for resolution of such conflicts. These processes will be reflected in the administrative record.

4.10 Alternative Dispute Resolution. In order to reduce the potential for litigation, relationships with established alternative dispute resolution providers and scientific professional societies will be established and used within the NEPA process to provide a vehicle for resolution of internal and external disputes. In those instances where the NPS has been sued successfully under NEPA, or advised by the Department of Justice or the Office of the Solicitor to settle litigation, a review and evaluation of the process will be conducted so that corrections can be made to improve our project planning, evaluation and decision-making processes. *(See also Director's Order #93: Conflict Resolution.)*

4.11 Interdisciplinary Approach Required. Laws, regulations, and policies applicable to the NPS require interdisciplinary approaches to problem-solving and decision-making. NPS decisions need to reflect this approach as the standard for management within all units. Both present and new NPS managers must consistently apply the principles of interdisciplinary decision-making in order to achieve our goals as resource stewards and "environmental leaders." Benchmarks demonstrating best management processes in development, analysis, and review of projects (such as resource councils and project review teams) will be established for use by parks and regions.

4.12 Evaluating Proposals by Others. The NPS will participate in the early and candid evaluation of proposals by other governments or private entities to avoid adverse environmental impacts to NPS units or other park or recreation resources subject to the provisions of federal law. This is an essential element of effective NPS stewardship. When participating in the environmental impact analysis processes of other entities, the Associate Director for Natural Resources Stewardship and Science will ensure that the NPS's responsibilities for commenting are clearly defined and that the Service and its personnel work with federal, tribal, state and local governments in identifying and evaluating potential impacts to resources under NPS jurisdiction or within areas of NPS expertise. Examples include, but are not limited to:

- Consultation under provisions of Section 4(f) of the Department of Transportation Act;
- Evaluation of noise, visual, or other impacts to national park system resources resulting from external activities;
- Hydropower relicensing projects through FERC procedures
- Impacts of proposed projects on non-NPS areas that have benefited from NPS administered partnership programs (e.g. Land and Water Conservation Fund, Rivers and Trails, National Natural Landmarks, National Register Properties, etc.).
- Analysis of cumulative ecosystem or other impacts upon the integrity of NPS-administered resources; and
- The impacts of any federal activity on other park resources.

Further, other agencies or project proponents will receive responsive and professional evaluation of the potential impacts of their proposals and whether such impacts may result in the derogation of national park system resources or values, or the derogation of other park and recreation resources subject to the provisions of federal law. The purpose of these efforts will be to assist other agencies in avoiding or successfully mitigating impacts to resources and values of NPS units, or on NPS programs administered under other statutory or administrative authorities.

V. Responsibilities

5.1 The Director is ultimately responsible for NEPA planning for all NPS activities. The Director retains signature and approval authority for programmatic environmental impact statements for proposals of nationwide application. While regional directors are delegated authority to approve other types of park-specific EISs, the Director may assume signature authority for any EIS that is unusually controversial or that involves major policy issues.

5.2 The Associate Director for Natural Resources Stewardship and Science will work cooperatively with other associate directors, regional directors, support offices, superintendents and field personnel to ensure that training, technical assistance, and other resources are available and fully used to implement the legal, regulatory, and policy requirements of this order.

5.3 Regional directors are responsible to the Director for integrating the NEPA process into all regional activities and for NEPA planning in their regions. Regional directors are delegated the authority to approve most park-specific EISs for public review, and are responsible for approval of environmental assessments for public review. Only regional directors may sign a Finding of No Significant Impact (FONSI) or Record of Decision (ROD). Regional directors also accept or reject requests for the NPS to be a cooperating or joint lead agency on another agency's environmental documents.

Regional directors should designate a regional environmental coordinator or similar position for their particular region. Subject to the direction of the regional director, regional environmental coordinators:

- Have functional oversight responsibility for all environmental compliance activities within a given region;
- Usually are the point of contact with the Washington Office, Department of Interior, Office of Environmental Policy and Compliance, and Solicitor's Office on significant environmental issues;
- Provide policy review for all NPS NEPA documents and coordinate external review for the region; and
- Serve as a resource to other NPS professionals for understanding the various environmental requirements under which the Service operates.

Regional directors should also designate an associate regional director to serve as a contact for the peer review and alternative dispute resolution processes described in paragraphs 4.9 and 4.10, above.

5.4 Park superintendents are responsible for day-to-day implementation of conservation planning and impact analysis activities related to parks under their administration. They must:

- Assure that within-park actions have been adequately analyzed, an adequate range of alternatives considered, and the public and other agencies appropriately involved;
- Assure that ample resource information appropriate to a decision is available, and the technical and scientific studies appropriate to analyze proposed actions are conducted;
- Assure that resource conflicts and allocations are adequately resolved before projects are implemented;
- Recommend Environmental Assessments, Environmental Impact Statements, RODs and FONSIs for approval by the regional director;

- Assure that all actions approved under a FONSI or ROD are implemented;
- Designate a park resource specialist to serve as coordinator for NEPA and related impact analysis activities;
- Assure that mitigation measures are included in projects once they are approved; and
- Approve actions that fall under established NPS Categorical Exclusions.

5.5 The WASO Environmental Quality Division, which is a part of the Natural Resource Program Center and reports to the Associate Director for Natural Resources Stewardship and Science, will:

- Serve as the focal point for all matters relating to NEPA planning and other related environmental mandates;
- Provide technical assistance to parks and regions;
- Provide project management and coordination on nationally significant environmental impact analysis issues and proposals;
- Coordinate NPS review of NEPA and other documents prepared by other agencies; and
- Provide policy review and clearance for NPS Environmental Impact Statements, as requested.

The Environmental Quality Division may provide policy review and clearance for NPS EISs on a case by case basis, depending on the level of controversy or policy issues involved in the proposed action. Information concerning NPS NEPA documents or the NEPA process can be obtained by contacting this office.

5.6 Park resource specialists are responsible for:

- Having knowledge of existing technical and scientific information on park resources and the quality of such information;
- Identifying additional resource information needs and technical and scientific studies necessary to ensure that ample resource information appropriate to analyze proposed actions is available;
- Serving as park NEPA coordinator to facilitate conservation planning and impact analysis;
- Having knowledge of impact analysis processes and procedures;
- Working with the park superintendent and other park staff to assure consideration of potential resource impacts in park proposals; and
- Working with contracting officers in parks, regions, and the Washington Office to ensure that mitigating measures identified in environmental documents are included in the subsequent contract documents implementing projects.

5.7 Project Managers and Contracting Officers are responsible for working with park staff to assure that mitigating measures and other items identified in environmental documents to provide for resource protection are included in the subsequent documents implementing projects.

---------- end of Director's Order ----------

National Park Service

DIRECTOR'S ORDER #47: SOUNDSCAPE PRESERVATION AND NOISE MANAGEMENT

Approved:/s/ Robert Stanton
Robert Stanton, Director

Effective Date: December 1, 2000

Sunset Date: December 1, 2004

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D.Definitions

A. PURPOSE AND BACKGROUND

The purpose of this Director's Order is to articulate National Park Service operational policies that will require, to the fullest extent practicable, the protection, maintenance, or restoration of the natural soundscape resource in a condition unimpaired by inappropriate or excessive noise sources.

Natural Sounds and the NPS Mission. An important part of the NPS mission is to preserve and/or restore the natural resources of the parks, including the natural soundscapes associated with units of the national park system. Natural sounds are intrinsic elements of the environment that are often associated with parks and park purposes. They are inherent components of "the scenery and the natural and historic objects and the wild life" protected by the NPS Organic Act. They are vital to the natural functioning of many parks and may provide valuable indicators of the health of various ecosystems. Intrusive sounds are of concern to the NPS because they sometimes impede the Service's ability to accomplish its mission.

Intrusive sounds are also a matter of concern to park visitors. As was reported to the U.S. Congress in the "Report on the Effects of Aircraft Overflights on the National Park System," a system-wide survey of park visitors revealed that nearly as many visitors come to national parks to enjoy the natural soundscape (91 percent) as come to view the scenery (93 percent). Noise can also distract visitors from the resources and purposes of cultural areas--the tranquility of historic settings and the solemnity of memorials, battlefields, prehistoric ruins, and sacred sites.

Increasingly, even those parks that appear as they did in historical context do not sound like they once did. Natural sounds are being masked or obscured by a wide variety of human activities. In some parks, natural sounds are disappearing at such a rate that some may be gone before their existence can even be documented.

Thus, soundscape preservation and noise management is one more dimension of the complex problem of achieving the NPS mission of preserving park resources unimpaired for the enjoyment of present and future generations.

Appropriate and Inappropriate Noise. Park purposes are defined in enabling legislation or proclamations, and through a comprehensive public planning process. Park purposes may be highly varied, in the same way that activities appropriate to each park's purpose may be highly varied. Park activities may include transportation systems, visitor centers, maintenance activities, recreational activities, weapons-firing demonstrations, cultural events, and many others. These activities are often found to be appropriate even though they generate elevated sound levels for areas within the parks. However, when activities (whether inside or outside a park) generate excessive levels of noise, they can jeopardize the natural soundscape resource and/or the purposes for which the park was created.

Addressing the Problem. This Director's Order addresses the problem of excessive/ inappropriate levels of noise. It directs park managers to (1) measure baseline acoustic conditions, (2) determine which existing or proposed human-made sounds are consistent with park purposes, (3) set acoustic management goals and objectives based on those purposes, and (4) determine which noise sources are impacting the park and need to be addressed by management. Furthermore, it requires park managers to (1) evaluate and address self-generated noise, and (2) constructively engage with those responsible for other noise sources that impact parks to explore what can be done to better protect parks. In this regard, the Service will give appropriate recognition and weight to the vital missions of other government agencies, such as the Federal Aviation Administration (FAA) and the military services, and respect the rights of park neighbors.

B. AUTHORITY

Authority to issue this Director's Order is contained in the National Park Service Organic Act, as amended (16 USC 1 through 4), and delegations of authority contained in Part 245 of the Department of the Interior Manual.

C. INSTRUCTIONS AND REQUIREMENTS

To accomplish the purpose of this Director's Order, the NPS will apply the following requirements to its soundscape preservation and noise management activities.

1. Applicable Policies

Soundscape preservation and noise management activities will be subject to the policies contained in NPS Management Policies. The portions of Management Policies that are most pertinent to this topic are: Chapter 1, Introduction; Chapter 4, Natural Resource Management; Chapter 5, Cultural Resource Management; Chapter 6, Wilderness Preservation and Management; and Chapter 8, Use of the Parks. Policies in the form of regulations covering general audio requirements are published in title 36, section 2.12, of the Code of Federal Regulations. Policy on the regulation of commercial air tourism is established by Public Law 106-181, and implementing FAA regulations.

2. Reference Manual

The Associate Director for Park Operations and Education will develop and maintain a reference manual (RM-47) to provide comprehensive guidance on soundscape preservation and noise management. The reference manual will include applicable policies and procedures; technical guidance on planning, inventory, monitoring, education, noise prevention and mitigation; and other information that will help field managers and staff to meet their responsibilities.

3. Soundscape Preservation and Noise Management Planning

Superintendents will address the preservation of natural soundscapes and the elimination, mitigation, or minimization of inappropriate noise sources through NPS planning processes (see Director's Order #2: Park Planning) and operations policies. Soundscape preservation and noise management can be addressed in appropriate sections of General Management Plans or through a variety of park implementation plans. If needed to deal with the complexity or urgency of a noise issue, a separate implementation plan (e.g., a Soundscape Preservation and Noise Management Plan as described in Reference Manual 47) will be developed. These park planning efforts will (1) describe the baseline natural ambient sound environment in qualitative and quantitative terms; (2) identify sound sources and sound levels consistent with park legislation and purposes; (3) identify the level, nature and origin of internal and external noise sources; (4) articulate desired future soundscape

conditions; and (5) recommend the approaches or actions that will be taken to achieve those conditions or otherwise mitigate noise impacts.

4. Interim Noise Management Measures

Where noise management actions – particularly those related to park-generated noise or noise from sources covered by existing regulations – do not require a planning process with public participation, superintendents will act to lessen the impact of noise in parks by identifying the inappropriate and intrusive noise sources and by implementing any immediately feasible mitigation or preventative measures. Noise Prevention and Mitigation Considerations in Reference Manual 47 will provide guidance in this process.

5. Inventorying and Monitoring the Soundscape

As needed for baseline resource inventory, soundscape preservation and noise management planning, development of interim management measures, commercial air tour management planning purposes, or for other plans (general management plans, commercial services plans, use management plans, etc.), superintendents will inventory and monitor park soundscapes as described in Reference Manual 47. The information provided from inventory and monitoring is essential to understanding the relationship between the baseline natural soundscape and human-made components of the soundscape–existing and proposed. This information (1) makes it possible to better understand the resource that needs to be protected and the appropriate and inappropriate sources of noise; (2) enables a park to define acoustic goals for different parts of the park, and to determine the nature and level of impacts; and (3) suggests where management intervention can most effectively contribute to protecting park resources and improving the visitor experience consistent with park purposes. Monitoring over time will allow measurement of progress toward defined acoustic goals.

6. Establishing Soundscape Preservation Objectives

In the planning process, acoustic objectives must be established to define the desired future soundscape conditions of parks. These objectives must be consistent with park purposes and plans, as well as with the goal of returning the soundscape to as near natural conditions as possible over time – while allowing visitors to access and enjoy the park in a manner consistent with park management goals. The timeframe for this restoration will be a function of local conditions and will be established in appropriate planning documents.

The fundamental principle underlying the establishment of soundscape preservation objectives is the obligation to protect or restore the natural soundscape to the level consistent with park purposes, taking into consideration other applicable laws. Where natural soundscape conditions are currently not impacted by inappropriate noise sources, the objective must be to maintain those conditions. Where the soundscape is found to be degraded, the objective is to facilitate and promote progress toward the restoration of the natural soundscape. This basic principle is modified by two circumstances:

(a) The first is where the Congress has legislated (e.g., through park legislation, the Alaska National Interest Lands Conservation Act, the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century) specific provision for noise-making activities, and then only to the extent that the noise cannot be contained below certain levels consistent with that activity. If, for example, congressional action provided for a noise-producing activity in or next to a national park, the soundscape management goal would be to reduce the noise to the level consistent with the best technology available – to mitigate the noise impact, but not adversely affect the authorized activity.

(b) The second circumstance relates to noise-generating activities that are appropriate to the park under the NPS Organic Act and other relevant legislation related to natural and cultural resource management or the provision of visitor services. This includes many appropriate management and maintenance activities, visitor and permittee activities, concession operations, etc. In these situations, soundscape management goals are to reduce noise to minimum levels consistent with the appropriate service or activity, as long as that service or activity continues to be needed. It is critical that the Service lead by example and not impose conditions on others that the Service is not itself prepared to implement. Where appropriate new services or activities are initiated consistent with park management plans, soundscape management goals will be adjusted to the extent necessary to facilitate the service or activity. Another consideration in this regard is the management of permitted noise-generating activities, such as concerts in urban parks, to ensure that noise is kept to levels that will not adversely impact residents of adjacent neighborhoods.

7. Defining Impacts on Park Soundscapes

In planning for soundscape preservation and noise management, superintendents must use the best science

available to determine the impact of existing or proposed noise sources on the soundscape, wildlife, aquatic and marine life, cultural resources, other resources and values, and the visitor experience, as appropriate. With respect to determinations related to the impacts of sound on the park soundscape, the natural soundscape is the "affected environment." Under 16 USC 1 et seq., the Service possesses broad and sole authority to manage the lands, resources, and visitors in the areas under its charge. The Service has the "special expertise" and "jurisdiction," as the terms are used in the National Environmental Policy Act and its implementing regulations, to determine the nature, extent, and acceptability of impacts on park resources and visitors. This includes determining the type, magnitude, duration, and frequency of occurrence of noise that is compatible or incompatible with protecting the resources or the visitor experience for which the park was established and planned, as well as determining the significance of noise levels or impacts. This may also include determining whether certain noise sources are necessary or appropriate. In some cases, it may be necessary for parks to conduct additional ecological and sociological studies to better understand the extent and nature of actual or potential impacts on park resources or visitors.

Even in those situations where the responsibility for assessing the noise impacts of its proposed action rests with another Federal agency, under guidance established by the Council on Environmental Quality (CEQ) in implementing the National Environmental Policy Act, the NPS has jurisdiction by law and expertise to determine the effects of that noise on units of the national park system. CEQ guidance indicates that these agencies must take NPS standards and evaluations into account in the evaluation of impacts.

8. Constructive Engagement

Superintendents must work constructively and cooperatively with those responsible for inappropriate sources of noise in parks, including NPS operations, permittees, visitors, commercial tours with or without commercial use permits, concessionaires, and park neighbors. In some cases, such as where there are aircraft overflights or noise sources located outside park boundaries, other agencies or entities may have jurisdiction over the noise-producing activity. However, where such activity impacts park resources or visitors, the Service has the obligation to protect and manage park resources and visitors, and Service jurisdiction may overlap or interact with the other agency's jurisdiction in complex ways. The vital missions of other government agencies such as the FAA and the military services, and park neighbors, must be given appropriate consideration in the process of setting soundscape preservation and noise management goals and objectives. The Service will work constructively with other agencies and entities to minimize and mitigate any impacts to park resources or visitors.

9. Air Tour Management Planning

Public Law 106-181 and implementing FAA regulations provide for a cooperative FAA/NPS public planning process to develop an Air Tour Management Plan (ATMP) when and where a commercial air tour operator seeks to provide tours over units of the national park system (the legislation exempts Grand Canyon National Park, Rocky Mountain National Park, and parks in Alaska from the process). The Service will assist the FAA in this localized process and determine the nature and extent of impacts on natural and cultural resources and visitor experience opportunities. The FAA, with responsibility for ensuring the safe and efficient use of the nation's airspace and for protecting the public health and welfare from aircraft noise, will lead the ATMP effort and regulate these commercial activities as provided for in the cooperative planning effort. The FAA and the NPS must approve and sign the environmental decision document required by NEPA, which may include a finding of no significant impact, an environmental assessment, or an environmental impact statement, and the record of decision for the ATMP. This requires superintendents to work cooperatively with the FAA, air tour operators, and other stakeholders in the development of these plans. Procedures for this interagency process, and plan content requirements, are provided in Reference Manual 47.

10. Interpreting the Soundscape to Visitors

Educating the American public about the nation's natural and cultural heritage is one of the fundamental responsibilities of the National Park Service and is central to its resource preservation efforts. Superintendents will use educational and interpretive materials (e.g. The Nature of Sound education materials) on the natural soundscape and its values to educate visitors about their soundscapes. Internally, NPS staff will lead by example by minimizing use of mechanical equipment, and by using the quietest and least impacting technologies available.

11. National Program Steering Committee

The Associate Director for Park Operations and Education may establish a program steering committee to promote consistency and improvement in NPS soundscape preservation and noise management efforts, and to facilitate interagency coordination and actions. The committee will (1) assess NPS progress toward natural

soundscape restoration and preservation; (2) review programmatic needs and provide recommendations on resource needs; (3) identify and assess programmatic issues; and (4) provide recommendations and advice to establish accountability, consistency, and continuity within the program. An established committee will function until such time as the Associate Director determines the committee is no longer needed.

D. DEFINITIONS

The following definitions apply to this Director's Order:

1. Sound

A mechanical wave or an oscillation in pressure, stress, particle displacement, and particle velocity transmitted though solids, liquids, and gases—some types of which are able to cause a sensation of hearing. The vibration causes the propagation of sound waves. Basic analytical parameters of sound include: frequency, amplitude (related to sound pressure and intensity), envelope (shape of amplitude in time), spectrum and duration.

2. Soundscape

Soundscape refers to the total ambient acoustic environment associated with a given environment (sonic environment) in an area such as a national park. It is also refers to the total ambient sound level for the park. In a national park setting, this soundscape is usually composed of both natural ambient sounds and a variety of human-made sounds.

3. Natural Ambient Sound Level

The natural ambient sound level of a park is the natural soundscape of that park. It is comprised of the natural sound conditions in a park which exist in the absence of any human-produced noises. These conditions are actually composed of many natural sounds, near and far, which often are heard as a composite, not individually. In an acoustic environment subjected to high levels of human-caused sound, natural ambient sounds may be masked by other noise sources. The natural soundscape is an important resource of parks; there may also be important relationships between how this environment is perceived and understood by individuals and society. (Natural ambient sound is considered synonymous with the term "natural quiet.") This is the basis for determining the "affected environment" in NEPA documents and other environmental assessments related to human actions producing inappropriate or intrusive impacts on the park soundscape.

4. Background Sound Level

This is the sound level that can be measured in those situations where it is not possible to measure the natural ambient sound level with certainty because of high levels of human-caused sound, or where it is prohibitively expensive to measure natural ambient sound levels. In such situations, this level will be estimated using a statistic called L_{90}, the sound level that is exceeded 90 percent of the time. This metric is often used in acoustics literature to characterize "background" or "ambient," and is incorporated, for example, in state laws in Massachusetts, Connecticut and Illinois.

5. Man-made Sound Levels

The ambient sounds attributable to human activities in national parks are defined as human-made sound. The sound levels associated with these sounds are actually composed of many human-made sounds, near and far, which may be heard individually or as a composite. In a national park setting, these sounds may be associated with activities that are essential to the park's purpose, they may be a by-product of park management activities, or they may come from outside the park. It is these sounds and sound levels that need to be measured and evaluated in park planning processes to determine whether they are consistent with or destructive to soundscape management objectives.

6. Noise

Noise is generally defined as an unwanted or undesired sound, often unpleasant in quality, intensity or repetition. This makes noise a subjective term and pushes society to address which sounds or aspects of sound constitute unwanted interruptions in specific situations. Noise is often a byproduct of desirable activities or machines. In a national park setting, noise is a subset of human-made noises. National park staff are responsible for analyzing the sound energy associated with human activities and defining which sounds are appropriate or necessary for

park purposes within the various park management zones, and which sounds are inappropriate or impact park purposes within various park management zones.

---------End of Director's Order---------

DIRECTOR'S ORDER #77-1: WETLAND PROTECTION

Approved: /s/ Robert Stanton
Director, National Park Service

Effective Date: October 22, 1998

Sunset Date: October 22, 2002

The wetland protection provisions of the 1980 "NPS Floodplain Management and Wetland Protection Guidelines" (45 Fed. Reg. 35916, minor revisions in 47 Fed. Reg. 36718), and any other conflicting instructions or delegations of authority, are superseded and replaced by this Director's Order and by Procedural Manual #77-1, issued by the Associate Director, Natural Resource Stewardship and Science.

1.0 Background and Purpose of this Director's Order

The purpose of this Director's Order is to establish National Park Service (NPS) policies, requirements, and standards for implementing Executive Order (E.O.) 11990: "Protection of Wetlands" (42 Fed. Reg. 26961). E.O. 11990 was issued by the President "...to avoid to the extent possible the long and short term adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new construction in wetlands wherever there is a practicable alternative...."

In addition to E.O. 11990, two other wetland-related initiatives are recognized and incorporated into this Director's Order:

a. On August 24, 1993, the White House Office on Environmental Policy issued a paper titled "Protecting America's Wetlands: A Fair, Flexible, and Effective Approach." In its "Five Principles for Federal Wetlands Policy," the paper outlined the Administration's support of an interim goal of no overall net loss of the nation's remaining wetlands, and a long-term goal of increasing the quality and quantity of the nation's wetland resource base.

b. On December 17, 1996, the Secretary of the Interior formally adopted the U.S. Fish and Wildlife Service wetland classification system "Classification of Wetlands and Deepwater Habitats of the United States" (FWS/OBS-79/31; Cowardin et al. 1979) as a departmental standard for classifying and inventorying wetlands.

Section 6 of E.O. 11990 directs federal agencies to issue procedures to comply with the Executive Order. NPS procedures were originally adopted together with procedures to comply with E.O. 11988 (Floodplain Management) in the 1980 "NPS Floodplain Management and Wetland Protection Guidelines" (45 Fed. Reg. 35916, minor revisions in 47 Fed. Reg. 36718). Experience with implementing the wetland provisions of those guidelines and changes in wetland management concepts since they were first published have necessitated updating, streamlining, and clarifying NPS wetland policies, requirements, and standards.

2.0 Policies, Requirements, and Standards

Executive Order 11990 directs the NPS: 1) to provide leadership and to take action to minimize the destruction, loss, or degradation of wetlands; 2) to preserve and enhance the natural and beneficial values of wetlands; and 3) to avoid direct or indirect support of new construction in wetlands unless there are no practicable alternatives to such construction and the proposed action includes all practicable measures to minimize harm to wetlands.

In carrying out the NPS's responsibilities related to:

- acquiring, managing, and disposing of NPS lands and facilities;
- construction and related development activities;
- permitting activities as provided for under NPS regulatory authorities; and
- conducting activities, programs, or planning efforts affecting use of NPS lands,

in a manner consistent with E.O. 11990 and with the "no net loss of wetlands" goal, the NPS will take the following actions:

2.1 The NPS adopts a goal of "no net loss of wetlands." In addition, the NPS will strive to achieve a longer-term goal of net gain of wetlands Servicewide.

2.2 NPS units will conduct parkwide wetland inventories (or will obtain such inventories from appropriate sources such as the National Wetlands Inventory) to help assure proper planning with respect to management and protection of wetland resources. Additional large-scale (more detailed) wetland inventories will be conducted in areas that are proposed for development or are otherwise susceptible to degradation or loss due to human activities.

2.3 For purposes of compliance with Executive Order 11990, the NPS will use "Classification of Wetlands and Deepwater Habitats of the United States" (FWS/OBS-79/31; Cowardin et al. 1979) as the standard for defining, classifying, and inventorying wetlands.

2.4 For proposed new development or other new activities, plans, or programs that are either located in or otherwise have the potential for direct or indirect adverse impacts on wetlands, the NPS will employ a sequence of:

a) avoiding adverse wetland impacts to the extent practicable,
b) minimizing impacts that could not be avoided, and
c) compensating for remaining unavoidable adverse wetland impacts via restoration of degraded wetlands.

Consistent with 2.1 above, compensation for wetland degradation or loss will be at a minimum 1:1 ratio. Actions that may be excepted from the compensation requirement will be identified under procedures developed by the Associate Director, Natural Resource Stewardship and Science to implement this Director's Order.

2.5 Actions proposed by the NPS that have the potential to have adverse impacts on wetlands will be addressed in an Environmental Assessment (EA) or an Environmental Impact Statement (EIS). If the preferred alternative in an EA or EIS will result in adverse impacts on wetlands, a "Statement of Findings" documenting compliance with this Director's Order and its implementation procedures will be completed. Actions that may be excepted from the Statement of Findings requirement will be identified in those procedures.

2.6 Superintendents will oversee preparation of Statements of Findings and will recommend their approval to Regional Directors. The Chief of the NPS Water Resources Division or, alternatively, a certified Professional Wetland Scientist (Society of Wetland Scientists Certification Program, Inc.) from within the NPS with working knowledge of this Director's Order and its implementation procedures, will certify: 1) the adequacy of wetland-related technical analyses; and 2) consistency with Servicewide implementation of this Director's Order and accompanying procedures. Regional Directors have final approval authority for Statements of Findings.

2.7 Where natural wetland characteristics or functions have been degraded or lost due to previous or ongoing human activities, the NPS will, to the extent appropriate and practicable, restore them to pre-disturbance conditions.

2.8 Where appropriate and practicable, the NPS will not simply protect, but will seek to enhance natural wetland values by using them for educational, recreational, scientific, and similar purposes that do not disrupt natural wetland functions.

2.9 The Associate Director, Natural Resource Stewardship and Science, will develop and issue procedures for implementing the policies, standards, and requirements of this Director's Order.

3.0 Responsibilities

The Director is responsible for ensuring NPS compliance with E.O. 11990 in accordance with provisions of 520 DM 1. In performing this duty, the Director approves NPS policies and directives for complying with the Executive Order.

The Deputy Directors and Associate Directors are responsible for general supervision of the Divisions and Offices under their jurisdictions to ensure compliance with E.O. 11990 as outlined in this Director's Order and its implementation procedures.

The Associate Director, Natural Resource Stewardship and Science is responsible for: 1) issuing NPS procedures for implementing this Director's Order; and 2) revising relevant portions of the NPS *Management Policies* (1988) and NPS natural resources management and NEPA procedures to ensure compliance with E.O. 11990 as outlined in this Director's Order and its implementation procedures.

The Associate Director, Professional Services is responsible for revising NPS planning procedures as necessary to satisfy the requirements of E.O. 11990 as outlined in this Director's Order and its implementation procedures.

The Superintendents oversee the planning/NEPA process, identify preferred alternatives, and oversee preparation of Statements of Findings as outlined in this Director's Order and its implementation procedures, utilizing the wetland technical information developed during the planning process. Superintendents sign the "Recommended" line on Statement of Findings cover sheets.

The Chief, Water Resources Division (or a certified Professional Wetland Scientist from within the NPS as described in this Director's Order and its implementation procedures) signs the "Certification of Technical Adequacy and Servicewide Consistency" line on Statement of Findings cover sheets, assuring both technical adequacy of wetland analyses and Servicewide consistency in implementation of this Director's Order and its implementation procedures.

The Regional Directors are responsible for ensuring compliance with E.O. 11990 within their respective Regions as outlined in this Director's Order and its implementation procedures. They are responsible for final approval of Statements of Findings after recommendation by Superintendents and certification of technical adequacy and Servicewide consistency as described in Section 2.6.

National Park Service

DIRECTOR'S ORDER #83: PUBLIC HEALTH

Approved:/s/ Robert Stanton (signed original on file)
Director, National Park Service

Effective Date: August 2, 1999

Sunset Date: August 2, 2003

I. Background and Purpose

The National Park Service hosts nearly 300 million visitors to the national parks each year. To provide for visitor enjoyment of the parks, the NPS operates (directly or indirectly) water supply systems, waste management systems, food service operations, bathing beaches, swimming pools and overnight accommodations. In most cases, there are Federal, state and/or local codes--designed to protect the public health--which govern the conditions under which these facilities and services are provided. To ensure these facilities and services are operated in a safe and healthful manner, and according to existing public health laws and regulations, the NPS Public Health Program conducts health risk and environmental compliance assessments. The Program provides technical assistance to parks on request. It trains NPS personnel in the recognition and management of health risks, and provides health awareness information in the form of brochures, messages in the Operational Notes section of the Ranger Morning Reports, and on its NPS web page (http://www.nps.gov/public_health/).

The purpose of this Director's Order is to outline what the NPS will do to ensure compliance with prescribed public health policies, practices and procedures. This order establishes NPS policy with respect to all public health activities within areas of NPS jurisdiction, regardless of whether those activities are carried out by NPS or other Federal employees, or by other organizations, including the U.S. Public Health Service (PHS). Public health includes illnesses associated with drinking water, wastewater, food safety, animal vectors, animal reservoirs, hazardous wastes, indoor air pollution, institutional sanitation, radiation safety, medical wastes, solid wastes, air pollution, and other related areas of environmental health.

This Director's Order, and Reference Manual 83 (RM-83), supersede and replace Guideline NPS-83 and any other previously issued policy or procedural statements that may be at variance with the policies and procedures stated herein. It applies to all facilities and services provided in the parks, whether by the NPS directly, or by concessioners, leaseholders, or permittees.

II. Authority

The authority to issue this Director's Order is contained in 16 U.S.C. 1 through 4 (the National Park Service Organic Act), and Part 245 of the Department of the Interior Manual.

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IV. General Policy

A. It is the policy of the NPS to protect the health and well-being of NPS employees and park visitors through the elimination or control of disease agents and the various modes of their transmission to man and to ensure compliance with applicable Federal, State and local public health laws, regulations and ordinances. Implementation of this policy will be tempered by the Organic Act's requirement that the NPS conserve the scenery and natural and historic objects and the wildlife therein in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

B. The Associate Director, Park Operations and Education, will issue RM-83 to provide more detailed information on the public health policies, practices, procedures, and standards that park managers must adhere to in providing facilities and services to the public.

C. Based on the unique circumstances and conditions of National Park Service sites, the Public Health consultant has the discretion to recommend adaptations to these requirements considering specific site conditions and relevant authority under the law.

V. Operational Policies and Procedures

A. DRINKING WATER POLICY

Park managers will reduce the risk of waterborne diseases and provide safe drinking water to employees, the visiting public, and park partners by assuring that drinking water systems are properly operated, maintained, monitored, and deficiencies promptly corrected. Water systems will be regulated in accordance with (1) the Safe Drinking Water Act, as amended (42 U.S.C. 7401 et seq.); (2) the Primacy Agency (e.g., the agency designated by Federal law as having oversight responsibility) requirements; or (3) this NPS drinking water system policy, whichever is most stringent. Additional guidance is provided in RM-83, Reference A.

A.1 All parks that operate public or non-public drinking water systems will have at least one state certified operator and a designated backup operator responsible for the operation of the systems in that particular park.

A.2 All designated operators, including backup operators, will be trained in accordance with the requirements of the Primacy Agency. Park managers will assure that operators receive required training and submit a list annually of operators requiring training to the Public Health Service (PHS) Consultant.

A.3 Park managers will designate, in writing, personnel who will assure that required records are reviewed, maintained in permanent files for periodic review by the PHS Consultant or Primacy Agency representatives, and that reports are submitted on a timely basis as required by the PHS Consultant and the Primacy Agency.

A.4 Bacteriological and chemical sampling will be performed in accordance with Federal, State and local laws and regulations, and with the requirements in RM-83, whichever is most stringent.

A.5 All water samples will be tested in laboratories certified by the Primacy Agency.

A.6 All surface water sources and any groundwater sources subject to surface water influence, as determined by (1) the Primacy Agency for public systems, or (2) the PHS Consultant for nonpublic systems, will be provided with approved filtration.

A.7 All drinking water systems will be continuously disinfected. The PHS Consultant, however, may specifically

exempt non-public systems, in writing. Acceptable disinfecting methods are those which provide a measurable disinfectant residual in the distribution system.

A.8 One disinfectant residual sample per day will be measured and recorded from representative points in all park-operated, disinfected, distribution systems. Parks operating nonpublic drinking water systems or receiving water from municipalities should contact the PHS Consultant for residual monitoring requirements.

A.9 Sanitary surveys will be conducted in accordance with Primacy Agency requirements.

A.10 All drinking water systems will have a documented cross connection control program on file for review by the Primacy Agency and the PHS Consultant.

A.11 All NPS water hauling operations, whether conducted by the park or a private contractor, will be hauled from an approved water source that meets the requirements of the Safe Drinking Water Act or RM-83, Reference A, whichever is most stringent.

A.12 All parks will comply with the public notification requirements of the Safe Drinking Water Act.

A.13 When drinking water system modifications or new construction are proposed, parks will contact the Primacy Agency to determine if plans and specifications should be submitted for approval. A copy of plans and specifications will be provided to the PHS Consultant.

A.14 Potable water for backcountry operations must be (1) hauled from a public system, or (2) boiled, or (3) filtered and disinfected.

B. WASTEWATER POLICY

Park managers will reduce the risk of waterborne diseases and provide safe wastewater disposal by ensuring wastewater systems are properly operated, maintained, monitored, and deficiencies promptly corrected. Wastewater systems will be compliance with (1) the Clean Water Act, as amended (33 U.S.C. 1251 et seq.); (2) The Primacy Agency requirements; or (3) this NPS wastewater policy, whichever is most stringent. Additional guidance is provided in RM-83, Reference B1.

B.1 Park managers will ensure that operators are adequately trained and certified in accordance with operator requirements of the Primacy Agency. All systems that are required to have a discharge permit or serve at least 100 persons will have certified operators. Park managers will designate, in writing, primary operators, and backup operators who have adequate training and skills to operate the system.

B.2 Park managers will designate, in writing, personnel who will assure that required records are reviewed, maintained in permanent files for periodic review by the PHS Consultant or Primacy Agency representatives, and that reports are submitted on a timely basis as required by the PHS Consultant and the Primacy Agency.

B.3 When wastewater system modifications or new construction are proposed, parks will submit plans and specifications to the Primacy Agency for approval. A copy of the plans and specifications will be provided to the PHS Consultant.

B.4 All wastewater facilities will be installed, operated and monitored in accordance with Primacy Agency requirements.

B.5 Suitable front country waste systems include: flush toilets; vault toilets; and chemical toilets (for temporary use only, because they require frequent service and pumping to prevent objectionable odors).

B.6 Suitable backcountry waste systems include flush toilets; composting toilets; barrel toilets; evaporator toilets; incinerator toilets and pit privies. Pit privies should only be used as a last resort where other types of facilities are not possible. The Park Sanitarian or the PHS Consultant should conduct the siting of pit privies.

B.7 All new vault toilets will incorporate the U.S. Forest Service Sweet Smelling Toilet (SST) design features. Vault toilets will be pumped as necessary. The U.S. Forest Service *In-Depth Design and Maintenance Manual for Vault Toilets* is provided in RM-83, Reference B2.

B.8 All toilet facilities will be cleaned and re-supplied as often as necessary to maintain a high degree of sanitation. The U.S. Forest Service *Cleaning Recreation Sites* is provided in RM-83, Reference B3.

B.9 Adequate sanitation facilities will be required for remote areas such as river rafting, horseback riding, back country biking, backpacking and similar activities in accordance with RM-83, Reference H.

B.10 Septic tanks will be inspected annually to determine the amount of accumulated scum and sludge. Records of measurements, inspections, and pumping will be available for review by the PHS Consultant. Septic tank risers will be provided for inspection holes to facilitate inspection and pumping. Septic tanks will be pumped when the scum and or sludge levels in the tank dictate (generally every 3-5 years). The bottom of the scum should never be closer than 3 inches to the bottom of the outlet device, and the top of the sludge layer should never be less than 8 inches from the bottom of the outlet device.

B.11 Septic tank drain fields will be surveyed annually during a high use period to identify system failures such as odors and surfacing wastewater. The drain field should be kept clear of trees and bushes, which may send roots into the drain field piping system causing clogging and premature failure.

B.12 Personnel who routinely come into contact with sewage or who work in or inspect wastewater treatment facilities, lagoons, etc. will have a current immunization for tetanus.

B.13 Wastewater treatment plant personnel will not eat, drink or smoke when performing maintenance or inspecting equipment, which may be contaminated with human sewage.

B.14 In the event of a major wastewater leak or spill, the PHS Consultant will be notified within one business day. Facilities and equipment contaminated with sewage as a result of leaks, spills, and sewage system backflow will be thoroughly washed down with water and detergent.

C. FOOD SANITATION POLICY

Park managers will reduce the risk of foodborne diseases to employees, the visiting public, and park partners by ensuring that all food operations are managed according to the FDA Food Code, as amended, unless specifically exempted by PHS regional consultant, and DO-48. Food operations include, but are not limited to NPS, concessioner, special events, incidental business permits and emergency incidents. The FDA Food Code is provided in RM-83, Reference C1.

C.1 All permanent food service facilities will be inspected according to schedules established by the PHS Consultant and concession program manager.

C.2 Temporary food service operations (stationary and non-stationary facilities) will meet the same general requirements as permanent facilities by complying with the FDA Food Code and consulting with the regional PHS Consultant to determine additional recommendations and alternative compliance options to the Food Code. See RM-83, Reference C2 for additional guidance on temporary food services and RM-83, Reference H for backcountry operations.

D. BATHING BEACH POLICY

Park managers will reduce the risk of waterborne diseases by ensuring designated bathing beaches are properly operated, maintained, and monitored, and deficiencies promptly corrected, in compliance with applicable state/local regulations. In the absence of applicable state or local regulations, the following NPS policies will apply. Bathing beaches can be located at lakes, rivers, oceans, hot springs, and other bodies of water. Additional guidance is provided in RM-83, Reference D.

D.1 Bathing beach monitoring is required for each designated beach. Designated beaches are those that the Park has identified (using signs, brochures etc.) as available to the public for contact recreational water activities. Monitoring is recommended for other areas that are heavily used (40 or more people per 100 linear feet of shoreline). Specific requirements of the monitoring program include:

(a) Conducting a sanitary survey;

(b) Preparing a bathing beach monitoring protocol. This protocol includes the names of areas to be sampled; sampling station locations; a map or sketch of each area showing the location of each sampling

station; bacterial standard used; and the name of the laboratory doing the bacterial analyses;

(c) Sampling for enterococcus or *Escherichia coli* bacteria levels; and

(d) Issuing swimming advisories when bathing beach waters exceed the bacterial standards.

D.2 A copy of the bathing beach monitoring plan and current bathing beach sanitary survey report will be sent to the PHS Consultant for review and concurrence approximately one month before the beginning of the recreational season.

D.3 Samples will be collected in conformance with the most recent edition of Standard Methods for the Examination of Water and Wastewater.

D.4 Analyses will be done in conformance with the most recent edition of Standard Methods for the Examination of Water and Wastewater. Parks that have their own laboratory should meet state certification requirements. Parks that do not do their own sample analyses will use a certified microbiological laboratory.

D.5 Parks located in states that have bathing beach bacterial standards will comply with those standards or DO-83, whichever is more stringent.

D.6 Parks will submit bacteriological sampling results to the PHS Consultant.

D.7 When the applicable bacterial density standard is exceeded, park managers will report the bacterial density results to the PHS Consultant and the applicable state agency, and advise the PHS Consultant, applicable state agency, and the local news media that a health advisory regarding the affected area will be posted. The advisory will notify the public of the potential health risks from swimming at the designated beach. The affected beach will be re-sampled immediately by taking two samples each day at each sampling location where the bacterial standard was exceeded. Re-sampling will be continued until the bacterial standard is not exceeded for two consecutive days. The PHS Consultant may waive this re-sampling requirement. When it is safe to reopen the beach, park managers will resume routine monitoring and notify the PHS Consultant, the local public health agency, and the news media of the decision to reopen the beach. All signs should be removed.

E. SWIMMING POOL POLICY

Park managers will reduce the risk of waterborne diseases by ensuring that NPS and concessioner swimming pools are properly constructed, operated, maintained, and monitored, and deficiencies promptly corrected in accordance with applicable state or local regulations. Additional guidance is provided in RM-83, Reference E.

F. SPA AND HOT TUB POLICY

Park managers will reduce the risk of waterborne diseases by ensuring that NPS and concessioner spas and hot tubs are properly constructed, operated, maintained, monitored, and deficiencies promptly corrected in accordance with applicable state or local regulations. Additional guidance is provided in RM-83, Reference F.

G. ILLNESS REPORTING POLICY

Park managers will reduce the risk of waterborne, foodborne and vectorborne diseases by designating, in writing, a person responsible for implementing and coordinating the Illness Reporting Program. Responsibilities include maintaining reporting logs, notifying regional Public Health consultants or WASO Public Health when suspected outbreak is occurring, and coordinating, at the park level, the appropriate response. When a Sanitarian or Environmental Health Specialist is located in the park, that person should be designated as the Illness Reporting Program Coordinator. A copy of the written designation will be provided to the regional PHS Consultant. Additional guidance is provided in RM-83, Reference G.

G.1 When a foodborne, waterborne, vectorborne or occupational illness is suspected, the Illness Reporting Coordinator will contact the PHS Regional Consultant for advice and support. If the Consultant is not available, request assistance from applicable local, state, or federal public health agencies that are staffed with trained public health professionals. Depending upon park jurisdiction, federal agencies will respond only at the request of local health departments.

G.2 Park managers will take any appropriate steps to restrict or close, in whole or in part, any establishment, facility, or operation when evidence suggests an outbreak of disease may be occurring, or recurring. These steps may include the closure of the entire park or portion thereof where conditions warrant. This authority may be found in 36 CFR 1.5. Such a decision should be made after careful consideration of all facts, and in consultation with the PHS Consultant, the Illness reporting Coordinator, and involved local/state/federal health officials.

G.3 Park managers and/or the Public Affairs Officer will decide when or if a news media release is appropriate.

G.4 The Illness Reporting Coordinator, and where appropriate, dispatch centers, district rangers, and park managers will maintain a list of applicable telephone numbers for Regional PHS Consultants and applicable local and state health agencies.

G.5 All illness complaints, after being reviewed by the park Sanitarian or PHS Consultant, will be entered into the Case Incident Reporting system (CIRS) by the Illness Reporting Coordinator.

G.6 The park concession office will be notified when an illness investigation is conducted in a concessioner's facility.

G.7 The park concession office will notify the regional concession office of confirmed illnesses that involve park concessioner facilities.

G.8 Persons who complain of illness while in a park will be referred to a health care provider for evaluation, and possible laboratory confirmation.

G.9 For guidance on collecting, storing, shipping and analysis of samples, the Illness Reporting Coordinator will consult with the Regional PHS Consultant or local/state/federal consultants contacted for support.

G.10 The Illness Reporting Coordinator will keep the NPS Park Manager informed of the status of the investigation. A written summary of the investigation should be submitted to the Park Manager within thirty days. The report should include pertinent information such as the number of ill persons, symptoms, diagnosis (confirmed or suspect), duration of outbreak, action taken, conclusions, and recommendations to prevent similar outbreaks from occurring. The Illness Reporting Coordinator will also ensure the investigation summary is entered into the Case Incident Reporting system (CIRS).

H. BACKCOUNTRY OPERATIONS POLICY

Park managers will reduce the risk of water-borne, food-borne, and vector-borne diseases by ensuring that all backcountry water, wastewater and food operations (NPS, concessioner, special events, commercial use authorizations, and emergency incidents) are operated in accordance with current Public Health regulations and policies. Additional guidance is provided in RM-83, Reference H.

H.1 Potable water for backcountry operations must be (1) hauled from a public system, or (2) boiled, or (3) filtered and disinfected.

H.2 Adequate sanitation facilities are required for remote activities such as trail maintenance, fire fighting, ranger stations, river rafting, horseback riding, backcountry biking, backpacking, and similar activities.

H.3 Park managers will ensure that all backcountry food service operations (stationary and non-stationary facilities) meet the same general requirements as permanent facilities by complying with the FDA Food Code and consulting with the Regional PHS Consultant to determine additional recommendations and alternative compliance options to the FDA Food Code.

---------- end of Director's Order ----------

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Natural Resources Management Guidelines

The Natural Resources Management Guideline is a document that was created by National Park Sevice that is designed to specifically outline the management of natural resources, their allowable uses, the planning pertaining to them, and the program administration of these natural resources within all national parks.

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VEGETATION MANAGEMENT

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VEGETATION MANAGEMENT

The purposes of vegetation management are as diverse as the National Park System itself, ranging from perpetuating natural processes in natural zones to conserving the historic values of cultural zones and accomplishing a variety of objectives in development and special use zones. This section is written with this diversity of management zones in mind. It begins with general guidance on the basic principles of vegetation management. Then it provides guidance on the two most important steps in any resource management program: how to clearly define the management objectives and how to develop an ecologically sound strategy for achieving those objectives.

DEFINITIONS

Biological diversity The variety of life and the processes that govern life. There are four major components of biological diversity: **genetic**--variation of genes within a species; **species**--variation of the kinds of plants and animals; **community/ecosystem**--variation of the ways in which the many species of plants and animals aggregate into interacting groups; and **process**--variation in the physical, chemical, and biological forces to which genes, species, communities, and ecosystems respond.

Ecosystem A system of living organisms that interact with the environment and each other. Ecosystems are arbitrarily defined within certain boundaries; materials and energy cross the boundary in both directions as well as circulate within the boundaries. All vegetation management must account for the significant factors of the ecosystem (interactions with other species and environment) to be successful.

Genotype The genetic composition of an individual plant.

Landscape (Noun) A group of ecosystems and the interrelationships that connect them in a fairly large geographical area. Most NPS units are parts of larger landscapes. On a smaller scale, a landscape may also be the area immediately around a building or on the grounds of a site of particular interest such as a historical site. Vegetation management must keep the landscape setting in mind at all times. For cultural zones, there are specific terms for landscape types and treatments in NPS-28, the Cultural Resources Management guideline.

Landscape (Verb) To place plants and other materials and manipulate topography to achieve a desired effect. This is a form of vegetation management.

Plant community A group of plants growing in an interrelated manner on a particular site. Important attributes of a plant community are its species composition, the spatial arrangement of individuals, and interactions among the members and with their environment. This term is usually used in reference to both natural and cultural plant communities, although some ecologists and texts still use this term exclusively for natural communities.

Population A group of individuals of a species that are geographically close enough together to share a common gene pool, i.e., that can and do interbreed.

Restoration A process to replace existing vegetation on a site with desired vegetation that existed there before. **Revegetation** is usually used when plant cover is destroyed and then replaced. These two terms are often used interchangeably in the field of vegetation management. Therefore, it is necessary to ensure that the contract specifications literally spell out what is permitted and what is not permitted on NPS property. Specifications should include pest identification, monitoring on a regular basis, no pesticide application unless thresholds are reached (thresholds should be agreed upon prior to signing the contract).

Target community or target vegetation The group of plant species as well as the number and spacing of individuals of each species that constitutes the desired plant community. A project could involve several plant communities, constituting a target vegetation. The terms apply to both natural and cultural vegetation.

Vegetation The collection of plant communities distributed across the landscape. This is a technical term, not to be confused with the more general usage as an indefinite synonym for plants.

POLICY AND PROGRAM OBJECTIVES

NPS Management Policies states:

The National Park Service will seek to perpetuate native plant life as part of natural ecosystems. Landscapes and plants may be manipulated only when necessary to achieve appropriate management objectives. These objectives will vary according to management zones. To the maximum extent possible, plantings in all zones will consist of species that are native to the park or that are historically appropriate for the period or event commemorated. Only native species will be allowed in natural zones. Use of exotic species in other zones will conform to the exotic species policy. In any zone, landscapes and plants may be manipulated to maintain habitat for threatened or endangered species, but in natural zones only native plants may be used if additional plantings are done, and manipulation of existing plants will be carried out in a manner designed to restore or enhance the functioning of the plant and animal community of which the endangered species is a natural part. (4:8)

AUTHORITIES

See the discussion of general authorities in Chapter 1. Additional authorities include the Endangered Species Act.

The gathering of fruits, berries, and nuts for personal use or consumption is covered in 36 CFR 2.1(c)(1).

Cultural landscapes are also afforded protection under several laws relating to historic preservation, including the Historic Sites Act of 1935 and the National Historic Preservation Act of 1966.

In addition, various state and county laws on noxious weeds and right-of-ways may be relevant to NPS vegetation management practices.

RELATIONSHIP TO OTHER GUIDANCE

References to vegetation management are included in a number of existing NPS guidelines including NPS-2, the Planning Process guideline (management zoning); NPS-12, the Environmental Compliance guideline (impact assessment and mitigation); NPS-18, the Fire Management guideline (prescribed fire use); NPS-28, the Cultural Resources Management guideline (for cultural landscapes and other historic, archeological, and ethnographic resources); NPS-53, the Special Park Uses guideline (agricultural and special use management); and NPS-75, the Inventory and Monitoring guideline (in preparation).

In this Guideline, see also Chapter 2, Soil Resources Management, Endangered, Threatened and Rare Species Management, Integrated Pest Management, Exotic Species Management, and Public Health and Safety; Chapter 3, Grazing and Agricultural Uses; and Chapter 5, Inventory and Monitoring.

A number of other NPS publications are also useful in developing vegetation management initiatives. A partial listing includes: Biotic Cultural Resources: Management Considerations for Historic Districts (Southeast Region); Earthworks Landscape Management Manual (Mid-Atlantic Region); Evaluation of Servicewide Reclamation Techniques for NPS Units (Technical Information Center, Denver Service Center); and Park Landscape Maintenance Handbook (National Capital Region).

Existing park management plans such as the statement for management, general management plan, resource management plan, and action plans for specific vegetation issues, such as fire management, cultural landscapes, hazardous trees, and vista management, should also be consulted.

Collecting biological specimens for scientific purposes must be authorized by the park superintendent in accordance with requirements in 36 CFR 2.50. The mechanism for scientific sample collections is the Specimen Collection permit, covered in 36 CFR 2.5 and NPS-53, the Special Park Uses guideline. See also, Chapter 5, Collections, in this Guideline.

PROGRAM GUIDANCE

I. Principles

Vegetation management is the maintenance, establishment, or restoration of target vegetation that meets a park's management objectives. The target vegetation can be quite varied. For example, it can include native plant communities in natural zones, ethnographically significant sacred plants, historically appropriate plantings in certain cultural zones, an agricultural crop in certain special use zones, or a modern landscape design in developed zones. If the park management objective is to preserve a dynamic ecosystem, then the management program might, in some cases, consist of doing nothing except monitoring ecological processes or, in other cases, taking steps to prevent certain avoidable human disturbances detrimental to the natural functioning of the plant community. If the objective is to preserve a historic point in time, then periodic intervention may be required to counteract natural successional processes. In either case, some understanding of natural, ecological processes at the site is necessary to effectively design a management strategy.

A. Genetic Resources

To the extent possible, consistent with management objectives, genetic integrity should be preserved. In a world of shrinking biodiversity, areas administered by the NPS may hold some of the nation's best remaining examples of natural biodiversity. NPS areas also contain some of the last of several cultivars.

Genetic resource management alternatives can be classified into one of three categories. (In the following sentences the term "genotype" refers to the genetic composition of an individual plant.)

1.**Preservation of genetic diversity** is the preservation of the full range of genotypes present within the area of consideration.

2.**Preservation of genetic integrity** is the preservation of not only the full range of genotypes but also the natural proportions of, and the natural interactions between, genotypes. The preservation of these interactions requires that plants be distributed in natural spatial patterns and have available the natural pollination and dispersal mechanisms.

A plant community contains one to many populations of each species. These moderately well defined populations arise as a result of the interaction of heterogenous environments. The result is a mosaic of genetically different populations, even though they are morphologically identical.

Complete preservation of genetic integrity would be achieved when no genotype is introduced to a point on the ground to which it probably would not have immigrated under natural circumstances, and when the proportional mix of genotypes does not differ from what would have occurred under natural circumstances. In the process of revegetation or restoration, this condition is unachievable but we can strive to come as close as possible. Management actions can bring us closer or take us further from this state.

From a cultural landscape perspective, genetic integrity would be achieved when no genetic material (pollen) from another cultivar of the same species is allowed to cross with the extant cultivar where sexual reproduction is an important factor.

3.**Genetic contamination** is the introduction into a natural zone of genotypes not native to the local area. Introduction of the same species from a different ecological niche is genetic contamination. However, the genetic resources of a park may include historic cultivars that are no longer common and are of historical interest. Some introduced species may have been present on site for centuries and have considerable historic interest. Therefore, the NPS should promote the preservation of this genetic material, particularly genotypes of historically significant plants.

B. Attributes of Plant Communities

Plant communities always have four and, in some cases, five attributes that should be considered when designing a

management program:

1.the species present,

2.the frequency of types and density of plants,

3.existing interactions among species present,

4.ecological compatibility with existing site conditions, and

5.historic/cultural importance.

Associated with the target vegetation is a list of appropriate species for the different communities noting the kinds of plants called for by management objectives. In the case of complex, natural ecosystems the list might be long and to some degree incomplete. In the case of a cemetery lawn, the list might be short. The species on the list may be native or introduced (non-native), depending on the management objectives. One would expect to find mostly native species in a natural area and perhaps mostly introduced species on the cemetery lawn. In the case of a designed historic landscape, the historically appropriate plants may be specifically described by the landscape designer or by other archival material.

If natural interactions, both physiological and genetic (repro-ductive), are to occur among plants of natural zones, then a spatial relationship that mimics what occurs in nature is necessary during restoration. In contrast, the spacing of plants of cultural zones, such as designed historic landscapes, would be determined by the historical planting pattern specific to the site.

Each species on the target community list should be ecologically compatible with existing site conditions and the management objectives. In part, ecological compatibility determines the management effort required to establish and maintain a particular species. For example, a Kentucky bluegrass lawn grown in the arid West requires regular irrigation; a species more adapted to dry conditions, such as buffalo grass, may not require such intervention. Another aspect of ecological compatibility has to do with the extent to which the interactions defined by management objectives deviate from those to which the species is naturally adapted. For example, while buffalo grass may grow naturally in arid climates, it does not typically grow in dense, uniform stands where close proximity would result in competition for available water. Ecological compatibility has direct implications for management. The more incompatible a species or the more incompatible the interaction to be imposed, the higher the management cost to maintain the desired condition.

C. A Classification of Vegetation Management Alternatives

Vegetation management alternatives are described here in terms of three related goals: a) species complement, b) degree of natural interaction, and c) the degree to which the target vegetation is to represent a fixed time period or scene.

The species complement can range from "totally native" to "totally non-native." A plant list for a high quality natural area would consist entirely of native species, whereas a lawn probably would contain only introduced species. An historic site with a mix of natural and introduced species would represent an intermediate condition.

The degree to which natural interaction will be preserved can range from management actions that impose an interaction to management action or lack of it that permits natural interactions to be preserved. The degree to which the target vegetation is to be fixed in time would range from totally natural (maintained in a dynamic condition and allowed to respond to succession and climate change) to a fixed condition with respect to species composition and appearance.

The general orientation of management objectives within these three types of goals can be approximately described using such language as "non-native, fixed, with imposed interaction" or "native, dynamic, with natural interaction." By classifying vegetation objectives in this way, it will be more likely that the appropriate program will be developed to achieve the desired result. In addition, ecological compatibility for the selected alternative will determine the extent of management effort required to achieve the stated goal.

Some examples will illustrate the use of this model:

1. A cemetery lawn composed of Kentucky bluegrass turf.

Since Kentucky bluegrass is an exotic species, the target vegetation is totally non-native. Assuming that no successional development is permitted, such as allowing encroachment by crabgrass or broadleaved herbs, the nature of the target vegetation will be fixed in time as an early successional community. Assuming that natural interaction (physiological) will be altered by mowing, watering, fertilizing, and elimination of other species, the target vegetation experiences a totally imposed interaction. The result is a non-native, fixed, imposed-interaction vegetation. In addition, if ecological compatibility is low because the bluegrass is to be established in an arid climate, management effort (watering, etc.) will be high.

2. Alpine tundra

It is decided that a fellfield community will be established on a steep, windblown slope needing restoration. Plants will be allowed to immigrate naturally; the site will be protected from further avoidable human disturbance. The community will be allowed to change over time. The classification in this case is native, dynamic, natural interaction. Both physiological and genetic interaction is natural in this case because vegetation will become established in natural spatial patterns based on the local gene pool and natural plant establishment processes. The ecological compatibility of this objective is high because site conditions match the physiological requirements and genetic adaptations of the plants in the target vegetation. Management effort will be low.

The ability to professionally manage vegetation is directly related to the technical understanding of the resource and to the ability to unambiguously communicate management objectives. Precise communication will reduce misunderstanding and will make the sharing of improved restoration methods and management efforts more efficient. The more precisely management objectives can be stated, the more likely the management goal will be accepted and the anticipated results will be achieved.

Currently, the terms restoration, rehabilitation, and vegetation management often are applied interchangeably to a wide range of activities and results. For the purposes of this section, vegetation management is a broad term that encompasses all of maintenance (keeping vegetation as it is), restoration (returning vegetation to a former condition), and alteration (changing vegetation to a new condition). Also see NPS-28 for definitions of "restoration" and "rehabilitation" in relation to cultural landscapes.

Many sites require an application (and sometimes compromise) of goals in both the natural and cultural resource programs. Managers may need to read both sets of guidelines when dealing with landscapes that have experienced human use over time.

II. Determining Target Communities

To determine what the target community or vegetation should be, two major factors must be thoroughly considered and reconciled: a) the management objective for the site in question and b) the compatibility of the natural and cultural environment of the site with the management objective. The target community will usually not be the same for a whole management zone but will differ in relation to differing site characteristics. In fact, many projects like a road or sewer line could traverse many different local environmental conditions and require a different target community for each condition. For these reasons, a good site type map is a great help in planning efforts.

The purposes served by the establishment of vegetation are highly varied. These purposes may include preserving a certain scene, protecting against soil erosion, providing habitat for animals, preserving natural conditions, designing or enhancing a landscape for visitor use, interpretation, and/or administrative purposes, or preserving significant ethnographics resources. Each of these and the many other purposes, alone or in various combinations, constitute the management objectives for the vegetation. The target vegetation must be designed to accomplish the stated purpose.

Initial planning efforts to develop the right species lists for the various sites will pay great dividends in the future by increasing the success of the project and decreasing the amount of maintenance needed. A careful look at native communities surrounding the project area will help illuminate the conditions. If no ponderosa pines are found in the vicinity it would probably not be a good idea to plant ponderosa pine just because they would look pretty and did well at another site.

III. Vegetation Management Program;

A. Assessment of Environmental Conditions

One of the first steps in formulating a vegetation management program is to assess the biotic and abiotic processes influencing the vegetation. General information describing park resources should exist in the general management plan or resource management plan. An assessment of environmental conditions for vegetation management purposes builds on the generalized information contained in these plans, and focuses on those critical conditions important for decision-making. It should be neither an encyclopedia of the resources nor simply a more detailed description of the influencing conditions. Rather, the assessment should analyze and interpret the specific conditions that have a significant role in determining the vegetation. In addition, since environmental conditions outside the park may influence the vegetation inside the park, the assessment should not be limited to the park. Land practices surrounding parks that have or may have negative impacts on park vegetation should be identified and a system designed to deal with the effects.

The following checklist highlights some of the common environmental conditions that should be considered when selecting those that are significant in the assessment. This list can be used for specific projects as well as for broader planning.

Geology/Topography

1. bedrock

2. geologic activity that is likely to be recurring

3. slope, aspect, and elevation; potential for slope failure

4. relief

Soils

1. Soil physical conditions--permeability, compaction infiltration, shrink-swell potential, pore space, particle size, solifluction, water holding capacity, erosion hazard, crusting

2. Soil chemistry--fertility, pH, organic matter content, cation exchange capacity, base exchange capacity

3. Soil type--soil texture, structure, tilth

4. Nature and thickness of rooting zone--organic layer, water holding capacity, solum thickness, soil biota, depth to permafrost

Climate

1. temperature--maximum, minimum, average, seasonal changes

2. precipitation--rain and snowfall by month, contribution of fog drip, daily duration of fog

3. wind--direction, speed, duration, seasonal changes

4. light--intensity, duration, cloud cover

Vegetation

1. species composition--past, present, target

2. genetic resources

3. exotic plants--including history of introduction and spread and effects on natural ecosystems

4. rare, threatened, endangered species

5. biotic and abiotic influences on community composition including fire, disease

6. community structure--stem density, size class distribution, biomass, spacing

7. dispersal vectors and pollinators

8. condition--vigor, diseases, insects, grazing, nutrient limitations

Air quality

1. types and seasonality/duration of pollutants entering park

2. effects on park vegetation--known, possible

Water quality

1. types and seasonality/duration of pollution

2. effects on park vegetation--known, possible

Hydrology

1. depth to groundwater, including annual variability

2. timing and characteristics of surface water

3. snow pack duration, thickness, melt characteristics

4. P/E ratio

Fauna

1. species composition

2. habitat requirements compared with existing habitats

3. rare, threatened, or endangered species

4. exotic species

5. effects on vegetation--pollination, utilization, trampling, soil compaction

Land use - within and adjacent to park

1. past--prehistoric and historic uses, specific locations and conditions of that use

2. present--existing management zones, developments, visitor use patterns, and ethnographic uses

3. future--general management plan proposals, local government zoning and land plans

4. historic and contemporary Native American uses of vegetation

Cultural and Aesthetic resources

1. cultural resources--location

2. scenic or aesthetic features

B. Vegetation Management Plan

Vegetation is dynamic, changing whether or not it is actively managed. Through vegetation management planning, managers can understand the vegetation dynamics within their park and coordinate short-term actions aimed at achieving long-term goals.

The complexity of any vegetation management program stems not only from the continually changing nature of the resource, but also from the diversity and interrelatedness of management goals to be achieved. Natural resource management, cultural resources management, visitor protection, planning, and maintenance all influence vegetation. Actions taken in one vegetative setting often impact other settings. Coordination is best achieved through a comprehensive management plan which addresses relationships among all vegetation related activities in all areas of the park and its adjacent landscape.

Vegetation management plans are project statements or subsidiary action plans within the resource management plan. As such, they further detail the goals and objectives for vegetation established in the RMP. They describe the vegetation, set specific management policies and objectives, identify management techniques and research needs, and provide for long-term monitoring to identify and mitigate impacts on park ecosystems. They set the standards by which success can be measured. Overall, they provide for long-term program direction.

Planning for vegetation management requires problem identification, goal setting, information collection, alternatives analysis, action implementation, and evaluation of results. Plans will vary in complexity from park to park, but all plans should include, at a minimum, the following key elements:

1.an introduction, including the park's objectives for vegetation management and issues definition;

2.a synopsis or complete text of the vegetation assessment;

3.management alternatives for meeting the stated objectives and issues, including identification of specific management treatments, preferred alternatives, benefits and drawbacks, and annual goals;

4.a review of existing research findings and identification of research needs;

5.a plan for long-term monitoring, including quantitative standards against which success in achieving the park's objectives can be measured;

6.a strategy for achieving compliance with NEPA, the Endangered Species Act, and other compliance requirements;

7.an outline of interpretive and public involvement policies; and

8.assignment of roles and responsibilities.

The length and level of detail of vegetation management plans will depend on the complexity of resources in and adjacent to the park and on whether the plans are project statements or subsidiary action plans. For complex situations, the vegetation management plan could consist of an overview (elements 1-2, above) and a series of chapters discussing individual vegetation types, geographic areas, and/or projected activities (each with elements 2-8, above). As examples, chapters could address meadows, Yosemite Valley, or exotic plant control.

Site-specific activities are implemented through application of information specific to the project site. Such site-specific information describes the project in detail (who is going to do what, when, where, and how). It includes location and project maps, a description of methods, equipment, personnel, acreage or approximate dimensions, special constraints such as

construction standards or protection of a threatened or endangered species or historic and prehistoric resources in the area, the time frame, permit requirements, notification needs, and monitoring procedures.

Monitoring is critical to evaluate the success of a program or project and to refine future activities. The monitoring procedures, statistical design, data analysis and presentation, and ability to modify management actions based on results should be established up front. The monitoring plan should specify who will do the monitoring; the areas to be monitored; the parameters to be monitored; the methods to be used to measure selected parameters; the sampling/monitoring schedule; the form in which work will be documented and results recorded, analyzed, and reported; and the individuals responsible for deciding that changes need to be made. (See Inventory and Monitoring, Chapter 5, in this Guideline.)

IV. Implementation

Once the management objectives have been established, and the planning accomplished, and compliance requirements have been addressed, the plan must be implemented. Parts of the plan may be implemented through people management. Existing laws and regulations may require better enforcement or new regulations may need to be put in place. Interpretive methods may need to be developed and implemented. Other parts of the plan involve projects that will require revegetation efforts.

On sites where the target community is a natural community, it is imperative, if at all possible, to preserve the topsoil with its seeds and other plant propagation tissues. If this is done properly, there may be no need for seeding. If, however, there is no topsoil available, or some cultural community is desired, then seed will probably be necessary.

Failure to pay close attention to the source of needed plant materials may cause problems if natural dynamics and genetic integrity are to be maintained. Seed of native plants from a source far from the project site could introduce genetic material different from that of the population in the area. If seed from a seed-increasing effort is produced on a site that is very different from the site where the seed was collected, local factors causing selection of genotypes that are suited to the new site may occur, and seeds produced at the new site may be of a different genetic makeup than the original seed collection. Collected materials as well as the selection of a site for propagation should approximate site conditions as closely as practicable. On small sites, it may be preferable to enhance seed production on site through temporary irrigation for a year or two to get the needed seed, rather than to produce the seed elsewhere.

In cultural zones, some parks may decide that perpetuating the genetic stock of particular "witness" trees is consistent with park objectives for the cultural landscape and enhances site interpretation (e.g., John Quincy Adams elm on the White House lawn). (See also Chapter 2, Exotic Species Management, Management of Special Categories of Exotics in Cultural Landscapes.)

When actual vegetation restoration work begins, it should be done in a manner sensitive to the values of the setting. In many cases, equipment operators need to be educated on the uniqueness of the NPS mission and the necessity of compliance with the conditions of the project plan or contract. Onsite education and inspection by someone responsible for compliance with the project conditions is usually necessary.

The NPS has a cooperative program with the USDA Soil Conservation Service (SCS) to provide technical information and native plant materials to parks. The SCS has 26 Plant Materials Centers located throughout the United States developing plants and technology. Requests for assistance should be directed through the regional offices to the Denver Service Center.

As a part of the monitoring program, it is essential to document what was actually done in a project to show how and to what degree the plan was followed. The great benefit of such documentation will come when another similar project becomes necessary. With good documentation, later workers can accurately evaluate the projects of their predecessors. The documentation should be specific, quantitative, and clear enough that it can be evaluated far into the future. Also, the documentation must be given long-term preservation in the park. NPS-28 specifies documentation required for work accomplished on a cultural landscape.

V. Information Needs and Sources

All vegetation management will be more effective if sufficient information is readily available and used. Some of the information is available in the form of publications of past work by researchers who have worked in the area or on similar sites. Some of it is stored in documentation of past projects. Some of it is available directly from the people who were

involved in those projects. And some may be available from traditional Native American users of park vegetation.

Planning documents provide an understanding of how an area is intended to be managed. These include the statement for management, the development concept plan, the general management plan, the resource management plan, cultural landscape reports, and the land protection plan.

Plant and vegetation surveys document "what we have" and also show relationships to other issues. Products of these surveys include checklists, floras, NPFlora (a computerized species list of plants in many parks), inventories of rare or endangered plants or wildlife foods, vegetation maps and associated descriptions of plant community characteristics, and other such surveys. A reference collection of plant specimens is useful for identifying species in the study of the park's natural resources.

Resource base inventories are a compilation of specific components of an ecosystem that can be represented in data files, on maps, or in geographic information systems. Examples of components which can be included are precipitation, topography, geology and soils, vegetation, wildlife, aquatic areas, and facilities and developments. Also, critical communities, such as riparian, grassland, or subalpine, may be identified.

Vegetation history may be available from fire history studies, pollen studies, or Cultural Landscape Reports. Study of current plant communities and land use activities may also give information on past events and their frequency.

Resource Ethnographies or Traditional Use Studies examine the nature and frequency of use of area vegetation, purposes of the use (subsistence, manufacturing, religion), traditional practices regarding the use, and other factors related to the preservation of vegetation and other natural resources.

Sometimes it is necessary to obtain new information. If not already done, a basic vegetation inventory is the first step. Special studies of plant succession or of the vegetational results of plant restoration efforts may be needed. Such work requires use of proper methods and is best done by NPS research or resource management staff, landscape architects, or under contract.

Much vegetation management in parks can be considered experimental, because we cannot be sure of the results. The NPS operates with concepts and philosophies foreign to most land managers, especially when dealing with natural vegetation, because other agencies are usually managing to produce something from the land they administer. This places constraints, but also provides opportunity to add knowledge that could be helpful to those outside the NPS. Ideally, researchers should be involved in both planning and monitoring each vegetation management project. This will not only help future resource managers but could increase opportunities for the transfer of valuable scientific/resource management information outside the NPS.

VI. Communications

The sharing of information between park employees, visitors, and neighbors is important to the success of vegetation projects. The goal is to strengthen the understanding of vegetation concerns, provide instruction on how a particular area is affected, and receive information on what interested parties think and can do about the problem. Reports, news articles, audio-visual programs, and displays build awareness of the need for action. Field tours, seminars, and demonstration plots develop understanding of the program. Consultation with interested landowners, state and local governments, Native American tribes and groups, and other federal agencies help establish priorities and identify needed studies. All of these together lead to effective programs that resolve vegetation problems and are well supported by the public. Such activities are especially important in influencing visitor behavior that directly affects vegetation.

ROLES AND RESPONSIBILITIES

I. Park

The **superintendent** is responsible for the park planning process through which vegetation management issues are identified, management plans are developed, priorities are established, and FTEs and funds are allocated. **Resource managers** analyze park resource problems, develop and recommend strategies, and manage the implementation of projects identified in the

resource management plan to prevent disturbance, mitigate damage, restore vegetation, and conduct inventory and monitoring to determine resource baselines and document change.

Cultural resource specialists contribute to project proposal development and implementation of projects relating to cultural landscape objectives, and they review vegetation management proposals that could have an impact on cultural resources, formulate alternatives to prevent damage to cultural resources, and monitor the implementation of such projects. **Park rangers** and **maintenance specialists** participate in conducting vegetation mitigation and monitoring activities according to provisions of the management plans.

In the process of providing services to the public, maintenance personnel often are involved in operations that influence vegetation. Their activities may result in disturbance or contribute to recovery. Park and regional office natural and cultural resource and maintenance personnel should coordinate throughout all stages of planning a project in order to incorporate vegetation issues with other objectives, develop strategies such as prevention and salvage that may be critical to achieve desired results, and monitor progress.

II. Region

The **Regional Director** approves park resource management plans; allocates FTEs and funding among parks in the region; sets priorities for FTEs and funding; and monitors the results of park programs in terms of their success, compliance with policy and guidelines, adherence to technical requirements, and conformance to legal and fiscal conditions.

The **regional chief scientist** and **regional chief of resource management** provide advice on processes of project planning, and coordinate information exchange and research studies. They assist in priority setting; evaluation of vegetation programs; and in developing indices, data collection, and analysis. The regional chief scientist often manages NPS scientists or contractors who are conducting research on identified park vegetation problems. Actions relating to the cultural landscapes and ethnographic resources are reviewed by the **regional chief of cultural resources and his/her staff,** who provide advice in conducting historical research and site inventories, policy interpretation, planning, compliance, and coordination with the state historic preservation officer.

III. Washington Office

The **Associate Director, Natural Resources**, develops policy on resource issues and interprets policy for field units; develops Servicewide standards, methods, procedures, and guidelines for inventory and monitoring; provides decision assistance for scientific and resource management aspects of vegetation management; and provides technical assistance to regions and parks on ecosystems management and research issues of concern to the parks. Actions relating to cultural landscapes and ethnographic resources are reviewed by the **Associate Director, Cultural Resources,** who coordinates and develops policies, standards, and programs pertaining to the preservation, study, development, use, and management of cultural resources in the National Park System.

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ENDANGERED, THREATENED, AND RARE SPECIES MANAGEMENT

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Endangered and threatened plant and animal species present unique management challenges for the National Park Service. They require special management with single species priority within an ecosystem management concept. This section discusses NPS responsibilities in the management of endangered, threatened, and rare species, as well as candidate species, sensitive species, experimental populations, and critical habitat.

DEFINITIONS

Passages enclosed in quotes are taken directly from the Endangered Species Act, as amended.

Endangered species "...any species which is in danger of extinction throughout all or a significant portion of its range..."

Threatened species "...any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range." (Also refers to the intermediate status of a former endangered species downlisted toward full recovery.)

Candidate species Those species under consideration for addition to the List of Endangered and Threatened Wildlife identified in Category 1 or 2 in the animal or plant notice of review. Substantial new information concerning any species identified in these categories could result in a reevaluation of the status of the species.

The Fish and Wildlife Service (FWS) produces two types of notices of review: vertebrate and invertebrate animals, and plants. These reviews are scheduled to be revised every other year.

Category 1 species Species for which the FWS has substantial information to support the biological appropriateness of proposing to list as endangered or threatened. Proposals have not yet been issued because they have been precluded at present by other listing activities; proposals are anticipated.

Category 2 species Species for which the FWS has information that indicates proposing to list as endangered or threatened is possibly appropriate, but conclusive data on biological vulnerability and threat are not currently available to support proposed rules. These species will not be proposed for listing unless further biological data become available. (The FWS hopes that this designation will encourage investigation of the status and vulnerability of these taxa and consideration of them in the course of environmental planning).

Category 3 species Species that were once considered for listing as endangered or threatened but not currently receiving such consideration. Subcategory 3a comprises species for which the FWS has persuasive evidence of extinction. Subcategory 3b comprises species that were once thought to be biological species or subspecies, but that are now not considered distinctive and do not meet the Act's legal definition of a species. Subcategory 3c comprises species that are now considered to be more abundant or widespread, and/or substantially less subject to identifiable threats, than previously thought. Substantial new information concerning any species identified in these subcategories could result in a reevaluation of the status of the subject species.

Critical habitat "(i) the specific areas within the geographical area occupied by the species...on which are found those physical or biological features (I) essential to the conservation of the species and (II) which may require special management considerations or protection; and (ii) specific areas outside the geographical area occupied by the species...upon a determination by the Secretary that such areas are essential for the conservation of the species."

Experimental population Any population of an endangered or threatened species (including any offspring arising solely therefrom) artificially established outside the current range of the species when the Secretary determines that the release will further the conservation of such species and that such population is not considered essential to the continued existence of the species. This status does not require the designation of critical habitat. Experimental populations occurring in NPS areas are treated as threatened species.

Rare species Any species which is considered restricted and limited throughout all or a significant portion of its range. This designation does not necessarily imply that populations of the species are significantly reduced or threatened with reduction. No legally required federal protection is associated with this designation.

Recovery plan A plan required for each listed species and generated by a task force under the leadership of the FWS. The

plan describes the specific management actions necessary to restore the threatened or endangered species to recovery status, including the estimated cost and time involved. The plan implementation is overseen by the FWS coordinator.

Sensitive species Any species or infraspecies not otherwise designated whose population characteristics warrant special management or more intensive monitoring. Considerations may include:

local rarity of native species,

whether or not the species is endemic to the park or local vicinity,

the importance of the species to the park (as identified in park management objectives),

whether the species is the subject of political concern or unusual public interest,

the usefulness of the species as an indicator species,

the vulnerability of the species to local population declines, and/or

whether the species or its habitat is subject to human disturbance during critical portions of its life cycle.

Species "includes a subspecies of fish or wildlife or plants, and any distinct population segment of any species of vertebrate fish or wildlife which interbreeds when mature."

Recovery The state when the numbers of individuals or populations (recovery objectives) identified by the recovery team and documented in the recovery plan have been attained and/or the threats have been reduced such that the habitat is secure and the species no longer warrants treatment under the Act. As the populations recover partially, they may be **downlisted** from endangered to threatened status. At full recovery, they may be **delisted**. But even when delisted at full recovery, such populations will continue to be monitored for at least an additional five years.

Taking To harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.

POLICY AND PROGRAM OBJECTIVES

The NPS Management Policies prescribes management of endangered, threatened, and candidate species in conformance with the Endangered Species Act, recovery plans, and other related documents. Management Policies states:

> The National Park Service will identify and promote the conservation of all federally listed threatened, endangered, or candidate species within park boundaries and their critical habitats....The National Park Service also will identify all state and locally listed threatened, endangered, rare, declining, sensitive, or candidate species that are native to and present in the parks, and their critical habitats....All management actions for protection and perpetuation of special status species will be determined through the park's resource management plan. (4:11)

Management and monitoring programs should be coordinated with other state and federal agencies.

Major program objectives:

1. Inventory and monitor sensitive, candidate, and listed species. This includes mapping species' distribution in the park, identifying critical habitats (if any), and determining numbers of individuals, threats to the species, condition, and population trends.

2.Manage endangered, threatened, and candidate species, and their critical habitats, in conformance with the Endangered Species Act, recovery plans, and other appurtenant documents.

3.Ensure that park operations do not adversely impact endangered, threatened, candidate, or sensitive species and their critical habitats, within or outside the park.

4.To the extent possible, ensure that activities, projects, or programs outside the park do not adversely impact endangered, threatened, candidate, or sensitive species and their critical habitats within the park.

5.Integrate to the fullest extent possible park management actions with other federal, state, and private recovery efforts.

6.Ensure appropriate consideration of federal and state listed species and other special status species in all plans and NEPA documents.

7.Encourage NPS involvement on recovery teams as appropriate.

8.Design and implement research relevant to the preservation of candidate, rare, sensitive, and listed species.

9.Thoroughly document recovery actions and considerations.

AUTHORITIES

The following legislation, policies, and agreements provide the authority for NPS policies on management of threatened and endangered species: the Endangered Species Act; state-specific endangered species acts; other state wildlife statutes or agreements pursuant to Section 6, ESA; the Migratory Bird Conservation Act; the Fish and Wildlife Coordination Act; the Wild and Scenic Rivers Act; the Marine Mammal Protection Act; the Bald and Golden Eagles Protection Act; the Wilderness Act; the Convention on International Trade in Endangered Species; and maritime and other international agreements.

This section of the Guideline addresses related responsibilities of the Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS). The FWS normally takes lead Departmental responsibility for coordinating and implementing provisions of the Endangered Species Act for all listed endangered, threatened, and candidate species, particularly for all terrestrial plants and animals and freshwater aquatic species. However, for certain listed marine taxa such as Cetacea (all whales and porpoises) and most Pinnipeds (Steller sea lions, Hawaiian monk seals, etc.), the NMFS may play a very active role under provisions of both the Endangered Species Act (1973) and the Marine Mammal Protection Act (1972). For those marine species it is often a case of shared FWS\NMFS responsibilities, with NMFS frequently assuming the lead role. In each instance discussed below, where the listed species in question is a whale or Pinniped, the term "FWS" might more accurately read "NMFS" or "NMFS and FWS." This is particularly true for any activity that may involve the "taking" of a marine mammal.

RELATIONSHIP TO OTHER GUIDANCE

Other guidance may be obtained from the legislation cited in Authorities, above, from NPS Management Policies, and from species recovery plans. Other related guidance is found in NPS-2, the Planning Process guideline; NPS-12, the Environmental Compliance guideline; NPS-18, the Fire Management guideline; NPS-20, the Federal Assistance and Interagency Agreement guideline; NPS-28, the Cultural Resources Management guideline; NPS-53, the Special Park Uses guideline; and NPS-9, the Law Enforcement guideline. Many other sections of this Guideline, including Chapter 2, Vegetation Management and Native Animal Management, also provide guidance.

PROGRAM GUIDANCE

I. General Guidance

A species may be listed as "...an endangered species or a threatened species because of any of the following factors:

(A)the present or threatened destruction, modification, or curtailment of its habitat or range;

(B)overutilization for commercial, recreational, scientific, or educational purposes;

(C)disease or predation;

(D)the inadequacy of existing regulatory mechanisms; or

(E)other natural or manmade factors affecting its continued existence." (Endangered Species Act, as amended, 16 USC 1533)

Note that the Endangered Species Act makes no distinction between natural and human causes of a species' status. If a species is endangered or threatened through natural processes the law still applies.

The goal of endangered and threatened species recovery efforts is generally to increase populations and secure sufficient, suitable habitat to "recover" the species to acceptable levels (i.e., pre-decline or some other designated level). Endangered and threatened species, therefore, cannot simply be preserved through general habitat protection; they must be actively managed for recovery. If we only continue to preserve, those species may simply continue to decline because their habitats may no longer be suitable for survival, reproduction, and recruitment.

Management affects the distribution, abundance, and ecological relationships of and among species. Whereas preservation can be accomplished by a zoo, botanical garden, or other non-natural refugium, the NPS's goal is the long-term preservation of species and their ecological role and function as part of a "natural ecosystem." It is, therefore, critical that ecological aspects of management prevail in dealing with threatened and endangered species. An understanding of factors limiting the distribution and abundance of the species of concern must be well understood and incorporated into any management action.

Management options must place highest priority on identifying and removing the threat of extinction. Hence downlisting the species from endangered to threatened status (partial recovery) or delisting (full recovery) are primary goals. As noted above (Definitions), experimental populations established in NPS areas are to be managed as threatened species.

Once a park or region enters into a recovery program for a threatened or endangered species, a judgment concerning that species has already been made--that the species' recovery is of great enough value to warrant exceptional actions in the management of that species, of certain areas, and other associated species. Such exceptional or aggressive actions require thorough planning and documentation. Such actions may be critical to the success of the recovery effort, even though these exceptional actions may be sensitive or controversial. These actions may result in temporary alteration of habitat, displacement of more common native species, or modifications of certain other park operations. If these actions are necessary for the success of recovery programs, they must be regarded as acceptable management alternatives.

Suspension of ongoing recovery efforts should be considered only after a thorough examination of the effects of that suspension on local and regional recovery efforts.

Permanent or temporary closures of selected areas are appropriate means of reducing or eliminating undesirable impacts associated with human use, even if such closures affect visitor use or park operations.

Sensitive information such as the location of endangered or threatened species should generally not be released unless the release of such information contributes to recovery of the species. Information included in any report may be subject to release if a Freedom of Information Act request is made.

II. Management of Endangered and Threatened Species

A. Planning

Management actions should be in accordance with approved recovery plans. Unless there are unusual circumstances, parks should adhere to recovery priorities identified in those recovery plans, although park recovery goals and objectives may go beyond that prescribed by the recovery plan. For example, the park objective of maintenance of natural populations may result in park goals of higher population levels or wider distribution than that projected for downlisting or delisting within an area covered by the recovery plan. In these cases, it may be appropriate to continue or intensify park recovery efforts after

goals of the recovery plan have been met.

All endangered and threatened species recovery efforts should be thoroughly evaluated and documented in resource management plans, park files and appropriate NEPA documents. Potential impacts on endangered and threatened species (especially impacts resulting from NPS operations), their habitats, and recovery efforts should be considered in all park plans, park development planning, and project reviews. On any project, the FWS should be consulted to determine if there are any endangered or threatened species in the area. (See Consultation under Section 7 of the Endangered Species Act, below.) Prevention of extinction or extirpation, population and habitat inventory, protection of suitable or critical habitats, and monitoring will usually be the highest-priority activities. Special rules have been issued governing bald eagles and several species of sea turtles (see 50 CFR 17.41-2).

B. Manipulative Activities

Manipulative activities such as habitat or species restoration or population augmentation are encouraged if identified as appropriate in the recovery plan and if such activities would result in a more representative distribution of the species within the park. In considering any manipulative activities, the superintendent must consider potential impacts on other native species and park operations. If, however, such activities are needed for effective recovery, they should take priority over other species management and park operations. Significant modification of habitat and landform is discouraged unless necessary to prevent extirpation or extinction of the species. Manipulative activities may properly displace portions of other native and/or non-native populations.

Where it has been determined by the FWS and the NPS that species restoration or population augmentation programs are desirable, the individuals selected should, to the greatest extent possible, be genetically and ecologically representative of park populations. If a species is totally extirpated from a park or region and restoration is determined to be appropriate, restoration may utilize closely related subspecies or varieties.

Any manipulation of the endangered and threatened individuals themselves could constitute a "take" (see Definitions), and may therefore only be done through a FWS permit or, for a marine mammal, a National Marine Fisheries Service permit. Such permits may be issued by either agency for scientific purposes or for enhancement of propagation or survival. Proposed permits are required to be published in the Federal Register and reviewed for 30 days; therefore, applications must be made well in advance of proposed actions. An NPS employee may aid a sick, injured, or orphaned specimen of endangered wildlife or care for a damaged or diseased plant for a limited time in an emergency situation without a permit. In such a situation, the FWS or NMFS should be contacted as soon as possible.

Collection of individuals for captive propagation programs is appropriate, consistent with the ESA and approved recovery plans, if such collections will not unduly retard recovery efforts within the park. Such collections may be made only with the appropriate permits. Use of tagging, banding, or other identification methods should be coordinated with cooperating agencies to ensure consistency with other programs. These actions also require a FWS or NMFS permit.

C. Problem or Dangerous Individuals

Management of problem or dangerous individuals should be addressed specifically in resource management plans. Provisions for dealing with these individuals should be coordinated with the FWS/NMFS and appropriate state agencies. If collection or removal of individuals is anticipated, parks and/or regions should develop or encourage the development of interagency protocols for handling such individuals.

Although federal regulations allow any person to "take" endangered wildlife in defense of human life, park RMPs should contain management strategies which prevent this situation from occurring. Regulations allow relocation of endangered wildlife which are a demonstrable but nonimmediate threat to human safety, provided that it is done in a humane manner; killing or injuring is allowed only if the individual cannot be captured and released unharmed in a remote area or presents an immediate threat to human life.

D. Salvage of Dead Specimens

Regions or parks should also obtain permits to authorize NPS employees to dispose of or salvage dead specimens useful for scientific study. Dead or collected specimens should be disposed of in accordance with 36 CFR 2.5 and other appropriate regulations.

E. Monitoring

Inventories and periodic monitoring should be done to provide data to direct and evaluate the success of recovery actions.

III. Management of Candidate Species and State Endangered and Threatened Species

Management of these species should, to the greatest extent possible, parallel the management of federally listed species. In the absence of approved recovery plans, subject matter experts from federal, state, or private entities (e.g., The Nature Conservancy's Natural Heritage Program) should be consulted to assist in establishing priorities for management actions.

These species should be listed within a project statement of the resource management plan, and a scheduled periodic monitoring effort should be identified. Monitoring reports should be prepared and information should be provided to the NPS regional and Washington Office T/E coordinators and to the appropriate Office of Endangered Species, FWS.

IV. Management of Rare and/or Sensitive Species

Such species may be identified by a variety of groups (e.g., The Nature Conservancy). Management of these species should be determined at the park level in consultation with concerned and knowledgeable parties. Although specific recovery actions may not be indicated, their identification as rare or sensitive species should warrant heightened management concern.

V. Research

Research on endangered and threatened species is encouraged, particularly when such research is identified in approved recovery plans and in accordance with recovery priorities. As much as possible, this research should be coordinated with other agencies or conducted cooperatively to ensure its effective contribution to the recovery program. Any research which constitutes a "taking" requires a FWS or NMFS permit. (See discussion under Manipulative Activities, above.) When similar populations occur outside parks and are available for research use, the benefits of using park populations for research must be weighed against potential impacts of that research on park populations. For research projects conducted through research contracts, instruction should be provided that sensitive location information should not be included in reports prepared for general circulation.

VI. Coordination with Other Federal and State Agencies

A. Recovery

Management of candidate, threatened, and endangered species recovery efforts should be coordinated and integrated with other federal and state agencies to ensure that recovery efforts achieve maximum effectiveness and efficiency. The NPS should participate on recovery teams for those species that occur in units of the National Park System. Development of or participation in cooperative agreements, interagency agreements, memoranda of understanding, and coordination meetings is encouraged if such development or participation contributes toward meeting recovery objectives. Involvement of nongovernmental entities may be appropriate for many recovery efforts.

NPS recovery efforts must be conducted in accordance with all appropriate permits from other government agencies if such permits are required to implement recovery activities. Recovery activities conducted within parks by individuals or other agencies should be managed under the guidance contained in NPS-53 and NPS-20 when issuing collecting permits or special use permits.

B. Consultation under Section 7 of the Endangered Species Act

Park management must consult with the FWS pursuant to Section 7 of the ESA on any existing or proposed park activities or programs which "may affect" endangered species or result in the adverse modification of critical habitat. These consultations begin on an informal basis, which allows more flexibility in deadlines. If the situation requires extensive investigation, or the project is a major or significant action requiring an EIS, or is controversial, the process moves to the **formal** consultation stage. (The process is called a "conference" if it deals with proposed species and a "consultation" when addressing already designated species.) Formal and informal contacts should also be maintained with endangered species coordinators from other federal and state agencies. (A Section 7 procedural flow chart is presented in Exhibit 1.)

To begin the **informal** consultation process, the FWS should be asked in writing to review the existing list or to produce a list of any candidate or listed species occurring in or near the project area. The FWS will respond within 30 days. If there are no threatened or endangered species, this information is documented, and the project proceeds. If it is determined that, based on the best scientific data available, such species may be present, then the NPS must determine if the proposed action "may affect" that species. This determination must be documented in the compliance process and will require data collection and continuing informal consultation with the FWS. It is also possible to begin a formal consultation at this step.

At this point, informal discussions with the FWS may result in suggested modifications to the proposed action that will ensure that it will not affect the listed species. If during this informal consultation the NPS determines that the proposed action will have "no affect" on the listed species or critical habitat, then the informal consultation process ends. Written documentation of this decision should be provided to the FWS.

The **formal** process begins when it is determined that the proposed action "is likely to adversely affect" an endangered or threatened species. In this situation, (or if the project requires an EIS, as in the case of major construction activities) a Biological Assessment is to be prepared by NPS to send to the FWS for the purposes of identifying any endangered species or threatened species which are likely to be affected and to assess the potential impact. The NPS has 180 days to complete a Biological Assessment once the process is initiated. Although the content of the assessment is at the discretion of the NPS, suggestions by the FWS are found in 50 CFR 402.12.

The FWS renders a biological opinion within 90 days detailing whether the proposed action is likely to jeopardize the species or its critical habitat. If the decision is that there is "no jeopardy," then the project may go forward. If the biological opinion is that the action is likely to jeopardize the species (i.e., a "jeopardy opinion"), then the biological opinion must also suggest those "reasonable and prudent alternatives" which, when implemented, will avoid jeopardizing the continued existence of any endangered or threatened species or adversely modifying the critical habitat of such species. This information should be included in the documentation prepared in compliance with Section 102 of the National Environmental Policy Act. If a jeopardy opinion is anticipated or issued, the park superintendent should notify the regional endangered species coordinator, who will contact the Associate Director, Natural Resources.

The FWS also issues a statement of anticipated "incidental take," if any is expected, along with the biological opinion, specifying nondiscretionary measures that must be taken to minimize the "take" of members of the affected species. The FWS may also provide to NPS advisory recommendations on conservation of the species during the action.

For more information concerning Section 7 procedures, contact a FWS field office or the Washington Office threatened and endangered species coordinator.

VII. Information and Education

On-site and off-site interpretive programs should deal with all federal, state, and locally listed threatened, endangered, rare, declining, sensitive, or candidate species which are native to and present within the park boundaries. When and where visitor use will not adversely impact those species, interpretive programs which provide for viewing these species and their habitat are encouraged. Care should be taken to withhold disclosure of sensitive information that may result in disturbance or other adverse impacts.

ROLES AND RESPONSIBILITIES

I. Park

The **superintendent** ensures that park operations do not adversely affect listed, candidate, rare, and sensitive species, their habitats, or recovery efforts within the park. He/she also ensures consideration of these species in all other park plans and NEPA documents and integrates park management actions with those of other federal and state agencies. The superintendent assures proper consultation with FWS\NMFS, although this consultation is actually initiated by the Regional Director, unless delegated.

The **resource manager** coordinates or directs recovery activities in the park and is responsible for monitoring the species' status on park lands. The resource manager may participate on recovery teams. In addition, he/she incorporates endangered species concerns in resource management plans and NEPA documents; maintains appropriate scientific and management

contacts with other federal, state, and private agencies and organizations; reviews other agency/organization plans and environmental documents to assess potential impacts on endangered species; and thoroughly documents, through the preparation of an annual report, all recovery actions and considerations.

II. Region

The **Regional Director** ensures appropriate consideration of federally and state listed species as well as all other special status species in all NPS plans and NEPA documents. The Regional Director ensures consideration of listed, candidate, rare, and sensitive species in review of other agency/organization plans and NEPA documents and supports participation of NPS personnel on recovery teams. The regional office **T/E coordinator** coordinates multi-park, and, in some cases, individual park research and monitoring activities and is responsible for the preparation of an annual report on T/E activities including inventory and monitoring efforts, research, population status reports, threat identification, and funds expended. While the park superintendent is responsible for assuring that all necessary consultation is completed prior to implementing a project, formal consultation actions are initiated by the Regional Director unless specifically delegated.

III. Washington Office

The Washington Office provides direction, interpretation, and advice on new or amended legislation and Departmental directives, and issues policy and guidelines. The NPS **T/E coordinator** also compiles an annual report on funds expended Servicewide on endangered species.

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THE NATURE CONSERVANCY ANNOUNCES RELEASE OF "PRECIOUS HERITAGE"

Date: 03/16/00

WASHINGTON, DC - America is far richer in plant and animal species than previously believed but the survival of the country's unique natural heritage is in serious jeopardy.
That's the conclusion of a new study released today that features the most complete analysis of U.S. plants and animals ever conducted.

"Precious Heritage: The Status of Biodiversity in the United States" was written by scientists from The Nature Conservancy, the nation's largest private conservation group, and the Association for Biodiversity Information (ABI), a leading source for scientific information on rare and endangered species. The findings of this groundbreaking book were announced today at the Smithsonian Institution's National Zoological Park by Nature Conservancy President and CEO John Sawhill and ABI Board Chair Mary Klein.

By documenting the presence in America of more than 200,000 native species-double the previous estimate-the study highlights the U.S. as a globally important center of diversity, home to fully 10 percent of all species described by science thus far.

Among the book's key findings:
-As many as one-third of the nation's species are at risk, and at least 500 species have already gone extinct or are missing.
-The U.S. supports a broader variety of large-scale ecosystems, such as prairie and tundra, than any other nation on Earth.
-The single biggest threat to species survival is loss of habitat, with almost 60 percent of America's landscape already severely altered.
-Despite these trends, there is still time to protect the nation's natural heritage.

"For nearly 50 years, The Nature Conservancy has been committed to conserving America's natural riches, from wetlands, to prairies, to barrier islands, so in some ways these findings confirm what we've believed all along," said Sawhill. "The news in Precious Heritage, both good and bad, provides us

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with an even greater impetus to protect these priceless landscapes for future generations of Americans."

Published by Oxford University Press, "Precious Heritage" draws on more than 25 years of information compiled by Natural Heritage programs from all 50 states. Operated in most cases by state agencies, Natural Heritage programs maintain databases that contain the most reliable scientific information on the condition and location of species across the country. This new book represents the first time that the information housed in each of the state Natural Heritage programs has been collected and analyzed from a national perspective, thus providing the most comprehensive look yet at the nation's overall biological health.

As the eminent Harvard biologist E.O. Wilson notes in his forward, "Few people, including many scientists who specialize in biodiversity, have grasped the full magnitude of the American biota as summarized by the Precious Heritage authors."

"The good news is, Americans enjoy an incredibly rich natural heritage, from rare fish surviving in desert oases, to the world's tallest trees-California's coast redwoods-to Hawaii's honeycreepers, colorful birds whose evolutionary story rivals that of the famous Darwin's finches," says the book's lead author, Dr. Bruce A. Stein. "The bad news is that Americans risk losing much of this wealth if current trends continue."

That sobering assessment comes as no surprise to the Conservancy, which has been operating as a modern-day "Noah's Ark" for nearly 50 years, acquiring and protecting land where rare and endangered plants and animals still cling to existence. In an effort to get out in front of the extinction curve, the Conservancy has broadened its conservation work in recent years to focus on protecting entire landscapes before their species become endangered.

In 1999, the Conservancy and its partners in the Natural Heritage Network joined forces to create the Association for Biodiversity Information, an independent non-profit institution dedicated to producing top-quality scientific information for use in conservation planning. "Precious Heritage" is one of the first fruits of that venture.

The book is illustrated with maps pinpointing biodiversity "hot spots" around the U.S., including a special section on aquatic species and their plight. It points out the astonishing abundance of unique life forms found only in America's streams, rivers and lakes. A single river in Tennessee, for example, contains more fish species than are found in all of Europe. The study also reveals the U.S. as one of the most diverse countries on an ecosystem scale,

harboring a high percentage of the world's broadleaf forests, temperate grasslands, and Mediterranean-climate vegetation.

For information, pictures and images appearing in "Precious Heritage," Oxford University Press

For more information about the Association for Biodiversity Information, Association for Biodiversity Information

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Population Action INTERNATIONAL

NATURE'S PLACE
Human Population and the Future of Biological Diversity

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Summary

The world's biological wealth is dwindling. Earth–the only location in the universe that we know supports life–is being transformed into a world that is genetically poorer. The loss is irretrievable, and its roots lie in the spectacular success of a single species: us, *Homo sapiens*. The disappearance of species, proceeding thousands of times faster today than in the pre-human past, is still accelerating and is likely to advance even more rapidly in the 21st century. No one can know when the process will end, or what the world of nature will look like when it does.

Hopeful signs do brighten this dark prospect, however. Among the most hopeful is that human population may well reach a plateau or peak by the middle of the 21st century. The pressure of human activities on remaining habitats could reach a maximum around the same time–and then, perhaps, begin to subside.

Among the most pressing questions are: Does human population growth really matter to species loss? Can policies and programs significantly influence human population trends, and can they do this while upholding the basic human right of couples and individuals to make their own decisions about reproduction, free from interference? The evidence shows that the answer to all these questions is yes.

Human Activity and Biodiversity

Scientists are becoming increasingly convinced that human beings have caused ecosystem change and species extinction almost since our own species emerged. Between 50,000 and 10,000 years ago, as early populations of humans expanded across the continents, more than 200 species of large animals disappeared forever. Then, between 1,500 and 500 years ago, as human populations reached the farthest oceanic islands, over 1,000 species of island birds went

Recommendations

Each of us can take action to preserve the planet's wealth of living species. This report's recommendations are addressed to policymakers, to scientists and conservationists, and to the general public. Specifically, they include the following:

The conservation of biological diversity should be elevated to a high priority by donor agencies, nations and communities. While innovative conservation programs deserve support and funds, there is a pressing need to encourage broader understanding of biodiversity and its value to society. To further this objective, governments and donors should work to expand the ranks of biodiversity scientists and environmental educators in the species-rich tropical countries.

The Convention on Biological Diversity, an international agreement aimed at maintaining the planet's biodiversity and equitably sharing its benefits, deserves the support of all nations and peoples. Negotiators seeking to improve it and further its progress should consider the interactions between species survival and human population dynamics. Through their impact on population growth and on the capacity of women to manage their own lives, the social investment strategies called for at the 1994 International Conference on Population and Development support and amplify other measures to conserve Earth's complex web of life.

extinct. Today's wave of extinctions, however, is even more extensive. Moreover, it is fundamentally different from its two predecessors in ways that relate strongly to the pervasiveness and size of today's human population:

- **For the first time, human activities are affecting species of all types and habits, at all points of the globe, and pushing many toward extinction.** Scientists project that at least half of all living species could ultimately disappear due to habitat loss alone, creating a mass extinction on a scale comparable to those that have ended past geologic eras.

- **Apart from habitat loss, other agents of human-caused extinction are now at work.** Even more species could disappear as a result of pollution, overhunting, overfishing and inadvertent introduction of exotic species into weakened ecosystems. Hanging over the future of all life is the puzzle of how global climate will change in coming centuries as a result of human influences, and how these changes will affect ecosystems and the species they support.

- **Not all species are at risk, however.** Evolution is resilient. A small percentage of species–from pigeons, to weeds, to microbial parasites–have proliferated beyond their pre-human numbers or ranges. Rapidly evolving pests and disease-causing organisms could swell their ranks. Humanity itself, with more than 30 times the population density it ever could have achieved without agriculture, now appears to have become the central organizing reality around which non-human life will evolve.

more...

TOP

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NATURE'S PLACE
Human Population and the Future of Biological Diversity

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Summary

This table may be downloaded and manipulated as a CSV file. Comma Separated Value files can be opened by spreadsheet programs such as Excel, Lotus, and dBase.

CSV File - 25 Global Hotspots.csv

THE 25 GLOBAL HOTSPOTS

Hotspot	Hotspot Area (thousands of sq. km.)	Human Population, 1995 (thousands)	Population Density, 1995 (per sq. km.)	Population Growth Rate, 1995-2000 (percent per year)	Plants	Birds	Mammals
Tropical Andes	1,415	57,920	40	2.8	20,000	677	68
Mesoamerica	1,099	61,060	56	2.2	5,000	251	210
Caribbean	264	38,780	136	1.2	7,000	148	49
Atlantic Forest Region	824	65,050	79	1.7	6,000	73	160
Chocó-Darién-Western Ecuador	134	5,930	44	3.2	2,250	85	60
Brazilian Cerrado	2,160	14,370	7	2.4	4,400	29	19
Central Chile	320	9,710	29	1.4	1,605	4	9
California Floristic Province	236	25,360	108	1.2	2,125	8	30

Madagascar and Indian Ocean Islands	587	15,450	26	2.7	9,704	199	84
Eastern Arc Mts. & Coastal Forests	142	7,070	50	2.2	1,400	22	16
Guinean Forests of West Africa	660	68,290	104	2.7	2,250	90	45
Cape Floristic Province	82	3,480	42	2.0	5,682	6	9
Succulent Karoo	193	460	3	1.9	1,940	1	4
Mediterranean Basin	1,556	174,460	111	1.3	13,000	47	46
Caucasus	184	13,940	76	-0.3	1,600	3	32
Sundaland	1,500	180,490	121	2.1	15,000	139	115
Wallacea	341	18,260	54	1.9	1,500	249	123
Philippines	293	61,790	198	2.1	5,832	183	111
Indo-Burma	2,313	224,920	98	1.5	7,000	140	73
Mountains of South-Central China	469	12,830	25	1.5	3,500	36	75
Western Ghats and Sri Lanka	136	46,810	341	1.4	2,180	40	38
Southwest Australia	107	1,440	13	1.7	4,331	19	7
New Caledonia	16	140	8	2.1	2,551	22	6
New Zealand	260	2,740	11	1.0	1,865	68	3
Polynesia / Micronesia	46	2,900	58	1.3	3,334	174	9

TOP

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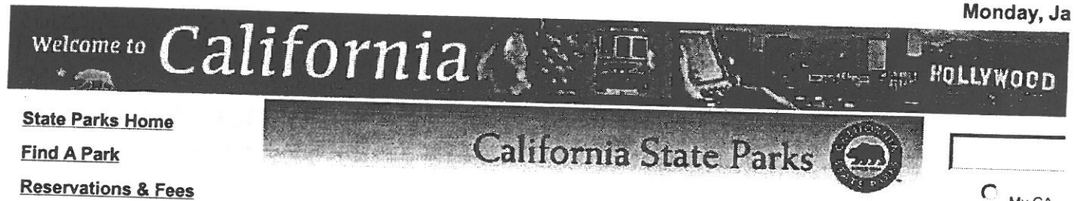
PET POLICIES AND REGULATIONS OF OTHER LAND MANAGEMENT AGENCIES IN THE BAY AREA

same 1/13/05



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FAQs

State Park Rules and Regulations Summary

California State Parks has rules and regulations to protect park areas for the enjoyment of future generations as well as for the convenience and safety of the park visitors. To ensure your visit is a pleasant one, please observe the following:

NATURAL SCENERY, PLANTS AND ANIMAL LIFE are the principal attractions of most state parks. They are integral parts of the ecosystem and natural community. As such they are protected by Federal, State and Park laws. Disturbance or destruction of these resources is strictly forbidden.

LOADED FIREARMS AND HUNTING are not allowed in units of the State Parks System. Possession of loaded firearms or air rifles is prohibited. Exceptions are for hunting in recreation areas that have been designated by the State Park and Recreation Commission.

DEAD AND DOWN WOOD is part of the natural condition. Decayed vegetation forms humus and assists the growth of trees and other plants. For this reason the gathering of down wood is prohibited. Fuel is sold in the parks for your convenience. (When considered a hazard, down wood is removed by park personnel.)

FIRES are permitted only in facilities provided for this purpose. This is necessary to prevent disastrous fires. Portable stoves may be used in designated areas. It is the responsibility of every visitor to use extreme caution with any burning materials, including tobacco. All fireworks are prohibited.

ANIMALS, including cats, can not be turned loose in park units. All animals, other than grazing animals, must be under immediate physical control. Dogs must be on a tended leash no more than 6 feet or confined in an enclosed vehicle, tent or pen. Unless posted to the contrary, dogs, other than those that assist the permanently disabled, are prohibited on trails, beaches, and wherever posted. Visitors with vicious, dangerous, noisy, or disturbing animals will be ejected from park units.

NOISE - ENGINE DRIVEN ELECTRIC GENERATORS which can disturb others, may be operated only between the hours 10:00 a.m. and 8:00 p.m. Loud disturbing noise is prohibited at all times, and is disturbing those asleep between 10:00 p.m. and 6:00 a.m.

ALL VEHICLE TRAVEL must be confined to designated roads or areas. The speed for all vehicles is 15 miles per hour in camp, picnic, utility or headquarters areas and areas of general assemblage. Parking is permitted only in designated areas. Blocking parking spaces is prohibited.

CAMPSITE USE must be paid for in advance. To hold a campsite, it must be reserved or occupied. To prevent encroachment on others the limits of each campsite may be regulated by the District Superintendent. Checkout time is 12:00 NOON. In order to provide for the greatest number of visitors possible the CAMPING LIMIT in any one campground is 30 days per calendar year.

REFUSE, including garbage, cigarettes, paper boxes, bottles, ashes and other

Communication
P.O. Box 94289
Sacramento, CA

Public Informati
TEL 916-653-69
FAX 916-657-39
info@parks.ca.g

General Media
Roy Stearns, De
TEL 916-654-75
FAX 916-657-39
rstea@parks.ca

Travel Media In
John Arnold
TEL 916-653-70
FAX 916-657-39
jarno@parks.ca

rubbish, shall be placed only in designated receptacles. Your pleasure and pride in your parks will be enhanced when they are kept clean.

PLEASE clean up after yourself so that others may enjoy the beauty of these parks.

LEAVE ONLY FOOTPRINTS - TAKE ONLY MEMORIES

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There is an update for these

Open Space

MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

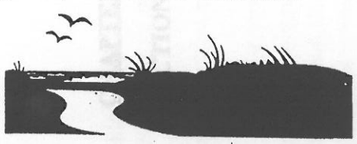
Dog Access Guidelines

Preserves with dog access. The District allows dogs on designated trails at Windy Hill Open Space Preserve and on **all trails** at Coal Creek, Foothills, Fremont Older, Pulgas Ridge, St. Joseph's Hill, the Kennedy-Limekiln Area of Sierra Azul, and Thornewood Open Space Preserves. There is an off-leash area at Pulgas Ridge Open Space Preserve.

Rules

Leash law and use of retractable leashes. Dogs must be on leash at all times except in the designated off-leash area at Pulgas Ridge. Retractable leashes must be locked in a position not to exceed 6 feet within 100 feet of parking lots, roads, trailheads, picnic areas, restrooms, or other place of public assembly; or within 50 feet of other people or any body of water such as creeks, ponds, or reservoirs.

Pulgas Ridge off-leash area. This 16 acres of oak woodland and grassland is the only area dogs may be allowed off-leash. They must be under voice control. The area is in the middle of the preserve, bounded by paved road, and accessible via the Blue Oak Trail or the Cordilleras Trail. Keep your dog on leash on your way to and from the off-leash area.



Protecting wildlife and the environment. Dogs, leashed or unleashed, are not allowed to disturb, chase, molest, injure, or kill any kind of native wildlife, or remove, destroy, or in any manner disturb the natural habitat of any animal on District lands. Dogs are not allowed in streams or ponds.

Waste cleanup. Cleanup after your dog is required in areas where waste poses a health hazard (i.e., near water), is a public nuisance (i.e., parking lot or trailhead), or is in an area posted that removal is required. Using a bag to clean up and taking it home with you for disposal avoids impact on other users and the environment. At minimum, please kick waste off the trail.

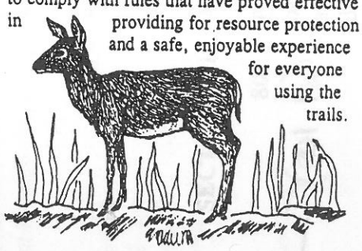
Reasons for These Rules

Protecting wildlife. The open space preserves provide permanent sanctuaries for native wildlife and vegetation. Once abundant, these irreplaceable resources are rapidly disappearing. As pressures from the expanding human population increase, the preserves become even more important as refuges for wildlife. All local park agencies have reports of dog attacks on animals. Being chased, perhaps repeatedly, is stressful for wildlife. When dog owners cooperate with the rules, the impact of domestic animals on wildlife is reduced; we need to work together to preserve a healthy and diverse native wildlife population.

Protecting your dog. Being off leash in open space is not the same as in your neighborhood park. Dogs may encounter rattlesnakes, bobcats, coyotes, or even a mountain lion. Dogs not familiar with wildlife may behave inappropriately, thereby placing themselves in danger. For the protection of wildlife AND your companion animal, keep your dog on leash!

In addition, ticks, foxtails, and poison oak may be encountered when hiking in brush. See the "CARE OF YOUR DOG" section.

Sharing the Trails. The District allows recreational use consistent with resource protection and preservation. To help make multiple-use trails work, each user must be aware of the needs of others. Hikers, bicyclists, equestrians, runners, small children, senior citizens, dog-walkers, photographers, people in wheelchairs, bird watchers, and other nature study groups are all out on the trails, seeking a chance to get away from the urban environment. All preserve visitors are required to comply with rules that have proved effective in providing for resource protection and a safe, enjoyable experience for everyone using the trails.



Assuring Dog Access. Every time pet owner bend or disregard the rules, they jeopardize their and other dog owners' chances of being welcome. Responsible owners may want to g beyond the call of duty to leave a positive impression. It's perfectly appropriate to remind a fellow dog owner to pick up after h or her companion, or to leash the dog. It's a small step toward supporting the privilege of sharing and enjoying the world with your canine friend.

Trail Manners

- *Respect wildlife; you are in their home.*
- *Respect the environment (i.e.,don't let your dog dig, or wade or swim in ponds and creeks).*
- *Clean up after your dog. Leave the trail as clean or cleaner than when you arrived.*
- *Give other hikers the right-of-way. Many people are afraid of dogs. Communicate with others, and always keep your dog under control.*
- *Give horses the right-of-way. Move off the trail far enough to allow horses to pass. Keep your dog quiet and under control.*
- *Be courteous. Set an example as a conscientious owner.*

MIDPENINSULA REGIONAL OPEN SPACE DISTRICT
Dog Access Guidelines and Rules

EAST BAY REGIONAL PARK DISTRICT

Odinance 38

Section 201. Animals – Pet Restrictions

Changed

CHAPTER VII - PARK FEATURES - PROTECTION

SECTION 800. ANIMAL PROTECTION, HUNTING AND FISHING.

800.1 General. No person shall hunt, molest, disturb, injure, trap, take, net, poison, harm, or kill any kind of wild animal whether living or dead, nor remove, destroy or in any manner disturb the natural habitat of any animal.No person shall molest, disturb, harass, harm, remove or kill any farm animal or in any manner damage or destroy the corrals or pens that contain them, or release farm animals from their pens or corrals.

800.2 Exception. Subsection 800.1 or this section does not apply to the taking of fin fish (fin fish does not include crawfish or frogs) from any water area of the District, except within the boundaries of any designated swimming area or any other such restricted area as may be designated and posted by the Board, and such fishing shall be in accordance with the rules and regulations established by the Board, provided, however, that no person shall utilize a spear or arrow while fishing in the District.

800.3 License. Except as otherwise posted, a valid State of California fishing license and a valid District fishing permit shall be required for all persons over the age of 16 years. Every person while engaged in taking any fish, amphibian or reptile, shall display their State Fishing License and District fishing permit by attaching them to their outer clothing at or above the waistline so that they are plainly visible. All State Fish and Game laws and regulations which are applicable shall apply. (Fish and Game Code, Section 7145.)

800.4 Restriction Following Fish Plants. No person shall fish within the posted fish planting area for a three-hour period following a fish plant, or as otherwise posted.

SECTION 801. ANIMALS - PET RESTRICTIONS.

801.1 Prohibited Areas. No dog, cat or other animal, even if securely leashed, shall be permitted at any swimming pool, bathing beach, designated nature study area, wetland or marsh area, golf course, or any other area specifically designated from time to time by the Board as so restricted.

→ (801.1a)

801.2 Leashes. No person shall bring into, or permit any dog, cat, or animal, except a seeing-eye dog or pet trained to assist a handicapped person, to enter the following areas of the District, or any posted area requiring leashes, unless such animal is securely leashed: Parking, lawn and turf, picnic, concession, equestrian, archery, gun, campground or any other area specifically designated from time to time by the Board as so restricted. An animal is securely leashed within the meaning of this section when such animal is securely tied, or otherwise attached, to one end of a chain, rope, or other such restraining device, the other end of which is either securely attached to a

stationary object or retained in the possession of some person capable of exercising control, or such animal is otherwise prevented from running at large. Pets may not be left unattended at any parkland. At campgrounds pets must be attended and either leashed, or contained within a vehicle or tent.

801.3 Leashes; Exceptions. Except as provided in Subsections 801.1 and 801.2 of this section, dogs may run at large within the District, provided, however, that the owner, keeper or person exercising the animal shall have a leash in their possession and keep their animal under control at all times, and must not allow their animal to interfere with, bother, or harass park users, other animals, or wildlife.

801.4 Repealed.

801.5 Dog: Licenses and Tags. Any dog found without a license or identification tag, in violation of Food and Agricultural Code Section 30951, will be seized and impounded by members of the District's police force, or other authorized employee in assisting the police, as authorized by and pursuant to Food and Agricultural Code Section 31101.

801.6 Dogs; Seizure. Any dog found running at large (i) in a pack of three or more dogs in the park or (ii) chasing wild animals or cattle on more than one occasion, thus interfering with, bothering, and harassing park users, other animals, or wildlife, may be seized and impounded. In the event that such dog is found to create a danger to the life or limb of park users, other animals or wildlife, and cannot be seized or impounded, the dog as a last resort may be killed by a District police officer.

801.7 Dangerous Animals. No person shall bring into or permit any dangerous animal to enter or remain on District parklands or any part thereof. For purposes of this subsection, a dangerous animal is defined as any animal which is declared a dangerous animal by a County or City, an exotic animal, or an animal which demonstrates any of the following behavior:

a) An attack which requires a defensive action by any person to prevent bodily injury and/or property damage.
b) An attack on another animal, domestic or wild, or livestock.
c) An attack that results in a injury to a person.
d) Any behavior that constitutes a physical threat of bodily harm to a person.

801.8 Pt. Isabel Exception. As an exception to the provisions in subsection 801.2, dogs, other than pit bull dogs, may be taken off leash at Pt. Isabel Regional Shoreline. Any person allowing their animal to be off leash must:

a) carry a leash;
b) keep their dog or other animal under voice control and within sight at all times;

c) clean up feces deposited by their dog or other animal and place feces in provided and marked containers or garbage cans;
d) immediately leash any dog or other animal showing aggressiveness toward people or other dogs or animals; and
e) prevent dogs or other animals from digging or damaging park resources.

801.9 Attack Dog Training. No person shall train dogs for attack or any other form of dog and human contact which simulates attack.

801.10 Removal or Clean-up of Dog Feces in Developed Park and Urban Trail Areas. Any person bringing a dog onto park property shall immediately remove the excrement deposited by such animal on any public trail, turf area, developed park area, picnic area or any other area so posted. Animal wastes may be placed in garbage cans, other containers, or placed in an adjacent undeveloped, natural area of the park or trail.

SECTION 802. **Abandoned Animals.** No person shall abandon a dog, cat, fish, fowl, or other animal within the District parklands. Any abandoned animals will be live-trapped and relocated, or turned over to Animal Control, or otherwise be removed in compliance with adopted Board policy.

SECTION 803. **Feeding Restriction for Feral (Domestic or Non-Native Animals), Wild Animals, And Farm Animals.** No person shall feed farm animals when so posted, or feral or wild animals at any time on District parklands.

SECTION 804. **Plants.** No person shall damage, injure, collect or remove any plant or tree or portion thereof, whether living or dead, including but not limited to flowers, mushrooms, bushes, vines, grass, turf, cones and dead wood located on District parklands. In addition, any person who willfully or negligently cuts, destroys or mutilates vegetation shall be arrested or issued a citation pursuant to Penal Code Section 384a.

SECTION 805. **Geological Features.** No person shall damage, injure, collect or remove earth, rocks, sand, gravel, fossils, minerals, features of caves, or any article or artifact of geological interest or value located on District parklands.

SECTION 806. **Archaeological Features.** No person shall damage, injure, collect or remove any object of paleontological, archaeological or historical interest or value located on District parklands. In addition, any person who willfully alters, damages, or defaces any object of archaeological or historical interest or value or enters a fenced and posted archaeological or historical site shall be arrested or issued a citation pursuant to Penal Code Section 622-1/2.

SECTION 807. **Special Permission.** Special permission (Section 103) may be granted to remove, treat, disturb, or otherwise affect plants or animals or geological, historical, archaeological, or paleontological materials for research,

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San Mateo Parks and Recreation
Trails

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San Mateo has the following trails for your enjoyment:

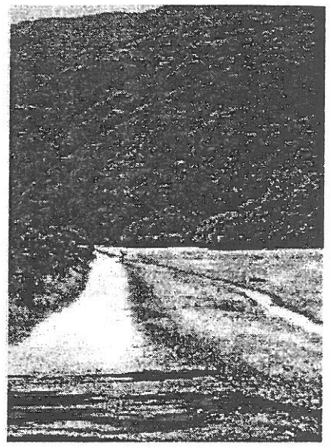
Mid-County Trails

Sweeney Ridge Trail | San Andreas Trail | Sawyer Camp Trail | Ralston Trail | Sheep Camp Trail

South County Trails

Edgewood Trail | Crystal Springs Trail | Cañada Trail | Skyline Trail | Sand Hill Trail | Alpine Trail

Trails Rules & Regulations



Mid-County Trails

Sweeney Ridge Trail | Back to top
This trail extends from the end of Sneath Lane in San Bruno to the San Fancisco Bay Discovery Site steep, and winding, and covers about 1.2 miles. Beautiful views at the northern watershed and San are enjoyed as you wind up this trail to the Discovery Site. At the Discovery Site the Pacific Ocean a from Point Reyes to Pedro Point come into view. As you stand by the stone monument to Portola's d are treated to a beautiful 360 degree panorama.

San Andreas Trail | Back to top
San Andreas trail extends from San Bruno Avenue on the north to Hillcrest Blvd. on the south where the Sawyer Camp Trail. It is probably the second most popular trail in mid-county because a portion and heavily used by bicyclists, joggers and hikers. It also has easy access to Skyline Boulevard. The mile is gravel-surfaced and not passable by bicycles, which have to detour to the frontage road east get to Sawyer Camp Trail. The trail passes close to San Andreas reservoir in its northerly section, an beautiful view points. It is hoped that some day it will connect to the Sweeney Ridge Trail and the S Bay Discovery Site.

Sawer Camp Trail | Back to top
Introduction. Sawyer Camp Trail extending from Hillcrest Blvd. on the north to Crystal Springs Road is probably the best known of the mid-county trails because of its history and its extremely heavy u bicyclists, hikers, joggers, and equestrians. More people use it, and are aware of it, than all the othe County Park System.

Early Users. For thousands of years, this area was home to the Shalshone Indians. They were consid extremely warlike people, fighting with their neighbors to the north and south.

Alpine Road to its intersection with Portola Road.

Trail Rules & General Description| Back to top

1. Check with Park Rangers for current information on trail conditions, and to obtain more detail maps of the specific parks.
2. On those trails with considerable horse rider usage, runners and hikers should observe a basic conflicting usage. The horses have the right-of-way! Foot Traffic should always stop and stand trail until the horse passes. Failure to observe this rule can endanger not only the hiker and ru the horse rider.
3. Pets are not allowed in any County Park/Trail.
4. Observe any trail closure signs.
5. The trails on this site are: a) trails which are safe. Most trails have been recently rebuilt to a s width and maximum 10% grade; b) trails which are scenic. The variety ranges from redwood chaparral, to grassy ridges; c) trails of varied distance.
6. Always respect the plant and animal life found in these unique communities.

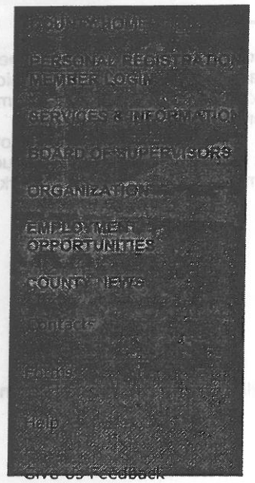
San Mateo County Parks & Recreation 455 County Center, 4th Floor Redwood City, CA. 94063 Tel: (650) 363-4020 Fax: (650) 599-1721

MARIN COUNTY PARKS
RULES AND REGULATIONS
Chapter 10.06.010 Dogs and Other Animals

and

MARIN COUNTY OPEN SPACE
RULES AND REGULATIONS
Chapter 2.05.010 Dogs and Other Animals

COUNTY OF MARIN *our mission is excellent service*



Parks, Open Space, and Cultural Services - Parks Rules

This rule has changed.

MARIN COUNTY
PARKS & LANDSCAPE SERVICES

Marin County Parks Rules and Regulations

Rule and regulations have been established to protect visitors and park resources. Please respect the rights of others using Marin County park. DOGS IN PARKS Leashed dogs are per parks except McNear's Beach, Paradise Beach and Stafford Lake. Dogs are permitted without under direct and immediate control at McInnis Park and Upton Beach at Stinson Beach.

MARIN COUNTY PARKS, OPEN SPACE AND CULTURAL SERVICES CODE
Title 10 Parks, Open Space and Cultural Services Chapters:

10.01	General
10.02	Parks, Open Space and Cultural Commission
10.03	Visitor Conduct
10.04	Resource Protection
10.05	Vehicle and Traffic Regulations
10.06	Domestic Animal Regulations
10.07	Fishing Regulations
10.08	Fire Regulations

Chapter 10.01 General Sections:

10.01.010	Scope of This Code.
10.01.020	Purpose.
10.01.030	Definitions.
10.01.040	General Regulations.
10.01.050	Enforcement.
10.01.060	Lands and Facilities Open to the Public.
10.01.070	Closure of Lands and Facilities.
10.01.080	Permits, Licenses and Fees.
10.01.090	Misdemeanors and Infractions.
10.01.100	Separate Offenses.
10.01.110	Impoundment.

10.05.030 Boats. No person shall place, operate or possess any motorized vessels, including or similar watercraft, in reservoirs, lakes, streams, waterways or other bodies of water owned, or otherwise managed by the department, except on bay and tidal waterways, subject to appli and local laws. Motorized vessels, including boats, rafts and similar watercraft, including perso watercraft (jet skis, etc.), shall maintain a distance of at least 300 feet from all beaches and fis

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10.05.040 Speed Limits. No person shall operate any land vehicle, including bicycles, at spee of 15 miles per hour on lands managed by the department, unless otherwise posted. No vehic operated at a speed greater than is reasonable for safe operation, nor in any manner which m the safety of others or the protection of facilities and environmental resources.
10.05.050 Parking and Vehicle Removal. No person shall park, leave, abandon, possess or ot store any vehicle on lands managed by the department, except in locations designated for suc person shall park any vehicle on lands managed by the department during periods when park or lands are closed nor in the following locations:
(a) within the traveled portion of any road;

(b) on any service road or trail;

(c) in front of any gate;

(d) on any undisturbed or natural hillside;

(e) in areas designated for disabled or handicapped persons without appropriateauthorization;

(f) in more than one parking space per vehicle;

(g) within posted "no parking" areas;

(h) in a manner which obstructs the use of a boat ramp;

(i) in any manner obstructing the free flow of traffic. Except in designated overnight parking are person shall park any vehicle for more than 12 consecutive hours. Any enforcement officer me California Vehicle Code section 22651 is authorized to remove any vehicle parked in violation section.

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10.05.060 California Vehicle Code. Except as otherwise provided in these regulations, the pro the California Vehicle Code shall be applicable to the operation of vehicles on lands managed department.

Chapter 10.06 Domestic Animal Regulations Sections:
10.06.010 Dogs and Other Animals

10.06.020 Horses and Saddle Animals

10.06.030 Animals at Large

10.06.010 Dogs and Other Animals. Dogs and other domestic animals are not allowed on land managed by the department, except in areas designated otherwise. Where permitted, dogs an domestic animals must be fastened to and restrained by a chain or leash not exceeding six fe and must be under the direct and immediate control of a responsible person. No person shall following on lands managed by the department:
(a) allow any dog or other domestic animal to enter environmentally sensitive or restricted are

(b) allow any dog or other domestic animal to interfere with, bother or disturb others using land by the department;

(c) allow any dog or other domestic animal to hunt, pursue or harass other animals or wildlife;

(d) bring or keep a noisy, vicious or dangerous dog or other animal;

(e) tie or hitch any dog or domestic animal to a tree or plant;

(f) bring or keep a dog 4 months of age or more without proof that the dog has a valid rabies in a valid license;

(g) leave a dog or other animal in an unattended vehicle without adequate ventilation, or in su as to subject the animal to extreme temperatures which adversely affect the animal's health or

(h) fail to promptly remove from lands managed by the department any dog or other domestic animal after being ordered by department personnel to do so. Dogs and other animals, other t and animals which assist disabled or handicapped persons, are not permitted in buildings man by the department.

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10.06.020 Horses and Saddle Animals. Horses and saddle animals are not permitted on lands managed by the department, except in areas designated otherwise. When permitted, horses and saddle animals must remain on trails, service roads and other areas not signed against such use. No person shall do any of the following on lands managed by the department:

(a) ride, drive, lead or keep any horse or saddle animal at such speed or in such manner whic endanger the safety of others, other animals or the protection of environmental resources;

(b) allow any horse or saddle animal to stand unattended or insecurely tied;(c) tie or hitch any saddle animal to a tree or plant;(d) permit any horse or saddle animal to swim in any reservoir stream or waterway.

10.06.030 Animals at Large. No person shall do any of the following on lands managed by the department:
(a) permit any cattle, sheep, goat, horse, dog, cat or other animal to graze or run at large;

(b) abandon a dog, cat, fish, fowl or other animal on lands managed by the department. Any d animal found at large on lands managed by the department may be turned over to the County keeper for disposition as outlined in the Marin County Code.

Chapter 10.07 Fishing RegulationsSections:
10.07.010 Fishing Regulations and Enforcement.

10.07.020 Cleaning of Fish.

10.07.030 Boat Docks

10.07.040 Areas Closed to Fishing and Clamming

10.07.050 Fishing Piers.

10.07.010 Fishing Regulations and Enforcement. All fishing on lands managed by the departm subject to the California Fish and Game Code, the rules and regulations of the California Depa Fish and Game and these regulations. Department employees, California Department of Fish officials and other law enforcement personnel are authorized to issue citations for violations, c fish and impound fishing gear upon violation of regulations.

10.07.020 Cleaning of Fish. No person shall clean, gut or scale any fish within lands managed department except in areas designated for such use. No person shall dispose of dead fish or f any fresh waters managed by the department, nor on lands managed by the department, exce trash receptacles.

10.07.030 Boat Docks. No person shall fish from a boat dock in a manner which interferes with or disrupts boats using such facilities.

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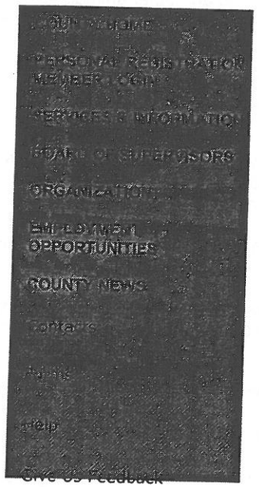
1.07.040 Areas Closed to Fishing or Clamming. The department may close areas to fishing or for health, safety or maintenance purposes. No person shall fish or clam from areas which are closed to fishing or clamming.

COUNTY OF MARIN

our mission is excellent service



Parks, Open Space, and Cultural Services - Rules

MARIN COUNTY OPEN SPACE DISTRICT

Open Space Rules and Regulations

Rules and regulations of Marin County Open Space District are designed to protect ensure visitor safety and protect natural resources.
Recreation is permitted on open space lands only when consistent with resource management objectives. Activities which threaten or endanger visitors, the land or the environment are not permitted. For information about the Open Space District Code click here

DOGS ON OPEN SPACE

Unless signed otherwise, dogs are permitted on open space lands when restrained by a 6' (m long leash. Dogs are allowed off-leash on fire protection roads only when under the direct and control of a responsible person. Sensitive wildlife areas may have additional restrictions.

BICYCLES ON OPEN SPACE

The District maintains approximately 70 miles of fire protection roads and service roads exceeding eight feet in width which are open to bicycle use. The Open Space District Code specifies that bicyclists must operate their vehicles at speeds which do not exceed 15 miles per hour and reduce their speed to 5 miles per hour when approaching blind turns or passing others using open space lands. Bicycles are not permitted "off-road" or on "single-trac trails. The District road network offers a variety of open space experiences, from expansive an panoramic views of the bay area to intimate and unique environments. Bicyclists are encourag to explore the diverse opportunities available on open space lands.

MARIN COUNTY OPEN SPACE DISTRICT CODE

Titles:
Title 1 General Provisions
Title 2 Land Use Regulations

Title 1 General ProvisionsChapter
1.01 GeneralSections:
1.01.010 Scope of This Code
1.01.020 Purpose
1.01.030 Authority
1.01.040 Definitions
1.01.050 General Regulations
1.01.060 Severability

2.04.020 Bicycles. No person shall operate any bicycle or similar vehicle on District lands exce protection roads, designated bicycle pathways or public roads not signed against such use. Fu no person shall operate or possess any bicycle or similar vehicle elsewhere on District lands, trails, unless signed specifically to permit such possession. All persons operating a bicycle on lands during hours of darkness shall carry and use a lamp which emits a white light visible from of 300 feet.

2.04.030 Boats. No person shall place, operate or possess any motorized vessels, including boats, rafts, or similar watercraft, in reservoirs, lakes, streams, waterways or other bodies of w maintained or otherwise managed by the District, except on bay and tidal waterways, subject t State and local laws. Personal watercraft (jet skis, wave runners, etc.) are not permitted in any water owned, maintained or otherwise managed by the District.

2.04.040 Speed Limits. No person shall operate any land vehicle, including bicycles, at speed in excess of 15 miles per hour unless otherwise posted. Bicycles and similar vehicles shall slo to 5 miles per hour when passing others or approaching blind turns. No person shall operate a watercraft or other vessel in excess of 5 miles per hour. No vehicle, including bicycles, shall b a speed greater than is reasonable for safe operation, nor in any manner which may endange of others or the protection of environmental resources.

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2.04.050 Right-of-Way. All persons operating vehicles on District lands, including bicycles, shall yield the right-of-way to hikers and equestrians. Hikers shall yield the right-of-way to equ District and emergency vehicles have the right-of-way on District lands at all times.

2.04.060 Parking and Vehicle Removal. No person shall park, leave, abandon, possess or otherwise store any vehicle on District lands, except in locations designated by the District. Ve in violation of any provision of this code may be impounded and stored at the owner's expense

2.04.070 California Vehicle Code. Except as otherwise provided in these regulations, the prov California Vehicle Code shall be applicable to the operation of vehicles on District lands.

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Chapter 2.05 Domestic Animal RegulationsSections:2.05.010 Dogs and Other Animals2.05.02 and Saddle Animals2.05.030 Animals at Large2.05.040 Gates

2.05.010 Dogs and Other Animals. Dogs and other domestic animals are allowed on District lands when under the direct and immediate control of a responsible person. Except on protect areas designated otherwise, dogs and other domestic animals must be fastened to and restra chain or leash not exceeding six feet in length. No person shall do any of the following on Dist allow any dog or other domestic animal to enter environmentally sensitive or restricted areas o lands;(b) allow any dog or other domestic animal to interfere with, bother or disturb others usin lands;(c) allow any dog or other domestic animal to hunt, pursue or harass other animals or w bring or keep a noisy, vicious or dangerous
dog or other animal;(e) bring or keep a dog 4 months of age or more without proof that the dog rabies inoculation or a valid license;(f) fail to promptly remove from District lands any dog or o domestic animal after being ordered by District personnel to do so. Persons bringing dogs or o domestic animals onto District lands shall carry a chain or leash not exceeding 6 feet in length prepared to restrain their animals, if necessary.

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2.05.020 Horses and Saddle Animals. Horses and saddle animals are permitted on District lands only on trails, fire protection roads and other areas not signed against such use. No person shall do any of the following on District lands:(a) ride, drive, lead or keep any horse or animal at such speed or in such manner which may endanger the safety of others using District lands, other animals or the protection of environmental resources;(b) allow any horse o animal to stand unattended or insecurely tied;(c) permit any horse or saddle animal to swim in any reservoir, lake, stream or waterway.

2.05.030 Animals at Large. No person shall do any of the following on District lands:(a) permit sheep, goat, horse, dog, cat or other animal to graze or run at large;(b) abandon a dog, cat, fis other animal on District lands. Any domestic animal found at large on District lands may be tur the County poundkeeper for disposition as outlined in the Marin County Code.

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2.05.040 Gates. All persons opening a gate shall securely close the same after passing throug

Chapter 2.06 Fire RegulationsSections:2.06.010 Fires2.06.020 Fireworks2.06.030 Smoking

2.06.010 Fires. No person shall build, light or maintain any open or outdoor fires, including barbecues, camp stoves, gas lanterns, etc., within District lands. In addition, no person shall possess such items, nor similar items, while on District lands.

2.06.020 Fireworks. No person shall possess, bring onto, set off or otherwise cause to explode on District lands any firecrackers, skyrockets or other fireworks or explosives.

2.06.030 Smoking. No person shall smoke on District lands from April 1 through November 30 of each calendar year, nor during periods of high fire danger, as determined by the District.

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Title 9

REGULATIONS FOR USE OF
MARIN MUNICIPAL WATER DISTRICT LANDS*

Chapters:

9.01 General Provisions
9.02 Visitor Conduct
9.03 Resource Protection
9.04 Vehicle and Traffic Regulations
9.05 Domestic Animal Regulations
9.06 Fishing Regulations
9.07 Fire Regulations

Chapter 9.01

GENERAL PROVISIONS

Sections:

9.01.01 Scope of this title.
9.01.02 Purpose.
9.01.03 Authority.
9.01.04 Enforcement.
9.01.05 Lands open to public.
9.01.06 Closure of district lands.
9.01.07 Admission charges and permits.
9.01.08 Misdemeanors and infractions.
9.01.09 Separate offenses.
9.01.10 Impoundment.
9.01.11 Exemptions.

* For statutory provisions authorizing a district to construct, maintain, improve, and operate public recreational facilities appurtenant to any water reservoir contracted to be operated or operated by the district, and to provide by ordinance regulations binding upon all persons to govern the use of such facilities, including regulations imposing reasonable charges for the use thereof, and to punish the violation of any such regulation as a misdemeanor or infraction as specified therein, see Cal. Water C., §71660.

Chapter 9.05

DOMESTIC ANIMAL REGULATIONS

Sections:

9.05.01 Dogs and other animals.
9.05.02 Horses.
9.05.03 Animals at large.
9.05.04 Animal removal and impoundment

9.05.01 Dogs and other animals. Dogs and other domestic animals are permitted on district land only when under the control of the owner and while fastened to and restrained by a chain or leash not exceeding six feet in length or confined in a vehicle. No person shall do any of the following on district lands:

(1) Bring or keep a dog five months of age or more without proof that the dog has a valid rabies inoculation or a valid license;

(2) Bring or keep a noisy, vicious or dangerous dog or animal or one which is disturbing to other persons;

(3) Allow any dog or other animal to hunt, pursue or harass any animal;

(4) Fail to promptly remove from district lands any dog or other animal after being ordered by district personnel to do so;

(5) Permit a dog or other animal to enter, wade or swim in any stream or reservoir or enter within the high water mark of any reservoir; and

(6) Bring or keep a dog or other animal onto any area which is closed to animals. (Ord. 267 §2(part), 1987).

9.05.02 Horses. Horses are permitted on district lands only on riding trails, protection roads, and other areas not signed against such use. No rider shall do any of the following on district lands:

(1) Take a horse upon any public road, dam face, picnic ground, open hillside, woodland or meadow except on permitted trails and protection roads:

(2) Gallop a horse at any time or ride in such manner to endanger hikers, equestrians or others using district lands;

(3) Tie any horse within fifty feet of a picnic area; and

(4) Permit any horse to enter, swim in or drink from any reservoir or stream, except at designated trail crossings, (unless otherwise posted) or go below the high-water mark of any reservoir.

As used in these regulations, "horse" includes all saddle animals. (Ord. 388 §1(part), 1999: Ord.-267 §2(part), 1987).

9.05.03 Animals at large. No person shall permit any horse, cow, pig, sheep, goat or other animal of any kind to graze or run at large. No person shall bring onto or keep on district lands any living thing that constitutes a safety hazard or detriment to the public enjoyment of the area. (Ord. 267 §2(part), 1987).

9.05.04 Animal removal and impoundment. Any animal found at large on district lands may be impounded. The district may destroy any animal which is injured, diseased or endangering other animals or humans. Carcasses or unlawfully taken wildlife may be confiscated. (Ord. 267 §2(part), 1987).

Chapter 9.06

FISHING REGULATIONS

Sections:

9.06.01 Fishing regulations and enforcement.
9.06.02 Cleaning of fish.
9.06.03 Bait.
9.06.04 Health and safety regulations.

9.06.01 Fishing regulations and enforcement. All fishing on district lands is subject to the California Fish and Game Code, the rules and regulations of the State Department of Fish and Game and these regulations. District rangers, fish and game officials and other law enforcement personnel are authorized to issue citations for violations, confiscate fish and impound fishing gear upon violation of regulations. (Ord. 267 §2(part), 1987).

9.06.02 Cleaning of fish. No person shall clean, gut or scale any fish in any district reservoir or stream, nor dispose of dead fish or fish parts in any district reservoir or stream, nor on district lands, except in district trash receptacles. (Ord. 267 §2(part), 1987).

9.06.03 Bait. No person shall use or possess for use as bait or otherwise, any aquatic life, living or dead, with the exception of salmon eggs and worms, nor take any action which may result in introduction of any fish or other aquatic organism into reservoirs or streams. (Ord. 267 §2(part) 1987).

9.06.04 Health and safety regulations. No person fishing on or otherwise using district lands shall do any of the following:

(1) Stand or wade, with or without waders, in any stream or reservoir; and,

(2) Fish from dams or in other areas which are posted closed to fishing. (Ord. 388 §1(part), 1999: Ord. 267 §2(part), 1987).

City and County of San Francisco Recreation and Park Department

San Francisco Recreation and Park Department
Draft Citywide Dog Policy
Frequently Asked Questions

How do I get a copy of the draft citywide dog policy?
You may get a copy of the Draft Citywide Dog policy from the Recreation and Park Department by:

- calling 831-2084;
- viewing it on the web at www.parks.sfgov.org;
- sending an e-mail to dogpolicy@ci.sf.ca.us;
- or writing to Draft Dog Policy, SF Recreation and Park Department, McLaren Lodge, 501 Stanyan Street; SF, CA 94117

How do I comment on the draft Citywide Dog Policy?
You may send written comments via e-mail, or regular mail, at the addresses above; or call and leave a message with your comments at the phone number above.

How long will the public comment period last?
Comments must be received by 5 P.M. on August 13, 2001.

Once public comments are received, how will the Citywide Dog Policy be approved?
Based on public comment the Department will determine what changes are appropriate to the document. That revised draft will be posted on the Departments web page and brought before the Recreation and Park Commission for approval.

Will the Recreation and Park Commission hold a public meeting to consider the Citywide Dog Policy?
Yes, the Recreation and Park Commission will convene a public meeting that will be widely noticed. Anyone who has requested the Draft Citywide Dog policy will receive a written notice. Notice for the meeting will also be posted on the Recreation and Park Department website at www.parks.sfgov.org.

When will the Citywide Dog Policy be implemented?
Once the Citywide Dog Policy is approved by the Recreation and Park Commission, the Department will initiate a public information campaign to inform the public of the new policy. That public information campaign will last for two months. Then the Department will work with the Police Department, Park Patrol Officers and Animal Care and Control to enforce the new policy.

Laren Lodge, Golden Gate Park
Stanyan Street
n Francisco, CA 94117-1898

FAX: (415) 831-2099
Phone: (415) 831-2700

Once the Citywide Dog Policy is approved, how can I make a suggestion for a new dog play area?
Once the policy is approved, you may write to the Recreation and Park Department and make a suggestion for new dog play areas.

City and County of San Francisco Recreation and Park Department

Changed- Final policy May 8, 2002

SAN FRANCISCO RECREATION & PARK DEPARTMENT DRAFT DOG POLICY

June 12, 2001

THIS POLICY CAN BE VIEWED ON THE DEPARTMENT'S WEB PAGE AT www.parks.sfgov.org. THE DEPARTMENT WILL ACCEPT COMMENTS RELATED TO THE POLICY UNTIL 5:00 P.M. ON AUGUST 13, 2001. COMMENTS SHOULD BE DIRECTED TO ONE OF THE FOLLOWING LOCATIONS:

Via Email:
dogpolicy@ci.sf.ca.us

Via Mail:
Dog Policy
San Francisco Recreation & Park Department
McLaren Lodge
501 Stanyan Street
San Francisco, CA 94117

or Call Voice Mail at:
(415) 831-2084

McLaren Lodge, Golden Gate Park
501 Stanyan Street
San Francisco, CA 94117-1898

FAX: (415) 666-7130
Phone: (415) 831-2700

1.0 INTRODUCTION

In preparation for the draft dog policy, we have performed extensive research and compilations of policies and data of dog parks throughout the country and world. The following draft policy reflects the RPD Draft Strategic Plan, SF Municipal Codes, the 1998 Dog Task Force[1] recommendations, as well as the best and most relevant efforts of established dog park designs and policies.

The San Francisco Recreation & Park Department (RPD) welcomes dogs on leash in most of its parks; dogs are currently allowed off-leash in 19 designated areas. The Dog Task Force has recommended increasing the number of established sites. (see Appendix for existing sites and task force recommendations) Dogs are not allowed in some areas as noted in 3.1 of this policy.

The following policy supports continued and increased education about how to be a responsible park user with your pet. RPD believes the off-leash dog issue is not entirely about dogs but a debate about appropriate uses for, and stewardship of scarce urban parklands and open spaces, which are stretched to accommodate all the uses San Franciscans propose for them. This policy outlines rules and guidelines to allow all citizens to share urban parks and open spaces without endangering one another or adversely affecting these spaces. The intention of the rules is to assure San Francisco citizens and park visitors a quality and safe experience in our parks, which belong to all of us, and to future generations.

2.0 DEFINITIONS

To provide consistency in this document, the following terms will apply throughout:

RPD: San Francisco Recreation and Park Department

DPA: Dog Play Area as defined by RPD, a designated park space for off-leash dogs use

Owner: shall mean any person who possesses, has title to or an interest in, harbors or has control, custody or possession of an animal, and the verb forms of "to own" shall include all those shades of meaning. (SF Health Code, section 41.g)

Partner(s): Dog Play Areas require an active volunteer or partner program to assist with monitoring and maintenance. Partners must demonstrate their commitment, organizational skills and willingness to support and promote the DPA standards.

MOU: Memorandum of Understanding

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[1] Pursuant to the Board of Supervisors Resolution # 359-98, the Advisory Dogs-Off Leash Task force was formed. Establishment of the Task Force to assess use of parks by San Franciscans with their dogs off leash, to investigate and to recommend solutions for improving conditions in City parks, and to look for ways to provide sufficient off leash opportunities for San Francisco dog owners. Footnote Task Force Report. Neither the Board nor Rec/Park Commission formally adopted the report and its recommendations.

Athletic Fields: Any field for which the RPD accepts paid, permit reservations (see appendix)

Children's Play Area: Any area that is in immediate proximity to children's play structure or apparatus and sandbox.

Significant Natural Resource Area: The Significant Natural Resources Management Plan (SNRAMP), adopted by the Recreation and Park Commission in 1995, lists over 30 open spaces throughout the city as *Significant Natural Resource Areas (SNRAs)*. Significant Natural Resource Areas are generally remnants of San Francisco's original landscape and support important plant and animal populations and habitats

While the list in the SNRAMP provides a good framework for identifying SNRAs, it is general and is not necessarily reflective of on-the-ground resources. For example, not all land within a designated SNRA is an important natural resource area (e. g., lawns or areas where the landforms and vegetation have been highly altered). Similarly, some parks or portions of parks not listed in the SNRAMP contain habitat for sensitive species (e. g., portions of Lincoln Park and Golden Gate Park). Therefore, each park and open space must be evaluated on a case by case basis in order to determine the boundaries of the SNRA.

Some criteria that should be considered when determining the boundaries of Significant Natural Resource Areas are provided below.

- Areas of existing intact native plant communities (remnants of the original landscape)
- All habitat areas that support, or are likely to support, locally important, rare, threatened or endangered species (examples include red-tailed hawk nesting sites, heron rookeries, cormorant nesting colonies, red-legged frog habitat, western pond turtle habitat, wetlands, significant migratory bird habitat, quail habitat areas)
- Active restoration sites
- Areas that have the potential to be restored. These areas typically would contain unaltered or un-manipulated soils or substrate and would not have been heavily landscaped in the past. Typically these areas would be located adjacent to intact natural areas.
- Areas that function as wildlife corridors or would link, or make contiguous, together two or more nearby natural area fragments.
- Buffer areas around intact native plant communities and important wildlife habitat areas.

3.0 SITE CRITERIA FOR OFF-LEASH USE

RPD will use the following criteria as defined below for both existing and new DPAs.

3.1 LOCATION

The density of the dog population varies from community to community. The requirements of one community may not be the same as a neighboring community. The size and nature of each DPA will be determined by several factors including, but not limited to, available park land, proximity to significant natural areas, dog population and other park uses. It is RPD's desire to

provide DPA opportunities in all neighborhoods. However, not unlike pools, or athletic fields, some neighborhoods do not have adequate park space to meet this goal. Therefore, RPD will work closely with the Dog Advisory Group and community partners to identify suitable spaces for additional DPAs.

DPAs should be neighborhood friendly and, at a minimum, will be located where they will not adversely impact the surrounding neighborhood and open space by:

- Causing ongoing conflicts due to overcrowding
- Causing detriment to the surrounding environment such as digging or wallowing
- Causing displacement of established recreational activities including passive recreation[2]
- Compromising the intent of the DPA to allow dogs and owners to exercise and socialize in a safe area away from other park activities

Siting shall also take into account the following:

- DPAs shall be sufficiently distant from residences so that noise and activity levels are no more disruptive to neighbors than typical park uses. Some noise is expected and will not be used as a reason to disallow the establishment of a DPA
- DPAs shall comply with all codes and regulations as they apply to the Federal Americans with Disabilities Act (ADA) and California Title 24.

While dogs are allowed in most park areas, dogs are not allowed in the following areas:

- Athletic fields
- Children's play areas
- Sensitive habitat areas (as defined in appendix)
- Significant natural areas/Native habitat
- Areas prohibited in Park Code Sec.5.02[3]

3.2 SIZE

Wherever possible, DPAs should be at least 30,000 square feet. The minimum size of a DPA shall be 8,000 square feet, (approximately 800 square feet larger than a tennis court.) RPD modified National Parks and Recreation Association standards for DPAs of a minimum of

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[2] The Department does alter uses based on community needs. This does not preclude options to use guideline considerations.

[3] Sec.5.02. Animals prohibited from certain areas. No person, other than members of the Police Mounted Detail when on duty, shall, in any park, allow any animal in his or her custody to enter any building, the Zoological Gardens, or those areas of Golden Gate Park known as the Arboretum, Japanese Tea Garden and Conservatory valley, or any playground, sandbox or other area reserved for children, or to enter or drink the water of any drinking fountain, lake or pond, except at places designated and maintained for such purpose. Notwithstanding the above provision, a blind person may enter buildings, the Arboretum, Japanese Tea Garden and Conservatory Valley with a guide dog (i.e. service dog).

10,000 sq. feet, due to the constraints of available open space within the jurisdiction of RPD and the relative landmass of the City and County of San Francisco.

3.3 CAPACITY

RPD will post each DPA with a recommended occupancy. The occupancy is the recommended maximum number of dogs that can effectively and safely use a given DPA at any one time. Users are expected to self regulate to the posted recommended occupancy.

The capacity of a DPA shall be 400 square feet per 1 (one) dog. Thus, a minimum-sized DPA of 8,000 square feet shall have a recommended occupancy of 20 dogs inside the DPA at any one time.

3.4 BOUNDARIES/BARRIERS

DPAs require adequate delineation, natural or man-made, to protect dogs from vehicles, steep cliffs, and other hazards as well as to prevent conflicts with other park users.

Many urban settings define a DPA with an enclosure of a four- (4) foot fence. The boundaries of DPAs will be identified with barriers (shrubs, fencing). All barriers will strive to be aesthetically pleasing using landscape features such as shrubs and vines. Type of barrier, size and location will be determined on a case-by-case basis. The standard to be tested against is a dogs ability to permeate the barrier.

3.5 DPA SURFACING

RPD's experience and research of DPAs shows that grass will not grow in heavily used DPAs. Therefore, muddy conditions and other environmental degradation will occur. In an effort to provide the highest standards possible in DPAs RPD will only consider the use of turf in unusual circumstances. In accordance with RPDs turf management practices, DPAs with turf surfaces will be subject to closure during inclement weather. RPD favors the use of alternate materials such as sand, gravel, decomposed granite and other surface materials that allow for regular and appropriate maintenance. Combinations of materials may be used.

3.6 AMENITIES

RPD will provide at a minimum the following amenities:

- Bag dispensers
- Signs
- Bench(s)
- Surface material
- Barriers
- Trash cans

RPD will work closely with partners and the dog advisory committee to identify funding sources for additional amenities such as lighting, water fountain, or informational kiosk.

3.7 EXPLORATION OF OTHER/ADDITIONAL OFF LEASH EXPERIENCES

RPD welcomes the opportunity to provide several different outdoor experiences with your pet. In an effort to provide a more widely varied natural experience, RPD will consider initiating off leash use areas under the following circumstances, which the Advisory Board will investigate:

- Trail Experience
  - Parks larger than 35 acres (see attached list)
  - Users must be able to access the facility with or without encountering off leash dogs
  - Signage that designates "Dogs allowed off leash on these trails", and "Dogs not allowed off leash"
  - Dogs must not be able to directly access prohibited areas such as Significant Natural Resource Area (see attached list)
  - Soft barriers
  - Trash cans are available
  - Bag dispensers are available

Additional experiences may be offered after extensive review with RPD and the Advisory Board. In order to implement these experiences RPD would require approval by the Recreation & Park Commission.

- "Gold Bone Program" to be explored by RPD & Advisory Board
  - The advisory committee is asked to identify an accepted stringent obedience training program that can be endorsed by stakeholders
  - RPD and the Advisory Board will identify available funding in order to provide a granting program to participants in the designated obedience training so that the program can be fully accessible
  - Dogs would be awarded a "gold bone" metal, or color-coded collar to identify them as exceptionally well behaved and obedient.
  - Upon completing a rigorous obedience certification program dogs would be allowed additional park privileges.

3.8 PARTNERSHIPS

DPAs require an active volunteer or partner program to assist with monitoring and maintenance. An identifiable partner is required for new and existing DPAs. A current "Friends of..." group is sufficient. Partners must demonstrate their commitment, organizational skills and willingness to support and promote the DPA standards.

4.0 RULES AND RESPONSIBILITIES

4.1 MAINTENANCE AND MANAGEMENT RESPONSIBILITIES

While RPD has jurisdiction over DPAs on RPD property and will contribute to both the capital start-up and operating expenses, the success of any DPA is based on the ability of its users to help establish, fund, operate, maintain and monitor each DPA site. In our research of DPAs around the country, most off leash areas require direct support by site users, local residents, and/or organized groups or volunteers. The RPD encourages and welcomes partnerships in many forms. RPD is moving toward MOU's for all park partners. The RPD expects the DPA to simply be one of the many partnerships available in a park, perhaps under an umbrella group.

4.2 DOG PLAY AREA RULES

Your neighbors and the Recreation and Park Department appreciate responsible dog ownership.

- All dogs must be licensed and vaccinated before entering the DPA
- No dog that is less than 4 months old shall be permitted in the DPA
- Female dogs in heat are not allowed
- No food allowed with the boundaries of the DPA
- No more than (3) dogs per owner are allowed in the DPA at any one time
- Professional dog trainers may not use a DPA for the conduct of their business, unless sponsored by RPD or by obtaining a permit from RPD
- Animals must be leashed when entering and exiting the DPA
- Owners shall be in possession of a leash for each dog at all times with maximum 8 foot leash
- Dogs must be under control of their owners at all times
- Control excessive barking and noise
- Pick up and dispose of dog waste in a proper manner
- Aggressive dogs must be leashed immediately
- Owners are to fill in holes dug by their dogs prior to leaving the DPA
- Dog grooming is not be allowed in any DPA

4.3 RPD/PARTNER RESPONSIBILITIES

Partners and RPD shall share the responsibility for maintaining and monitoring DPAs. The following are general guidelines for each.

RPD

- Maintain and repair surface (subject to budgetary constraints)
- Maintain surrounding landscape
- Repair or replace fencing and other basic amenities

- Maintain informational signs
- Empty waste receptacles
- Liaison with Animal Care & Control
- Enforce hours of operation for DPA
- Regulate hours to best serve maintenance needs
- Provide cost estimates for new or renovated DPAs
- Fulfill all necessary regulatory requirements such as CEQA.

Partners

- Stewardship of DPA to uphold policy standards
- Distribute DPA rules and other educational materials to park users
- Serve as good role models
- Ensure DPA is kept free of animal feces
- Alert RPD/Advisory Committee (see following section 4.2) to maintenance needs
- Help establish priorities for repair and renovation
- Schedule cleanup/workdays as necessary
- Fundraising activities to support additional amenities based on users' needs

Partners will enter into a MOU/permit agreement with RPD under the auspices of the Advisory Committee. (See appendix) Failure to meet standards and responsibilities set forth in the MOU agreement will subject DPA to review by RPD.

4.4 ADVISORY COMMITTEE

RPD will form an official Dog Advisory Committee with balanced representation from the DPA community, children's groups, other park users, and invested government agencies. The Dog Advisory Committee will be moderated by RPD and the General Manager will appoint members. The RPD General Manager will also appoint the chairperson for the Advisory Committee. The committee will consist of 7 members selected from citywide organizations promoting park advocacy such as, but not limited to:

SFSPCA	Neighborhood Parks Council	PAWS
SFDOG	SF Animal Care & Control	Fund for Animals
Coleman Advocates	SF Police Department	Friends of ACC
Native Plant Society	Audubon Society	Sierra Club

Environmental Quality for Urban Parks
Parks, Recreation and Open Space Advisory Committee (PROSAC)
Mayor's Office of Neighborhood Services

Responsibilities of the advisory committee shall include, but are not limited to making recommendations on the following items:

- Identify partnership opportunities
- Organize educational events (i.e. obedience classes, canine good citizen tests)

- Assist in developing and distributing education information
- Organize collaborative events throughout the City (i.e. vaccination and licensing days)
- Assist in the mediation of neighborhood park issues related to DPAs
- Recommend community guidelines
- Promote community relations
- Solicit and identify funding for amenities and improvements not provided by RPD
- Assist in review and evaluation of DPAs & Partnerships
- Act as liaison between users, local residents, and relevant citizen associations
- Meet bi-monthly unless deemed otherwise
- Meetings shall adhere to all City and State public meeting regulations
- Identify 3 (three) alternate DPA experiences in the first year of forming
- Identify rules and outline potential "Gold Bone" program
- Draft language for DPA signs

4.5 HOURS OF OPERATION

DPAs shall be open 7 days per week, within the posted and/or legal hours for any RPD park. Hours of lighted facilities shall be worked out with effected residents/neighborhood and civic associations. RPD reserves the right to restrict any DPA operating hours as needed in accordance with neighborhood input as well as maintenance requirements.

4.6 EVALUATION

DPA evaluations shall be carried out one (1) year after a DPA is first sited, established, and/or significant renovation has been completed. After that, DPAs should be evaluated every three- (3) years. An evaluation should be held in the interim if RPD determines that conditions warrant it. Existing DPAs shall be evaluated within one (1) year of this policy's inception.

DPA evaluations will be conducted by a committee comprised of representatives from RPD, the Advisory Committee, the neighborhood, Animal Care & Control and relevant local citizen associations. The evaluation instrument will be developed with the Advisory Committee and RPD. The evaluations should include utilization, community and fiscal impacts. The evaluation should also include a satisfaction survey of users and neighbors and consider the number, severity, and resolution of complaints and issues raised during the evaluation period.

4.7 SIGNS/RULES

The intent of providing signs is to identify, educate and provide a clear and consistent understanding of the expectations of dog owners within DPA's and other parks throughout the city.

The RPD shall provide and install signs at all DPA's that outline the rules and regulations for those spaces. When appropriate, directional signs will also be installed throughout parks that

contain DPA's. In addition, RPD will install informational signs, which will accompany bag dispensers, at on-leash sites that are used by the dog walking community.

These signs which outline several current San Francisco laws and ordinances also contain information that has proven effective in managing off-leash facilities in other cities.

5.0 SIGN FOR ON-LEASH PARK SPACES - AS REQUIRED
(These signs will accompany bag dispenser)

Your neighbors and the Recreation and Park Department appreciate responsible dog ownership

Please:

- Pick up and remove dog waste
- Leash your dog(s) with maximum 8 foot leash
- Don't leave your dog unattended
- Control excessive barking and noise
- Prevent digging and destructive behavior
- Keep your dog's vaccinations and license current

Thank you,

For information regarding dogs in parks, please contact the RPD @ (415) 831-2700 or Animal Care & Control @ (415) 554-6364

Health Code 40 A&B; 41.12 A-D, 41.15
Park Code 3.02

5.1 SIGN FOR OFF-LEASH PARK SPACES (DPA'S)

Language for DPAs will be developed with advisory committee. Language will reflect simplified rules and regulations.

5.2 ENFORCEMENT

Although previous enforcement has been inconsistent, RPD intends to pursue enforcement of all related state and municipal laws. Enforcement will necessitate a multi-agency effort to include SFPD, ACC, and RPD. RPD strongly believes the greatest voice for following established rules and policies will be from DPA partners and users.

Upon adoption of this policy, a period of ninety (90) days for extensive public education and notice will precede strict enforcement.

6.0 MISCELLANEOUS

6.1 HOW TO PROPOSE A NEW DPA or ALTERNATE USE AREA

In general, users and neighbors, and/or a park partner can submit a written request regarding the establishment of new DPAs, or adding/repairing amenities at existing DPAs to RPD (submit to General Manager). The RPD will evaluate the request and make a recommendation to the Advisory Committee within 60 days of receiving the request. The Advisory Committee will begin public process/negotiations. Siting a DPA shall follow the accepted community-wide planning process, which includes public notification and opportunities for input from users and neighbors, RPD and relevant civic association (s).

6.2 FUNDING

Prior to establishing a DPA adequate funding must be identified by RPD, Advisory Committee and/or community partners. RPD has the primary responsibility for providing the resources necessary for the establishment, maintenance and management of basic DPAs.

RPD will work with DPA Partners, The Dog Advisory Committee and other government agencies to identify support through additional city monies, grants, private and corporate funding, and agency partnerships.

6.3 COMPLAINTS

Complaints and concerns arising inside the boundaries of the DPA should be brought to the attention of the RPD. All complaints will be reported to the Advisory Committee in a staff report. If after 60 days the complaint has not been resolved satisfactorily, the Advisory Committee and the complainant will meet with the appropriate RPD personnel to mediate the situation to resolution.

6.4 PROFESSIONAL DOG WALKERS

RPD requires an RPD Permit and Animal Care & Control agreement form. Please see attached "Dog Walker Agreement Form" provided by San Francisco Animal Care & Control Department. Dog Walkers are required to have a maximum 8-foot leash in their possession for each dog. Animal Care and Control recommends that professional dog walkers not have more than six (6) dogs in their control at any one time. RPD requires no more than six (6) dogs per person be off leash at any one time in a DPA.

6.5 PUBLIC INFORMATION

RPD will provide outreach information by producing signage and brochures that shall be distributed through a number of means including veterinary offices, SFSPCA, pet stores and RPD facilities, as well as the RPD WEB page which will link to other support organizations.

All RPD staffed facilities will provide information on the closest available official DPA (on or off-leash).

7.0 Appendix

7.1 SFRP List of Dog Play Areas
7.2 SFRP Significant Natural Resource Areas
7.3 SFRP Facilities and Permitted Athletic Fields
7.4 Stakeholders
7.5 Municipal Codes
7.6 Animal Care & Control
  7.61 Dog Walker Agreement
  7.62 ACC Codes for dog walkers
7.7 Report of the Advisory Dogs Off-Leash Task Force May 1999
7.8 How do off-leash dogs in SF Parks impact children & families, Coleman Report
7.9 Best Friends and "Park Friends", Neighborhood Parks Council, June 5, 1999

San Francisco Recreation & Park Dog Play Areas

Golden Gate Park
1. Southeast section bounded by Lincoln Way, King Drive, 2nd & 7th Avenues
2. Northeast section at Stanyan and Grove Streets
3. South central area bounded by Martin Luther King Drive, Middle Drive, 34th & 38th Avenues
4. Dog training area (fenced) north central area near 38th Avenue and Fulton Street

Alta Plaza Park
Second terrace of park, on Clay Street between Scott and Steiner Streets

Bernal Heights
Top of hill, entire section bounded by Bernal Heights Boulevard

Buena Vista Park
Buena Vista West at Central Avenue

Corona Heights
Field area adjacent to Randall Museum at Roosevelt Way and Museum Way

Dolores Park
South of tennis courts, between Church and Dolores Streets

Douglass Playground
End of 27th Street, between fence and Diamond Heights Boulevard

Lafayette Park
Near Sacrament Street, between Octavia and Gough Streets

Lake Merced
North Lake area at Lake Merced Boulevard and Middlefield Drive

McKinley Square
San Bruno Avenue and 20th Street, on west slope

McLaren Park
Top of the hill at Shelley Drive and Mansell Street
South section via 1600 block of Geneva or 1600 block of Sunnydale
(exclusive of significant natural resource areas)

Mountain Lake Park
East end of park, north of Lake Street at 8th Avenue

Potrero Hil Mini Park
22nd Street between Arkansas and Connecticut Streets

Stern Grove
North side, Wawona Street between 21st and 23rd Avenues

4. Park and Open Space in San Francisco maintained by the Recreation and Park Department includes:

Park	Acreage
Golden Gate Park	1,017
Lake Merced (WD)	700
McLaren Park	317
Lincoln Park	200
Candlestick Park	77
Glen Park	66.08
Zoo	77.74
Marina Green	74
Crocker Amazon (WD)	55

Ten (10) Swimming Pools: Balboa, Coffman, Garfield, Hamilton, King, Mather, Mission, Rossi, Sava, North Beach

Six (6) Golf Courses: Fleming, Glen Eagles (McLaren Park), Golden Gate Park, Harding, Lincoln, Sharp Park

Facility list/2

Sheet1

Facility Name	Location	Assessor's Block #	Zip Code	Ownership	Acreage	Date - Purchase/First Use	Tennis Courts	Baseball Diamond	Softball	Basketball	Soccer	Rec Ctr/Gym	Clubhouse/Activity Rm.	Children's PA	Kitchen	Showers	Restroom	Comments*	Comments	Comments
Adam Rogers Park	Jennings/Oakdale	4715	24	RP	3.861					1				1			1			
Alamo Square	Hayes/Steiner	799	17	RP	12.695	1877	1							1			1		RR closed	
Alice Chalmers, PG	Brunswick/Whittier	6474	12	RP	1.686	1951	1		1	1			1	1	1		1	WA		
Alice Marble Courts	Greenwich/Hyde	70	09	WD	2.605	1968	3			1									NWA	
Alioto Park - Mini	20th/Capp	3595	10	RP	.164									1						
Allyne Park	Gough/Green	544	23	RP	.735	1965													WA	
Alta Plaza Park	Jackson/Steiner	607	15	RP	11.890	1877	3			½				1			2		NWA	1 ea.for M/F
Aptos PG	Aptos/Ocean Avenue	3266A	27	RP	4.967	1932	1	1	1				1	1	1		1	NWA		
Argonne PG	18th/Geary	1526	21	RP	.828	1926	1			1			1	1	1		1	WA		
Balboa Park, PG & Pool	Ocean/San Jose	3178	12	RP	27.537	1854	4	2	2	1	1			1		2	3		NWA	
Soccer Stadium																				
Bayview Park & Extension	LeConte Avenue	4991/4977	24	RP	41.998	15/97														
Bayview PG	3rd/Armstrong	5420	24	RP	3.433	1929			1					1			1			
King Pool		5420														x	x	NWA		
Beideman/O'Farrell Park-Mini	O'Farrell/Beideman	1100	15	RP	.059															
Bernal Heights-Mini	Prentiss/Eugenia	5654	10	RP	0.062															
Bernal Heights Park	Bernal Heights Blvd.	5548	10	RP	24.213	1973														
Bernal Heights Rec. Ctr. PG	Moultrie/Jarboe	5707	10	RP	.753	1932				1		1		1	1		1	WA		

The City of San Francisco

Cynoglossum grande
Hound's tongue

covers the northern portion of the San Francisco Peninsula - a landscape that was once continuous wildlands from San Bruno Mountain to the Golden Gate Headlands. Here the particular influences of water, wind, sand, and rock created an ecological system different from any other - we call it the *Franciscan biological region*. This unique area was home to many species of plants and animals - some of which never lived anywhere else. Today, only small pieces of this rare *Franciscan* environment remain, supporting the last remnants of what was once the rich *biodiversity* of the region. These are the Significant Natural Resource Areas, now preserved and protected by the Recreation and Park Department.

Biodiversity

Bio refers to life, *diversity* means many different kinds. *Biodiversity*, then, is simply the many different kinds of life. This includes all the species of living organisms as well as the multitude of different ecosystems created by organisms' interactions with each other and their environment. Species of animals, plants, fungi, bacteria, and the many single-celled organisms vary around the planet - and so does their physical environment. Factors such as distance from the equator and the poles (latitude), elevation, climate and wind pat

Ischnura gemina
San Francisco forked-tail damselfly

City and County of San Francisco
Recreation and Park Department
McLaren Lodge, Golden Gate Park
San Francisco, CA 94117

Significant Natural Resource Areas of San Francisco

Rhamnus californica California coffeeberry

San Francisco Recreation & Park Significant Natural Resource Areas

Bayview Hill
Bernal Hill
Billy Goat Hill
Brooks Park
Buena Vista Park
Corona Heights
Dorothy Erskine Park
Duncan Castro Open Space
Edgehill Mountain
Fairmont Park
Glen Canyon
Golden Gate Heights
Golden Gate Park
- oak woodlands
- selected lakes
- Strawberry Hill
Grandview Park
Hawk Hill
India Basin
Interior Greenbelt
Kite Hill
Laguna Honda
Lake Merced
McLaren Park
Mount Davidson (west side)
Mountain Lake Park
Palon-Phelps Open Space
Parcel Four/ Sutro Baths
Pine Lake
Rock Outcrop
Rolph Nicol Park
Sharp Park – Pacifica
Twin Peaks

Significant Natural Resource Areas

Small fragments of these original natural communities still survive in San Francisco. These are the Significant Natural Resource Areas (SNRAs). They are essentially "islands" in a "sea" of a human-built environment. This *fragmentation* has many effects which threaten their continued existence. In order to counteract these threats, people need to help care for them. They are the last vestiges of the beautiful and unique ecosystems that are our natural heritage in San Francisco. Our actions can help to guarantee their survival.

botanical illustrations copyright 1997 Amy David
mushroom illustration by Kris Peterson
San Francisco forked-tail damselfly illustration by Thomas Wang
pamphlet text, layout and design by Katie Bode

nds, awash with the color of
and coast live oak. Rocky
eadows. Lizards and snakes bathed in
hind fed in the meadows and the oak groves.
Bees and butterflies and a multitude of other
d and lay their eggs, filled the air with the buzz and
rance - mushrooms and truffles and puffballs popped up

ude of plants adapted to shifting grounds and quick-draining soils,
changing environment. It was the same in the eastern saltmarshes and
and the wide stretch of ocean beach. Each different area of what
each well-adapted to its particular environment and neighbors

ural Resource Areas

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human-built environment. This *fragmentation* has many effects
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San Francisco Recreation & Park Significant Natural Resource Areas

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Glen Canyon
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lvement in e groups and to create such groups for all the S
lved, check this list of SNRAs and community groups. If you are interested in ea that does not have a
ip, call the Restoration Team Volunteer Hotline, at 415-831-2778.

n Canyon
nds of Glen Canyon
Sat of every month:
n Conner 584-8576

nal Hill
nal Hilltop Native Grasslands
toration Project
Sunday every month
rbara Pitschel
2-5066

ountain Lake Park
lends of Mountain Lake
dy Whitt 387-7120

ooks Park
ter Vaernet 554-2841

Corona Heights
Corona Heights Native Grasslands
Restoration Project
last Sat every month
Margaret Goodale 554-9604

Oak Woodland: Golden Gate Park
Oak Woodlands Restoration
Susan Arnesen 566-1876

McLaren Park
Friends of McLaren Park
2nd Sat every month
Jo Coffey 585-6506
David Graves 585-3909

Lake Merced
Friends of Lake Merced
John Plummer 991-0409

Stern Grove/Pine Lake
Friends of Sigmund Stern Grove/Pine Lake
last Saturday every month
Marvin Cohen 759-7425

Buena Vista Park
Friends of Buena Vista Park
1st Sat every month
Isabelle Wade 621-3260
Buena Vista Neighbors Association
John Hooper 626-3260

Other Significant Natural Resource Areas

Golden Gate Park
- Selected Lakes
- Strawberry Hill

Richmond
- Park Presidio
- Lincoln Park

Sunset
- Rolph Nicol (southern edge)
- Hawk Hill
- San Francisco Zoo
- Interior Greenbelt
- Grandview Park
- Golden Gate Heights
- Rock Outcrop

Sharp Park (Pacifica)

Castro/Twin Peaks
- Kite Hill
- Tank Hill
- Twin Peaks

Glen Park
- Dorothy Erskine Park

Noe Valley/Diamond Heights
- Fairmont Park
- Billy Goat Hill

Miraloma Park
- Edgehill Mtn. Open Space
- Mt. Davidson (west side)

Bayview/Hunter's Point
- Bayview Park

Invasive non-native plant and animal species are those that are introduced to an area they did not previously inhabit and then quickly spread and take over. They arrived here (and all around the world) in many different ways. Some were brought here deliberately - for instance, horticultural plants that "escaped" from peoples' gardens. Others were "stowaways" - such as the European species of rats that came over in ships' holds and the seeds of plants that got stuck to travellers' belongings. Such long-distance transport of organisms has always happened, but in the last 400 years, as we have explored and inhabited the planet, human activity has greatly increased the rate and frequency of introductions.

The majority of introduced species are not invasive. They pretty much stay where they land or are placed, or they die out. But the very small minority that do take hold and spread are single-handedly responsible for altering ecosystem processes, damaging natural areas, displacing native species, and even causing local extinctions. And, if the displaced species has a small range and population to begin with, complete extinction often occurs.

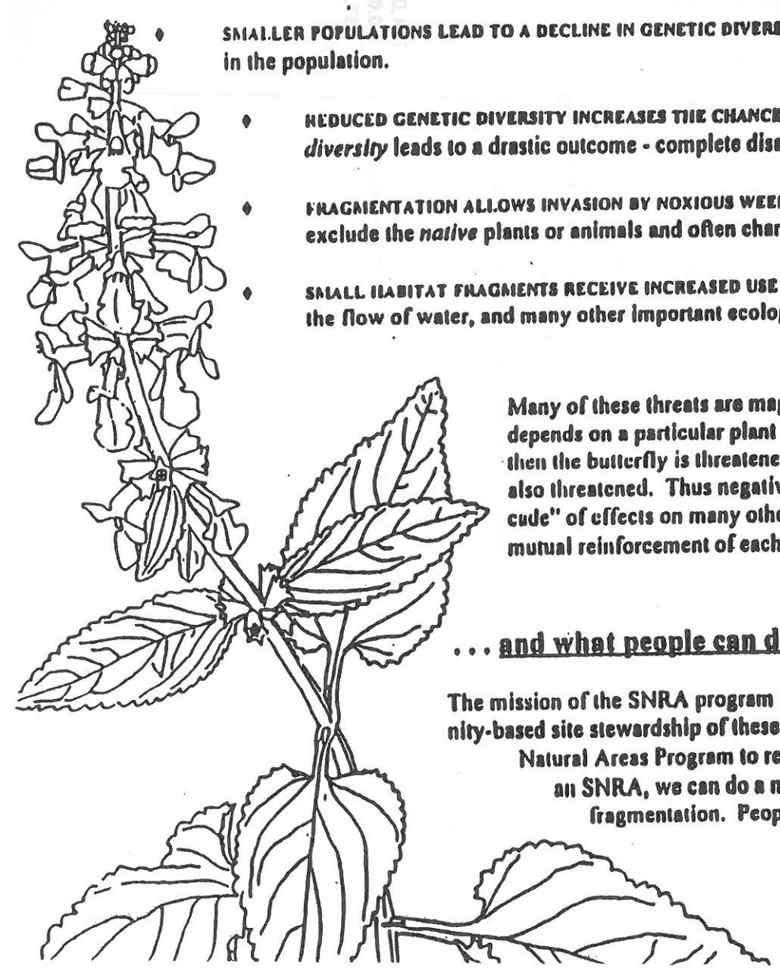
Some of the most serious threats in San Francisco come from these non-native plants:

eucalyptus trees	fennel
French Broom	annual European grasses
Scotch Broom	Cape ivy
yellow star thistle	English ivy
pampas grass	iceplant

Factors that threaten SNRAs . . .

Because the SNRA's are small, fragmented, and isolated from one another, the biodiversity within each area is threatened in many ways:

- SMALL AREA MEANS SMALL POPULATIONS - Fewer numbers of individuals can survive in smaller areas than in large ones. This increases their chances of extinction.
- SMALLER POPULATIONS LEAD TO A DECLINE IN GENETIC DIVERSITY - Fewer numbers of individuals means fewer numbers and types of genes survive in the population.
- REDUCED GENETIC DIVERSITY INCREASES THE CHANCE OF EXTINCTION - For many species, reduction in their numbers and in their *genetic diversity* leads to a drastic outcome - complete disappearance from a site they historically occupied.
- FRAGMENTATION ALLOWS INVASION BY NOXIOUS WEEDS - The spread of a number of non-native invasive species of plants and animals exclude the *native* plants or animals and often change fundamental ecosystem processes so much that the ecosystem begins to change.
- SMALL HABITAT FRAGMENTS RECEIVE INCREASED USE - Erosion and other human-induced physical changes threaten the integrity of slopes, the flow of water, and many other important ecological factors.



Many of these threats are magnified by the interconnectedness of the entire system. For instance, if a butterfly depends on a particular plant for food and to lay its eggs, and the plant is threatened by the spread of invasive plants, then the butterfly is threatened as well. And if another organism feeds on the butterfly larvae, then that organism is also threatened. Thus negative effects on one species can easily reverberate through the system and create a "cascade" of effects on many other species - which means that all these threats to SNRAs are compounded by their mutual reinforcement of each other.

. . . and what people can do to help

The mission of the SNRA program is to restore and enhance remnant natural areas and to develop and support community-based site stewardship of these areas. Volunteers from communities all over the city are working with the city Natural Areas Program to restore remnant natural areas. While we cannot (usually) increase the size of an SNRA, we can do a number of things that will reduce the negative effects of small size and fragmentation. People can:

- remove and prevent the spread of invasive non-native species
- help native vegetation and small native plant populations by collecting seed, propagating plants in nurseries, and planting them back out in SNRAs
- restore damaged plant and animal habitat within the SNRAs to a condition

San Francisco Recreation and Park Department
Facilities List

Compiled by Deborah Learner
Revised: 1998

Column Code

Ownership:

- RP - Recreation and Park
- ED - Board of Education
- WD - Water Department
- RA - Redevelopment Agency
- DPW - Department of Public Works
- PO - Police Department
- Lib - Library
- ST - State
- PC - Port Commission
- PUC - Public Utilities Commission
- LP - Leased from private party
- HA - Housing Authority
- RE - Real Estate
- WM - War Memorial

Statistical Information:

1. Approximately 227 properties on list.
2. Acreage and Jurisdiction of recreation and open space resources:

	Acreage
Recreation and Park Department parcels in S.F.	2,523.881
Other City department properties maintained by Rec/Park	793.46
Total acreage in San Francisco maintained by Recreation and Park Department	3,317.341
Candlestick Point State Park	171.00
GGNRA (with Presidio)	2,066.00
Grand Total Open Space in San Francisco	5,383.341
Rec/Park Lands Outside San Francisco:	
Rec/Park: Fuhrman Bequest, Kern County	1,516.00
Rec/Park: Camp Mather, Tuloumne County	328.78
Rec/Park: Sharp Park Golf Course, San Mateo County	454.72
Total Rec/Park outside San Francisco	2,299.50
Total acreage maintained by Recreation and Park Department	5,616.841

3. Per capita open space:
   - Population of San Francisco, 1990 census: 724,000
   - Open Space Acreage/person in San Francisco: 0.007
   - Square feet/person: 337.07

Facility Name	Location	Assessor's Block #	Zip Code	Ownership	Acreage	Date - Purchase/Fnx Use	Terms Courts	Baseball Diamond	Softball	Basketball	Soccer	Rec Ctr/Gym	Clubhouse/Activity Rm.	Children's PA	Kitchen	Shower	Restroom	Commerce*	Commerce	Commerce
Billy Goat Hill	Laidley/30th	7537/7538	31	RP	4.1	1977														
Boeddeker, Fr. A.,Neigh. Pk.	Ellis/Taylor/Eddy/Jones	332	02	RP	.970	1976				1			1	1	1		1	WA	+ Decaux	
Bonview Lots	Bonview/Bocana	5614/5547	10	RP	.846				Open Space											
Brewster Street	Bernal	5556	10	RP	.20	78/79														
Broadway Tunnel East-Mini	Broadway/Himmelman	158	33	DPW	.101	71/75														
Broadway Tunnel West-Mini	Leavenworth/Broadway	155	33	DPW	.072	1982								1						
Brooks Property	373 Ramsell	7074	32	RP	.830	1966								1						
Buchanan St. Mall	Buchanan betw. Grove & Turk	NA	02	RP	1.819	1976				2.5				1						
Buena Vista Park	Buena Vista/Haight	2601	17	RP	36.000	1894	2							1			1		RR closed	
Bush/Broderick Mini	Bush/Broderick	1053	15	RP	.183	1972								1						
Cabrillo PG	38th/Cabrillo	1681	21	RP	0.835	1931	1			1			1	1	1		1	WA		
Camp Mather	Mather, Tuolomne County	NA	95321	RP	328.7	1924	1	1		.5			1	1	1	1	1			
Campbell Rutland-Mini	Campbell Ave./E.Rutland	6208	34	WD	.506	1971								1	expansion lot being negotiated with WD					
Cayuga/Lamartine-Mini	Cayuga/Lamartine	6786	12	RP	.115	1970								1						
Cayuga PG	Cayuga/Naglee	7095 A/B	12	RP	2.915	1951	1		1	1			1	1	1		1	WA		
Chester Street Mini	Chester St. near Brotherhood	7124	32	DPW																
Chestnut & Kearny-Mini	NW Chestnut/Kearny	55	33	RP	0.047	1905														
Chinese Playground	Sacramento/Waverly	255	08	RP	.591	1927	1			1			1	1	1		1	WA		
Chinese RC	Washington/Mason	213	08	RP	.651	1949				2		1		2	2	3	3			PWA

Sheet1

Facility Name	Location	Assessor's Block #	Zo Code	Ownership	Acreage	Date - Purchase/First Use	Tennis Courts	Baseball Diamond	Softball	Basketball	Soccer	Rec Ctr/Gym	Clubhouse/Archery Rm.	Children's PA	Kitchen	Showers	Restroom	Comments*	Comments	Comments
Christopher PG	Diamond Hts/Duncan	7521	31	RP	6.722	1971	1			1							2	WA	1F/1M	
City Hall Grounds	Van Ness/Grove	787	02	RE		Maintained by Rec/Park														
Civic Center Plaza	Grove/Larkin	786	02	RP	5.659	1912								2						
Coffman Pool (see Herz PG)	Visitacion/Hahn	6220	34	RP															RR is Decaux	
Coit Tower (see Pioneer Pk.)	Telegraph Hill Blvd.	79	23	RP		1933										X	X		NWA	
Coleridge	Coleridge/Esmeralda	5615	11	RP	.172	1984											1		NWA	
Corona Heights:	16th/Roosevelt	2615	14	RP	16.557															
Randall Museum	199 Museum Way		14																	
Pelkotto PG	Beaver/15th Street		14		(1.5)		2						1			1	1		Auditorium citywide	
States Street	States St./Museum Way		14		(2.5)		2		1	1			1	1	1	1	1		preschool lease	
Coso/Precita-Mini	Coso/Precita	5517	10	RP	.250									1			1		volleyball, RR closed	
Cottage Row-Mini	Sutter/E. Fillmore	677	15	RP	.153	1989	lots 46, 12												Coso Square	
Cow Hollow PG	Baker/Greenwich	942	23	RP	.152	1950														
Crocker Amazon PG	Geneva/Moscow	6264A	12	WD	54.950	1934	3	4	1	2	3		1	1	1		1	NWA	1 rr for m/l/e	
Diamond Heights lots	200 Berkeley Way	7524	31	RP	1.069	1976							1	3	1	1	2		bocci ball	PWA/nt.Rs.
	6 Crags	7523	31	RP	.667															
	1701 Diamond/29th	7536	31	RP	.623															
Dorothy Erskine Pk.	Martha/Baden	6735/6761	31	RP	1.300	75-76														
Douglass PG	Upper/26th Douglass	7500	14	RP	10.460	1926	1	1	1	1			1	1	1		2	WA	1 l/1 m	

Page 3

Sheet1

Facility Name	Location	Assessor's Block #	Zo Code	Ownership	Acreage	Date - Purchase/First Use	Tennis Courts	Baseball Diamond	Softball	Basketball	Soccer	Rec Ctr/Gym	Clubhouse/Archery Rm.	Children's PA	Kitchen	Showers	Restroom	Comments*	Comments	Comments
Duboce Park	Duboce/Scott	876	17	RP	4.214	1900				1				2			1			
Harvey Milk Center			17									1					1			
Duncan & Castro Lots	Diamond Heights	6590	31	RP	.337	1976											1	Citywide, PWA		
DuPont Courts	30th Ave./Clement	1403	21	RP	.626	1932	4													
Edgehill Mountain	Edgehill/Kensington Way	2923	27	RP	1.06	1981	(1997 additional parcels proposed for acquisition)										1			
Ella Hill Hutch Center	1000 McAllister	772	15	RA	2.34									1						
Embarcadero Plaza	Market/Steuart	3714	11	RP	.789	maintained by Embarcadero Center													RP meintains grounds	
(Ferry Plaza)	Market/Embarcadero	233			2.630															
Esprit Park	Minnesota/20th St.	4061/267			(1.636)	proposed for acquisition														
Eureka Valley PG/RC	Collingwood/18th	2694	14	RP	1.917	1951	1		1	1		1	2	1	1	1	1	PWA		
Everson/Digby Lots	61 Everson	7543	31	RP		1976														
	101 Topaz (Diamond)	7533	31	RP	.941															
Excelsior PG	Russia/Madrid	6088	12	RP	1.607	1913	1		1	1			1	1	1		1	WA		
Fairmont Plaza	Fairmont/Miguel	6662A	31	RP	.731	1970														
Fifteenth Ave. Steps	Kirkham/15th Avenue	1860	22	RP		Under negotiation														
Fillmore/Turk Mini	Fillmore/Turk	756	15	PUC	.228	1975								1						
Fleming Golf Course	Lake Merced	7283	32	WD																
(see Lake Merced)																				
Fort Funston	Great Highway	7282	32	RP	3.517															

Sheet1

Facility Name	Location	Assessor's Block #	Zip Code	Ownership	Acreage	Date - Purchase/First Use	Tennis Courts	Baseball Diamond	Softball	Basketball	Soccer	Rec Ctr/Gym	Clubhouse/Activity Rm.	Children's PA	Kitchen	Showers	Restroom	Comments	Comments	Comments
Franklin Square	16th/Bryant	3963	10	RP	4.408	1868					1			1			1			
Fuhrman Bequest	Fresno County	NA		RP	20.000															
Fuhrman Bequest	Kern County	NA		RP	1436.0															
Fuhrman Bequest	Monterey County	NA		RP	20.000															
Fulton Playground	27th Avenue/Fulton	1670	21	RP	.826	1938	1			1			1	1	1		1	NWA		
Garfield Playground	25th/Harrison	6523	10	RP	2.925	1881			1	1			1	1		1	1	PWA		
Garfield Pool	25th/Harrison															2	2			
Gas House Cove (see Marina)	Marina/Laguna	900	23	RP																
Geneva Avenue Strip	Geneva/Delano	696A	12	RP	.247															
Gilman Playground	Gilman/Griffiths	4963/4945A	24	RP	7.026	1938			1	1			1	1	1		1	WA volleyball ?		
Glen Park Open Space Lots	Diamond/Fermum	7549	31	RP	.088															
Glen Park PG/RC/Canyon	Chenery/Elk	7560	31	RP	66.661	1923	2	1	1	1	1	1		1	1		4	NWA shower unusable		
Silver Tree Day Camp												1			1		1			
Golden Gate/Steiner-Mini	Golden Gate/Steiner	755	15	RP	.092									1						
Golden Gate Heights (Sunset Hts.)	12th Ave./Rockridge Dr.	2132/AB 1700, 1284,	14	RP	4.870	1924	2							1			1			
Golden Gate Park	Fell/Stanyan	1283	17	RP	1,017.0	1870		See below												
Golden Gate Park	Angler's Lodge																1			
Golden Gate Park	Bandstand																1			
Golden Gate Park	Beach Chalet										4						1			

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Golden Gate Park	Bowling Green																1			
Golden Gate Park	Conservatory												1				1			
Golden Gate Park	Golf Course																1			
Golden Gate Park	County Fair Building																1			
Golden Gate Park	Kezar Stadium												1		1		1			
Golden Gate Park	Kezar Pavilion																1			
Golden Gate Park	Maintenance Yard										1						1			
Golden Gate Park	Nursery															1	1			
Golden Gate Park	Senior Center																1			
Golden Gate Park	Sharon Bldg.					Parcourse, vegetable garden							1		2		1	WA		
Golden Gate Park	Stables					cul							1				1	arts & crafts citywide		
Golden Gate Park	Stow Lake Boathouse																1			
Golden Gate Park	Tennis Court						21									1	1			
Golden Gate Park	McLaren Lodge												1				1	WA		
Golden Gate Park	Polo Field														1	1	4			
Golden Gate Park	Panhandle					Parcourse					4						1			
Golden Gate Park	Big Rec									3				1			1			
Golden Gate Park	10th/Fulton					sth		2						1			1			
Golden Gate Park	Mother's Meadow													1						
Golden Gate Park	Lincoln Avenue PG													1						

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Grandview Park Open Space	Noriega/15th Avenue	1928B	22	RP	.610	75/79	undeveloped open space													
Grandview Park & Extension	Moraga/14th Avenue	2034A	22	RP	3.705	1923	natural area													
Gratten PG	Stanyan/Alma	1283	17	RP	1.524	1949	1		1	1			1	2	1		1	NWA Nursery		
Great Highway	Sloat to Pt. Lobos		21	RP													3			
Hall of Justice	850 Bryant Street	3759	03	PO	2.0		RP maintains grounds													
Hamilton PG, RC and Pool	Geary/Steiner	703	15	RP	3.947	1911	2	1	1	1	1	1		2	1	1	1	PWA	Rec Ctr has gym	
Harding Golf Course(see Lake Merced)	Harding Boulevard	7283	32	WD		1922											1			
Harvey Milk Ctr. - Rec & Arts Bldg. (see Dolores Park)	50 Scott Street	876	17	RP																
Hawk Hill	14th Avenue/Rivera	2338	16	RP	2.653	natural area - additional lots under negotiation												citywide		
Hayes Valley PG	Hayes/Buchanan	819	02	RP	.606	1937	1			1			1	1	1		1		lighting, PWA	
Head/Brotherhood-Mini	Head/Brotherwood Way	7135	32	DPW						1				1						
Helen Wills PG	Broadway/Larkin	573	09	RP	3.989	1915	1		1	1			1	1	1		2	PWA		
Herz PG/Coffman Pool(McLaren Pk)	University/Hahn	6220	34	RP			1		1	1			1	1	1	1	1	PWA		
Hilltop Park	La Salle/Whitney Yg. Circle	4713	24	RP	3.83									1			1			
Holly Park	Holly Circle	5714A	10	RP	7.500	1870	1		1	1	1			1			1			
Howard/Langton-Mini	Howard/Langton	3730	03	RP	.215	1970														
Hunters Pt. RC & Gym (Milton Meyer Center)	195 Kiska Road	4700	24	HA	2.681				1	1		1	0	1	1	1	1	NWA		
Huntington Park	California/Taylor	245	06	RP	1.073	1915								1			1			
Hyde St. Reservoir (Russian Hill Pk)	Hyde/Bay	47	09	WD	.947	1947														

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Hyde/Vallejo-Mini	Hyde/Vallejo	124	09	RP	.100									1						
Ina Coolbrith Park	Vallejo/Taylor	128	33	RP/DPW	.434	1931														
India Basin	E. Hunters Pt. Blvd.	4598 4605, 4622, 4629A, 4596, 4606,4597, 4607, 4630	24	RP		1987	DPW and Port St. rights-of-way to be transferred													
India Basin	Hudson Avenue/Evans	4622	24	RP	9.316	1987-1991							1				1			
India Basin-Ferrari Shoreline	Griffith betwn.Fairfax/Galvez	4621	24	RP	2.46	1987														
Interior Green Belt	Sutro Forest	2634A	17	RP	20.746															
J. P. Murphy PG	1960 9th Avenue	2126	16	RP	1.222	1983	3			1			1	1	1	0	2	PWA	1M/1F	
Jackson Playground	17th/Carolina	3981	07	RP	4.408	1912	1	1	1	1			1	1	1	1	1	nightlight, WA		
James Lang Field (Part of Margaret Hayward PG)	Gough/Turk	759	02	RP		1922			2									nightlight		
Japanese Peace Pagoda	Post/Buchanan/Geary	700	15	RP	.596															
and Plaza		700	15	RP		1966														
Jefferson Square	Eddy/Gough	745	02	RP	5.642															
Joost/Baden-Mini	Joost/N of Baden	6765	31	DPW	.115	1970												1	RR closed	
Jose Coronado (Folsom) PG	21st/Folsom	3611	10	RP	.787	1925	1	1	1	1	1	1		1						
Joseph Conrad Square-Mini	Columbus/Beach	24	33	RP	.25	76-78	litter and debris maintained by merchants													

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Joseph Lee Rec Center	Oakdale/Mendell	5310	24	RP	1.837		1			1		1	0	1	1	1	1	PWA		
Julius Kahn PG	Jackson/Spruce	1300	18	US	7.294	1922	4		1	1	1		1	1			1	NWA		
Junipero Serra PG	300 Stonecrest Drive	7237	32	RP	1.508		1		1	1			1	1	1		1	PWA		
Juri Commons-Mini	San Jose/Guerrero/25th	6532	10	RP	0.26									1						
Justin Herman Plaza	Clay/Embarcadero	202	11	RP	3.619	1978														
(Embarcadero Plaza)																				
Keamy Street Steps	Vallejo/Fresno	145	33	DPW	(.10)															
Kelloch/Velasco	Kelloch/Velasco	6361	34	RP	1.75	76-77				2				1						
Kimbell PG	Pierce/Ellis	706	15	RP	5.441				2				1	1			1		nl. lighted	
King Pool (Bayview Park)	3rd Street/Carroll	5420	24	RP												1	1			
Kite Hill	Yukon/19th	3701A, 3715, 1710	14	RP	2.30	1977														
Koshland Park	Page/Buchanan	851	02	RP	.868	1974				.5				1						
Lafayette Square	Washington/Laguna	625	15	RP	11.487	1870	2			1				1			1			
Lake Merced	Skyline/Lake Merced	7283	32	WD	700.480	368 acres water, 170 acres Harding														
Lake Merced Sports Ctr.	Skyline Blvd./Harding		32	WD		Concession									1		1	fishing/boating		
Harding Golf																				
Fleming Golf																				
Lakeview-Ashton Mini Park	Lakeview/Ashton	7010/7054	12	RP	.25	1976														

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Larsen Park and Sava Pool	19th Avenue/Vicente	2477	16	RP	6.610	1926	1		1	1				1			1			
Laurel Hill PG	Euclid/Collins	1068	18	RP	1.418	1949	1		1	1				1	1		1	PWA		
Le Conte Avenue Mini	Le Conte/Meade		24		0.110															
Lessing-Sears-Mini	Lessing/Sears	7160	12	RP	.057	1970														
Library- Anza	550 37th Avenue	1508	21	Lib	.41										check site					
Library-Bernal	500 Cortland	5707	10	Lib	.027	Rec/Park maintains														
Library-Eureka Valley	3555 16th Street	3564	14	Lib	.031	Rec/Park maintains														
Library-Excelsior	4400 Mission	6797	12	Lib		Rec/Park maintains														
Library-Main	Civic Center	353	02	Lib	.80	Rec/Park maintains												*Currently, landscape maintenance is under contract till the end of		
Library-Marina	Chestnut/Webster	469	23	Lib	.098	Rec/Park maintains														
Library-Merced	155 Winston Dr.	7236	32	Lib	.269	Rec/Park maintains														
Library-Noe Valley	451 Jersey	6539	14	Lib	.048	Rec/Park maintains														
Library-Ortega	3223 Ortega	2094	22	Lib	.034	Rec/Park maintains														
Library-Parkside	1200 Taraval	2351	16	Lib	.126	Rec/Park maintains														
Library-Potrero	20th/Arkansas	4068	03	Lib	.031	Rec/Park maintains														
Library-Presidio	3150 Sacramento	1006	15	Lib	.81	Rec/Park maintains														
Library-Richmond	351 9th Avenue	1441	18	Lib	.20	Rec/Park maintains														
Library-Sunset	1305 18th Avenue	1773	22	Lib	.17	Rec/Park maintains														
Library-West Portal	190 Lenox Way	2919	27	Lib	.047	Rec/Park maintains														
Library-Western Addition	1550 Scott Street	703	15	Lib	.176	Rec/Park maintains														

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Lincoln Park Golf	34th Avenue/Clement	1313	29	RP	204.068	1909							1		1		1			
Little Hollywood Park	Lathrop-Tocoloma	4991	34	RP	1.0	76-77				1				1	Lot 60 (portion leased)					
Louis Sutter PG (McLaren Park)	University/Wayland	6220	34	RP			2		2	1	1		1	2	1		1	WA	clubhouse closed	
Lower Great Highway	Lincoln/Sloat	NA	16	RP	3.517												1			
Margaret Hayward PG	Laguna, Turk	759	02	RP	5.343	1922	2			2	1		1	1	1	1	1	Lang Field, WA		
Marina Green	Marina Blvd.	900	23	RP	74.165	1921	course										2			
Marina Yacht Harbor:	Marina		23	RP																
Gas House Cove																	1			
Golden Gate Yacht Club						leased to club														
St. Francis Yacht Club						leased to club														
Marina Plaza (Washington Sq.)	Columbus/Union	102	11	RP																
Maritime Plaza	Battery/Clay	204	11	RP	1.0	maintained by Golden Gateway Corp														
McCoppin Square	24th Avenue/Taraval	2351	16	RP	7.570		2	1						1	1		1	Nursery School		
McKinley Square	20th/Vermont	4091/4076	07	RP	2.486	1868								1						
McLaren Golf Course (McLaren Pk.)	2100 Sunnydale Avenue	6220	34	RP																
McLaren Park	Visitacion Valley	6220	34	RP	317.975		6		0	0	2		1	3			2	amphitheater		
Herz PG/Coffman Pool			34		(3.4)															
Louis Sutter PG			34		(17.045)															
Merced Heights PG	Byxbee/Shields	7078	32	RP	1.033		1			1	1		1	1	1		1	PWA	lights	

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Michelangelo PG	Greenwich/Jones	93	09	RP	.434	1966				1/2				1				WA		
Midtown Terrace PG	Clarendon/Olympia	2736	31	WD	13.370	1961	4	0	0	1	0		1	1	1		1	WA		
Miraloma PG	Omar/Sequoia Ways	2955B	27	RP	2.253	1949	1		1	1			1	1	1		1	WA		
Mission Center	2450 Harrison	3612	10	RP	.421	1976				2		1			1	2	4	WA	racquetball	
	2460 Harrison	3612	10	RP	.211	1991	acquisition pending							1						
Mission Dolores Park	18th/Dolores	3566/3599	10	RP	13.370	1905	6			1	1		1	1			1	WA	lights	
Mission PG	Valencia/Cunningham	3597	10	RP	.23	75-76	2	1		1	1		1	1	1	1	1			
Urban Life Skills Ctr., Pool	19th/Linda	3597	10	RP	1.068	1916	2	1		1	x		1	1	x		x	WA		
Monterey Conservatory	Monterey Baden	6770	31	RP	.189	78-80														
Moscone PG (Funston)	Chestnut/Buchanan	469	23	RP	12.05		4	1	3	2		1		2	1			WA	nightlight	
Mount Davidson	Myra Way	3015/2961A	27	RP	39.420	1929														
Mount Olympus	Upper Terrace	2629A	17	RP	.230	1887												NWA		
Mountain Lake Park	12th Avenue/Lake Street	1345	18	RP	15.000	1887	4							1			1		percourse	
Mullen/Peralta-Mini	Mullen/Peralta Mini	5536	10	RP	.165		Open Space													
Noe/Beaver-Mini	Noe/Beaver	3561	14	RP	.058	1983														
Noe Valley Courts	24th/Douglass	2829	14	RP	.925	1936	1			1				1			1			
North Beach PG, Pool	Lombard/Mason	75	33	RP	2.520	1909	3		2	1			1	1	1		2	PWA	Bocce	
O'Shaughnessey Hollow	O'Shaughnessy Blvd.	2949A	31	RP	2.445	1996	natural area													
Oceanview PG, RC	Capital Avenue/Montana	7068	12	RP	10.265	1931	2	1	1	1	1	1		1	1	1	1		NWA	

Facility Name	Location	Assessor's Block #	Zip Code	Ownership	Acreage	Date - Purchase/First Use	Tennis Courts	Baseball Diamond	Softball	Basketball	Soccer	Rec Ctr/Gym	Clubhouse/Activity Rm.	Children's PA	Kitchen	Showers	Restroom	Comments*	Comments	Comments
Page-Laguna-Mini	Page/Laguna	852	02	RP	.152	1970														
Palace of Fine Arts/	3601 Lyon Street	916	23	RP	15.720	1927								1						
Exploratorium/																	1	WA		
Theater																		WA		
Palega PG, RC (Portola)	Felton/Holyoke	5929/5930	34	RP	4.959	1926	2	1	1	1		1					x	PWA		
Palou-Phelps-Mini	Palou at Phelps	5329	24	SP	.0688	1972		1		1/2					1	1	1	NWA		
Parcel Four	Great Highway/Balboa	1592	22	RP/DPW		1995		natural area/pathways						1	addl. parcels being negotiated- natural areas					
Park Presidio Blvd.	Park Presidio Blvd.	NA	29	RP	23.000	1903														
Parkside Square	26th Avenue/Vicente	2469	16	RP	7.460	1967	4		1	1				1			1			
Peixotto PG (see Corona Hts.)	15th/Roosevelt	2615	14	RP																
Pine Lake Pk (adj. to Stern Grove)	Crestlake/Vale/Wawona	2500A	32	RP	30.956	1950												Nursery school		
Pioneer Park (Coit Tower)	Telegraph Hill	79	33	RP	4.920	1933								1		1	1	NWA day camp		
Portsmouth Square	Kearny/Washington	209	06	RP	1.321												1			
Potrero del Sol	Potrero/Army	4277	10	RP	4.6	1976								1	2		1			
Potrero Hill-Mini	Connecticut/22nd Street	4163	07	RP	.631	1971									1			amphitheatre (Knudsen Bloom)		
Potrero Hill PG, RC	22nd/Arkansas	4163	07	RP	9.543	1926	2	1	1	1		1			2	1	1	1	PWA	
Precita Park	Precita/Folsom	5516	10	RP	2.098	1870									1					
Presidio Heights PG	Clay/Laurel	1009	18	RP	.434	1910	1			1			1	1	1		1	NWA		
Randall Museum (see Corona Hts.)	199 Museum Way	2615	14	RP														PWA	theater, citywide	

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Randolph-Bright Mini	Randolph/Bright	7090	32	RP	.066	1972								1						
Richmond Center	18th Ave./Lake St./Calif.	1415	18	ED	.626	1990		99-year lease				1			1		1			
Richmond PG	18th Avenue/Lake Street	1378	21	RP	.626	1916	1			1				1	1	1	1	NWA		
Richmond Police Stn.-Mini	7th Avenue/Anza	1538	16	PO																
Ridge Top Plaza	Whitney Young Circle	4711	24	RP/WD	1.134									1	(Arguello Park)					
Rochambeau PG	24th Avenue/Lake Street	1384	21	RP	.626	1930	1			1					1		1			
Rock Outcropping	Ortega/14th Avenue	2050A	22	RP	1.329	1991		Lots 11, 12, 21, 22, 6						1	1	1	1	NWA		
Rolph Nicol Park (Eucalyptus Park)	Eucalyptus Dr./25th Avenue	7295	32	RP	2.5	1948														
Rolph PG	Potrero Ave./Army Street	4276	10	RP	3.084	1921	2		1					1				WA		
Rose Parks Senior Center	1111 Buchanan/Golden Gate		15	HA	.610	1981		Rec/Park maintains					1	1	1		1	WA		
Rossi PG, Pool	Arguello Blvd./Anza	1140	18	RP	6.535	1933	2	1	1	3				1		1	1			
Rowing Clubs: Dolphin/South End	Aquatic Park	405A	23	RP	.69			Land is leased												
Russian Hill Park	Hyde/Larkin/Chestnut	47	09	RP		1947		Hyde Street Reservoir												
Saint Mary's PG, RC	Murray St./Justin Dr.	5601	12	RP	13.530		3	1	1	2		1		1	1	1	1		PWA	
Saint Mary's Square	California Street/Grant	258	06	RP	1.266	1904-1991											1	PWA		
Saturn Street Steps	Saturn/Ord	2626	14	RP	.093	1983		Lot 10-A and DPW street right-of-way												
Sava Pool (see Larsen Park)	19th/Wawona	2477	16	RP												2	2			
Selby/Palou-Mini	Selby/Quesada/Palou	5331	24	DPW/ST	.204	1956				1				1						
Seward St. Park & Ext.-Mini	Seward/Acme Alley	2714	14	RP	.405	72, 77								1						

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Sgt. John Macaulay-Mini	Larkin/O'Farrell	716	02	RP	.2	75-76														
Sharp Park Golf Course	Pacifica, San Mateo Co.	NA	94044	RP	454.720									1						
Silver Terrace PG	Silver Avenue/Bayshore	5396	24	RP	5.610	1953	1	1	1	1			1	1	1	1	1	archery		
Silver Tree Day Camp	Chenery/Elk	7560	31	RP		See Glen Canyon Park.							1		1		1	WA, volleyball		
South of Market Lot	SE Sherman/Cleveland	3754	03	RP	1.406	1997	Deal with School District (McCormick Property)										1			
South of Market Park	Folsom/Harriet/6th	3731	03	RP	1.91	1981				2		1	1	1	1	2	4	WA		
South Park	64 South Park Avenue	3775	07	RP	.649	1965							1/2							
South Sunset PG	40th Avenue/Vicente	2456	16	RP	3.800	1949	1		2	2			1	1	1		1	NWA, volleyball		
States St. PG - see Corona Hts.	States St./Museum Way	2615	14	RP																
Stern Grove	19th Avenue/Sloat Blvd.	2488	32	RP	33.149		2						1	1	1		1	WA	4 horseshoe courts	
Stern Grove Annex	20th Avenue/Sloat Blvd.	2488	32	RP	(2.5)		1						1		1		1			
Wawona Bowling Green&Clubhse	See Stern Grove												1		1		1			
Sunnyside Conservatory																				
Sunnyside PG	Melrose/Edna	3064/3032A	27	RP	1.073	1969	1			1			1	1	1	1	1	NWA		
Sunset PG, RC	28th Avenue/Lawton	1915	22	RP	3.306	1940	2		1	2		1		1	1	1	1	WA		
Swimming Pool Site	Geary/32nd Avenue	1574	15	RP	.293	1964	At Washington High School, undeveloped													
Tank Hill	Clarendon/Twin Peaks	2662	14	RP	2.8	1977														
Tenderloin Children's Rec. Ctr.	560/570 Ellis Street	322	09	RP	.607	1990				1		1		1	1	1	5		Lots 5, 6 PG, Rec Center	
Tenderloin Preschool PG	201 Hyde	336	02	RP	.106	1997	To be developed													
Tenth Avenue/Clement-Mini	Richmond Library	1441	01	Lib	.026								1							

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ThreeCom Park	Jamestown Avenue	5000	24	RP	77.360			1									1			
Twenty-Fourth/York-Mini	24th/York/Bryant	4209	10	RP	.119	1977								1						
Twenty-third & Treat						In negotiation														
Twin Peaks Blvd. and Park	Twin Peaks Blvd.	2643	14	RP	13.580												1			
Union Square	Post/Stockton	308	08	RP	2.604	1850														
Upper Noe PG, RC	Day/Sanchez	6636	31	RP	2.512	1950	1		1	2		1		1	1	1	1	WA		
Utah-18th Street-Mini	Utah/18th Street	4012	10	ST	.172									1						
Visitacion Valley PG	Cora/Leland/Raymond	6253	34	RP	2.344	1933			1					1	1		1	NWA		
Walter Haas PG	Addison/Farnum/Beacon	7540	31	RP	4.521	1964				1				1						
War Memorial Opera House	Van Ness/McAllister	786A	02	WM	.811	Rec/Park maintains by contract with Performing Arts														
Washington Sq. & Marini Pl.	Filbert/Stockton	102	33	RP	2.261	1850								1			1			
Washington/Hyde-Mini	Washington/Hyde	187	09	RP	.15	1983	Lots 12 & 13													
West Portal PG	Ulloa/Lenox Way	2979	27	RP	1.694	1927	1			2			1	1	1		2	WA	1M/1F	
West Sunset PG	39th Avenue/Ortega	2094	16	RP	16.610	1953	2	2	1	1	2		1	2	1	1	1	lights, PWA volleyball		
Woh Hei Yuen	1213 Powell	171	33	RP	.360	1987						1		1	1		3			
Youngblod Coleman	Galvez/Mendell	4720	24	RP	6.190		2		1	1	1		1	1	1		1	WA		
Zoological Gardens	Great Highway/Sloat	7281	32	RP	77.740									1			6			
Total Acreage					5,616.641															

KEY: M - Men W - Women Y - Youth L - Lights
A - Normally involves a director on duty, restrooms and/or field lining capability.
B - No service options.
1 - Winter season only (November 1 through March 1).
2 - Youth under 13 only.

GROUNDSPORT FIELDS

BEACH CHALET

BEACH CHALET #1	MAIN & KENNEDY DRIVES - (GGP) SOUTH PITCH	M W Y A
BEACH CHALET #2	MIDDLE PITCH	M W Y A
BEACH CHALET #3	NORTH PITCH	M W Y A

CROCKER AMAZON

CROCKER AMAZON #1	GENEVA AVE. & MOSCOW ST. SOUTHEAST QUADRANT (ROTATING)	M W Y A
CROCKER AMAZON #2	SOUTHEAST QUADRANT (ROTATING)	M W Y A
CROCKER AMAZON #3	SOUTHEAST QUADRANT (ROTATING)	M W Y A
CROCKER GAELIC #4	NEXT TO NORTHWEST DIAMOND	M W Y A
CROCKER AMAZON #5	BTW. THE TWO SOUTHERN DIAMONDS	M W Y 1 A

FRANKLIN SQUARE

16TH & BRYANT STS. — M W Y A

GRATTAN

STANYAN & ALMA STS. — A 2

LOUIS SUTTER

UNIVERSITY & WAYLAND STS. — Y A

OCEAN VIEW

LOBOS BTW. CAPITOL & PLYMOUTH STS. — M W Y A

POLO FIELDS

36TH AVE. & BTW. FULTON AVE. & LINCOLN WAY (GGP)

POLO FIELD #1	NORTHEAST PITCH	M W Y A
POLO FIELD #2	SOUTHWEST PITCH	M W Y A
POLO FIELD #3	MIDDLE NORTH PITCH	M W Y A
POLO FIELD #4	MIDDLE SOUTH PITCH	M W Y A
POLO FIELD #5	NORTHEAST PITCH	M W Y A
POLO FIELD #6	SOUTHEAST PITCH	M W Y A
POLO FIELD #7	WEST END	M W Y A

WEST SUNSET

41ST AVE. & QUINTARA ST.

WEST SUNSET #1	NORTH OR EAST PITCH (ROTATING)	M W Y A
WEST SUNSET #2	SOUTH OR WEST PITCH (ROTATING)	M W Y A
WEST SUNSET #3	UPPER GRASS AREA (DIAMOND #3)	M W Y L 1 A
WEST SUNSET #4	LOWER GRASS AREA (DIAMOND #2)	M W Y L 1 A

YOUNGBLOOD COLEMAN

GALVEZ & MENDELL STS. — M W Y L A

SOFTBALL DIAMONDS (CONT.)

LOUIS SUTTER #1	UNIVERSITY & WAYLAND STS. (away from the clubhouse)	M W Y A
LOUIS SUTTER #2	UNIVERSITY & WAYLAND STS. (nearest the clubhouse)	M W Y A
LITTLE REC	KEZAR DR. & WALLER ST. (next to Children's Plgd.)	O M W Y B
MIRALOMA	OMAR & SEQUOIA WAY	W Y A
MOSCONE #1	CHESTNUT & LAGUNA STS.	L M W Y A
MOSCONE #3	CHESTNUT & BUCHANAN STS.	L M W Y A
OCEAN VIEW #2	CAPITOL AVE. & LOBOS ST.	M W Y A
PARKSIDE	28TH AVE. & VICENTE ST.	M W Y A
PORTOLA #1	SOMERSET & FELTON ST.	M W Y A
ROLPH #1	POTRERO AVE. & ARMY ST.	L M W Y A
ROLPH #2	26TH & HAMPSHIRE STS.	M W Y A
ROSSI #1	ARGUELLO btw. EDWARD & ANZA STS.	M W Y A
SILVER TERRACE #1	SILVER AVE. & BAYSHORE BLVD. (nearest the clubhouse)	M W Y A
SOUTH SUNSET #1	40TH AVE. & VICENTE ST.	W Y A
SOUTH SUNSET #2	40TH AVE. & WAWONA ST.	W Y A
SUNSET	28TH AVE. & MORAGA ST.	W Y A
UPPER NOE	DAY & SANCHEZ STS.	W Y A
VISITACION VALLEY	CORA ST. & LELAND AVE.	W Y A
WEST SUNSET #3	39TH AVE. & ORTEGA ST. (upper diamond)	L W Y A
YOUNGBLOOD COLEMAN	GALVEZ & MENDELL STS.	L W Y A

KEY: M - Men W - Women Y - Youth
L - Lights O - Non-reservable
A - Normally involves a director on duty, restrooms open and/or field lining capability.
B - No service options.

BASEBALL ONLY DIAMONDS

BALBOA SUNDBERG	OCEAN & SAN JOSE AVES. (next to the police station)	M W Y A
BALBOA SWEENEY	OCEAN & SAN JOSE AVES. (southwest diamond)	M W Y A
BIG REC GRAHAM	NEAR 7TH. AVE. & LINCOLN WAY (west diamond)	M W Y A
BIG REC NEALON	NEAR 7TH. AVE. & LINCOLN WAY (east diamond)	M W Y A
MOSCONE HENNESSEY #4	BAY & BUCHANAN STS.	L M W Y A
OCEAN VIEW #1	PLYMOUTH & LOBOS STS.	M W Y A
SILVER TERRACE EDWARDS #1	SILVER AVE. & BAYSHORE BLVD. (away from clubhouse)	M W Y B
WEST SUNSET ERLE #1	41ST. AVE. & QUINTARA ST.	M W Y A

DUAL PURPOSE DIAMONDS

CROCKER AMAZON PIERETTI #1	GENEVA AVE. & MOSCOW ST. (next to clubhouse)	L M W Y A
CROCKER AMAZON #2	GENEVA AVE. & MOSCOW ST. (southeast diamond)	M W Y A
GLEN PARK #2	BOSWORTH ST. & O'SHAUGHNESSY BLVD. (near streets)	M W Y A
JACKSON LAZZARI #2	17TH. & CAROLINA STS.	L M W Y A
McCOPPIN SQUARE	22ND. & SANTIAGO ST.	M W Y B
MOSCONE GARRIGAN #2	BAY & LAGUNA STS.	L M W Y A
PORTOLA GAGGERO #2	SOMERSET & SILLIMAN STS.	M W Y A
POTRERO HILL #1	22ND. & ARKANSAS STS.	M W Y A
ROSSI #2	WILLARD & EDWARD STS.	M W Y A
ST. MARY'S MOHR	MURRAY & JUSTIN STS. (away from clubhouse)	M W Y A
WEST SUNSET #2	41ST. AVE. & PACHECO ST.	M W Y A

SOFTBALL ONLY DIAMONDS

ALICE CHALMERS	670 BRUNSWICK ST.	W Y B
APTOS	APTOS ST. & OCEAN AVE.	M W Y B
BALBOA #1	SAN JOSE & OCEAN AVES.	M W Y A
BALBOA #2	SAN JOSE & SGT. YOUNG DR.	M W Y A
BAYVIEW	THIRD & ARMSTRONG STS.	O W Y B
CROCKER AMAZON #3	MOSCOW & FRANCE STS. (northwest diamond)	M W Y A
CROCKER AMAZON #4	GENEVA AVE. & MOSCOW ST. (northeast diamond)	M W Y A
CROCKER AMAZON #5	GENEVA AVE. & MOSCOW ST. (southeast diamond)	M W Y A
CHRISTOPHER	5210 DIAMOND HEIGHTS BLVD.	M W Y A
DOUGLASS	26TH. & DOUGLASS STS.	M W Y A
EXCELSIOR DeMEYER	RUSSIA & MADRID STS.	L W Y A
EUREKA VALLEY	100 COLLINGWOOD ST. (near 19th St.)	O W Y A
GILMAN	GILMAN AVE. & GRIFFITH ST.	O M W Y B
GLEN PARK #1	BOSWORTH ST. & O'SHAUGHNESSY BLVD. (nearest the clubhouse)	W Y A
HOLLY PARK	HOLLY CIRCLE & HIGHLAND AVE.	O W Y B
JACKSON #1	MARIPOSA & ARKANSAS STS.	L M W Y A
JULIUS KAHN	WEST PACIFIC AVE. & SPRUCE ST.	M W Y A
JUNIPERO SERRA	300 STONECREST DRIVE	W Y A
KIMBELL #1	GEARY BLVD. & STEINER ST.	L M W Y B
KIMBELL #2	STEINER & O'FARRELL STS.	L M W Y B
LANG #1	TURK & OCTAVIA STS.	L M W Y A
LANG #2	GOUGH ST. & GOLDEN GATE AVE.	L M W Y A
LARSEN	19TH AVE. & ULLOA ST.	W Y B
LAUREL HILL	EUCLID & COLLIN STS.	W Y A

7.4 Dog Policy Stakeholders

EQUP Environmental Quality for Urban Parks

SPCA Society for the Prevention of Cruelty to Animals

NPC Neighborhood Parks Council

FRIENDS OF RECREATION & PARK

GGAS Golden Gate Audobon Society

COLEMAN ADVOCATES

SFACC San Francisco Animal Care and Control

SFDOG San Francisco Dog

GREEN FRIENDS

PAWS Parks Are Worth Saving

NATIONAL PARK SERVICE

MUNICIPAL CODES

1. Every dog over 6 months old kept in San Francisco MUST BE LICENSED each year. All licenses expire on June 30. (Exception: Out-of-town visitors for under 30 days). (SF Municipal Code, Part III, Sections. 215 & 219).

2. Owners who fail to license their dogs MAY BE FINED not less than $25 nor more than $50. (SF Public Health Code, Sec. 41.12).

3. Every dog MUST BE KEPT ON A LEASH when not in an enclosure such as a fenced yard or house. (SF Public Health Code, Sec. 41.12)

4. Unleashed dogs at large MAY BE IMPOUNDED (picked up) by the Animal Control Officer and taken to the Animal Control Center, 15th and Harrison Streets. (SF Public Health Code, Sec. 41.6)

5. Owners who fail to leash their dogs MAY BE FINED up to $50. (SF Public Health Code, Sec. 41.13)

6. Person finding lost dogs or other animals MUST REPORT THEM TO THE ANIMAL CONTROL OFFICER (SF/SPCA) and must turn them over to the Animal Control Officer on demand. (SF Public Health Code, Sec. 41.6)

7. Dogs MUST NOT BE ALLOWED TO SOIL SIDEWALKS or any other public property (except gutters), or private property belonging to someone else. (SF Public Health Code, Sec. 40)

8. Owners MUST NOT ALLOW THEIR ANIMALS TO MAKE NOISE which is a disturbance of the peace. (SF Police Code, Sec. 147)

9. It is the duty of all persons to REPORT DOG BITES to the Department of Public Health. (SF Public Health Code, 41.11)

10. Anyone keeping more than 3 dogs that are over 6 months of age MUST HAVE A KENNEL PERMIT AND LICENSE. (SF Municipal Code, Part III, Sec. 220)

11. A person MUST OBEY PARK NOTICES, PROHIBITIONS OR DIRECTIONS on any sign posted by the Recreation and Park commission or the Recreation and Park Department. (SF Municipal Code, 3.02)

Sec. 3.01. Rules of Park Commission to Be Obeyed.
Sec. 3.02. Signs To Be Obeyed.
Sec. 3.03. Public May Be Excluded.
Sec. 3.04. Bridle Paths.
Sec. 3.05. Athletic Activities Prohibited in Certain Areas.
Sec. 3.06. Launching Boats Prohibited.
Sec. 3.07. Restrictions on Posting of Signs.
Sec. 3.08. Personal Services.
Sec. 3.09. Airplanes, Helicopters, Hot Air Balloons, etc. Prohibited.
Sec. 3.10. Peddling and Vending Merchandise or Printed Material.
Sec. 3.12. Camping Prohibited.
Sec. 3.13. Sleeping Prohibited During Certain Hours.
Sec. 3.14. Performance of Labor.
Sec. 3.15. Building Materials.
Sec. 3.16. Ground To Be Restored to Condition.
Sec. 3.17. Warning Signals at Danger Points.
Sec. 3.18. Periodic Assessment of City Parks and City Recreation Programs.

SEC. 3.01. RULES OF PARK COMMISSION TO BE OBEYED.

No person shall willfully disobey or violate any of the rules or regulations of the Recreation and Park Commission governing the use and enjoyment by the public of any park or of any building, structure, equipment, apparatus or appliance in any park, which rules or regulations, at the time, are posted in some conspicuous place in that area of the park or in or near the building, structure, equipment, apparatus or appliance to which the rule or regulation applies. (Added by Ord. 603-81, App. 12/18/81)

SEC. 3.02. SIGNS TO BE OBEYED.

No person shall willfully disobey the notices, prohibitions or directions on any sign posted by the Recreation and Park Commission or the Recreation and Park Department. (Added by Ord. 603-81, App. 12/18/81)

SEC. 3.03. PUBLIC MAY BE EXCLUDED.

In case of an emergency, or when in the judgment of the Recreation and Park Commission or the General Manager the public interest demands it, any portion of any park or park building therein may be closed to the public until such park area or building is reopened to the public by the Recreation and Park Commission or the General Manager; provided, however, that nothing in this Section shall authorize the General Manager to close any portion of any park building because of activities, existing or anticipated, engaged in for the purpose of expressing ideas or causes, which activities are protected by the First Amendment to the United States Constitution. (Added by Ord. 603-81, App. 12/18/81)

SEC. 3.04. BRIDLE PATHS.

The bridle paths are maintained for the primary use of horses and riders and any person who walks, jogs, runs or otherwise makes use of a bridle path, or who propels or conveys a vehicle or a bicycle, cart, wagon or other object on a bridle path, or who allows any animal within his or her custody on a bridle path, must leave the bridle path or remove the vehicle, object or animal from the path whenever such action or removal is necessary in order to give way to horses and riders. This Section is not applicable to members of the Police Department in the performance of their duties. (Added by Ord. 603-81, App. 12/18/81)

SEC. 3.05. ATHLETIC ACTIVITIES PROHIBITED IN CERTAIN AREAS.

In those areas of Golden Gate Park known as the Japanese Tea Garden, the Arboretum, and Conservatory Valley, no person shall participate in any athletic activity, including, but not limited to running, jogging, volleyball, baseball, soccer,

Sec. 5.01. Dogs, Cats, Horses Only Allowed.
Sec. 5.02. Animals Prohibited from Certain Areas.
Sec. 5.03. Cats Must Be on Leash or in Transport Box.
Sec. 5.04. Horses.
Sec. 5.05. Vicious Animals Prohibited.
Sec. 5.06. Abandonment of Animals Prohibited.
Sec. 5.07. Feeding Animals Prohibited.
Sec. 5.08. Disturbing Animals, Birds, Fish Prohibited; Exceptions.

SEC. 5.01. DOGS, CATS, HORSES ONLY ALLOWED.

No person shall lead, drive, conduct or otherwise bring or allow to remain in any park any animal, bird, fish or reptile other than horses, dogs and domestic cats. This Section shall not apply to duly authorized employees performing duties for the Zoological Park or the Aquarium, nor to persons acting pursuant to a permit from the Recreation and Park Department or the Recreation and Park Commission when the permit allows the presence of such animal, bird, fish or reptile. (Added by Ord. 603-81, App. 12/18/81)

SEC. 5.02. ANIMALS PROHIBITED FROM CERTAIN AREAS.

No person, other than members of the Police Mounted Detail when on duty, shall, in any park, allow any animal in his or her custody to enter any building, the Zoological Gardens, or those areas of Golden Gate Park known as the Arboretum, Japanese Tea Garden and Conservatory Valley, or any playground, sandbox or other area reserved for children, or to enter or drink the water of any drinking fountain, lake or pond, except at places designated and maintained for such purpose. Notwithstanding the above provision, a blind person may enter buildings, the Arboretum, Japanese Tea Garden and Conservatory Valley with a guide dog. (Added by Ord. 603-81, App. 12/18/81)

SEC. 5.03. CATS MUST BE ON LEASH OR IN TRANSPORT BOX.

No person shall carry, lead, conduct or otherwise bring or allow to remain in any park a domestic cat unless the animal is on leash not exceeding six feet in length or in an animal transport box equipped with vent holes capable of providing the animal with sufficient air. (Added by Ord. 603-81, App. 12/18/81)

SEC. 5.04. HORSES.

No person shall:

(a) Lead, drive, entice, conduct or otherwise bring any horse into any park other than horses attached to vehicles being driven by the person in charge or horses being used for riding purposes;

(b) Ride, drive or conduct a horse in any park except upon designated bridle paths and roadways;

(c) Ride, drive or conduct a horse in a reckless manner;

(d) Let loose or permit a horse to run at large.

Attention is called to Part II, Chapter VIII of the San Francisco Municipal Code (Police Code), pertaining to the regulation of horseback riding in public places. (Added by Ord. 603-81, App. 12/18/81)

SEC. 5.05. VICIOUS ANIMALS PROHIBITED.

No person shall keep or permit to remain in any park a noisy, vicious, or dangerous animal or an animal which unduly disturbs other persons in the park. (Added by Ord. 603-81, App. 12/18/81)

SEC. 5.06. ABANDONMENT OF ANIMALS PROHIBITED.

No person shall abandon any animal in any park. (Added by Ord. 603-81, App. 12/18/81)

ARTICLE 1
ANIMALS

Sec. 1. Report of Diseases of Animals Required.
Sec. 2. Penalty.
Sec. 7. Contagious Diseases of Animals.
Sec. 12. Keeping of Cows.
Sec. 17. Dog Hospitals, Kennels, etc.
Sec. 27. Stable Permits.
Sec. 32. Keeping of Beef Cattle.
Sec. 37. Keeping and Feeding of Small Animals, Poultry and Game Birds.
Sec. 38. Penalty.
Sec. 40. Dog to be Controlled so as Not to Commit Nuisances.
Sec. 40.5. Protection for Dogs in Motor Vehicles.
Sec. 40.6. Enclosure of Animals in Motor Vehicles.
Sec. 41. Definitions.
Sec. 41.1. Commission of Animal Control and Welfare; Membership; Appointment; Term.
Sec. 41.2. Powers and Duties.
Sec. 41.3. Reports.
Sec. 41.4. Animal Care and Control Department; Establishment; Appointment of Animal Control Officer; Powers and Duties of Animal Care and Control Department.
Sec. 41.5. Animal Control Officer; Powers and Duties; Badges.
Sec. 41.5.1. Biting Dogs.
Sec. 41.6. Impoundment.
Sec. 41.7. Periods of Impoundment.
Sec. 41.8. Redemption.
Sec. 41.9. Disposition of Animals.
Sec. 41.10. Charges and Fees.
Sec. 41.11. Quarantine; Delivery of Carcass.
Sec. 41.12. Duties of Owners.
Sec. 41.13. Penalties.
Sec. 41.14. Enforcement Against Violations on Property Under Jurisdiction of Recreation and Park Commission; Designated Officers and Employees.
Sec. 41.15. Dogs: Dog License Fee Licensing Requirement; Fees; Term of License.
Sec. 41.16. Reduction in Fee—Special Circumstances.
Sec. 41.17. Fees—Late Payment Penalty.
Sec. 41.18. Vaccination Required for License.

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Sec. 41.19. Young Dog Certificate.
Sec. 41.20. Certificate to Owner.
Sec. 41.21. Removal of Tag Prohibited.
Sec. 41.22. Duplicate License or Registration Tag Issued.
Sec. 41.23. Exceptions.
Sec. 41.24. Enforcement.
Sec. 41.25. Penalties.
Sec. 42. Definitions.
Sec. 42.1 Fight Training Prohibited.
Sec. 42.2. Registration.
Sec. 42.3. Seizure of Dog: Hearings.
Sec. 42.4. Penalty; Misdemeanor or Infraction.
Sec. 42.5. Enforcement.
Sec. 42.6. Rewards.
Sec. 42.7. Severability.
Sec. 48. Unlawful to Sell Fowl or Rabbits as Pets or Novelties.
Sec. 49. Sale of Certain Animals Prohibited.
Sec. 50. Prohibition.
Sec. 50.1. Sale of Wild and Potentially Dangerous Animals Prohibited.
Sec. 51. Definition of "Wild and Potentially Dangerous Animal."
Sec. 52. Animals Eligible for Permits.
Sec. 53. Application and Fee for Permit.
Sec. 54. Confinement Regulations.
Sec. 55. Other Laws.
Sec. 56. Review of Application for Permit.
Sec. 57. Permit Restrictions.
Sec. 58. Term and Renewal of Permits.
Sec. 59. Revocation of Permits.
Sec. 60. Exceptions.
Sec. 61. Exception—For Transportation of Animals Through City and County.
Sec. 62. Notice of Escape.
Sec. 63. Impoundment.
Sec. 64. Notice of Removal.
Sec. 65. Disposition of Wild and Potentially Dangerous Animals.
Sec. 66. Penalty.

SEC. 40. DOG TO BE CONTROLLED SO AS NOT TO COMMIT NUISANCES.

(a) It shall be unlawful for any person owning or having control or custody of any dog to permit the animal to defecate upon the public property of this City or upon the private property of another unless the person immediately remove the feces and properly dispose of it; provided, however, that nothing herein contained authorizes such person to enter upon the private property of another without permission.

(b) It shall be unlawful for any person to walk a dog on public property of this City or upon the private property of another without carrying at all times a suitable container or other suitable instrument for the removal and disposal of dog feces.

(c) Visually handicapped persons who use Seeing Eye Guide Dogs are exempt from this law. (Amended by Ord. 420-78, App. 9/8/78)

SEC. 41. DEFINITIONS.

As used in Sections 41.1 through 41.13, inclusive, of this Article, the following terms shall have the following respective meanings:

(a) "At large" shall mean any dog off the premises of its owners and not under restraint by a leash, rope or chain of not more than eight (8) feet in length, and any other animal not under physical restraint.

(b) "Animal" shall mean and include any bird, mammal, reptile, or other dumb creature; except fish.

(c) "City and County" shall mean the City and County of San Francisco.

(d) "Dog" shall include female as well as male dogs.

(e) "Health Officer" shall mean the Director of the Department of Public Health of the City and County, or any employee of said Department or other person authorized by said officer to act on his or her behalf.

(f) "Hoofed Animal" shall mean and include horse, mare, gelding, mule, burro, sheep, cow, goat or any other animal with a hoofed foot.

(g) "Owner" shall mean any person who possesses, has title to or an interest in, harbors or has control, custody or possession of an animal, and the verb forms of "to own" shall include all those shades of meaning.

(h) "Person" shall mean and include corporations, estates, associations, partnerships and trusts, as well as one or more individual human beings.

(i) "Barking Dog" is defined as a dog that barks, bays, cries, howls or makes any other noise continuously and incessantly for a period of 10 minutes to the disturbance of any other person.

(j) "Animal Care and Control Department" shall mean the department under the Chief Administrative Officer authorized to perform the functions described in Sections 41.4 and 41.5 of this Article and any other ordinance or law that delegates such authority to the Animal Care and Control Department or its Director.

(k) "Animal Control Officer" or "Animal Care and Control Officer" shall mean the Director of the Animal Care and Control Department. (Added by Ord. 386-75; amended by Ord. 182-89, App. 6/5/89)

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SEC. 41.10. CHARGES AND FEES.

The Animal Control Officer shall charge and collect the following fees from the owner of any animal impounded or otherwise taken into custody:

(a) Redemption fees:

For each dog, the sum of $15.00

For each cat, the sum of $15.00

For each hoofed animal, the sum of $25.00

For each rabbit, bird or other animal, the sum of $15.00

(b) Voluntary lifetime cat registration fee:

For each cat, the sum of $ 5.00

(c) Spay/neuter deposit fee:

For each dog, the sum of $25.00

For each cat, the sum of $25.00

(d) For feeding and providing ordinary care for animals, the following sums, per day:

For each dog, the sum of $ 5.00

For each cat, the sum of $ 5.00

For each hoofed animal, the sum of $ 5.00

For each rabbit, bird or other animal, the sum of $ 5.00

(e) In the event that the Animal Control Officer shall determine that payment of any fees by the owner of an animal which is impounded or otherwise taken into custody would cause extreme financial difficulty to said owner, the Animal Control Officer may, at his or her discretion, waive all or part of the fees for the animal.

(f) In the event that any animal is impounded or otherwise taken into custody by the Animal Control Officer more than one time, the Animal Control Officer shall collect a penalty redemption fee, which shall be:

(1) For a second impoundment, two times the fee set forth in Subsection (a) above;

(2) For any third or additional impoundment, three times the fee set forth in Subsection (a) above.

(g) In the event that an animal which is impounded or otherwise taken into custody must be spayed or neutered while in the custody of the Animal Control Officer, the Animal Control Officer shall charge an additional fee consisting of the actual expense incurred.

(h) For extraordinary care or expense provided for an animal, an additional fee consisting of the actual expense incurred shall also be charged. (Amended by Ord. 360-77, App. 11/10/77; Ord. 238-87, App. 6/25/87; Ord. 182-89, App. 6/5/89; Ord. 411-94, App. 12/16/94)

SEC. 41.12. DUTIES OF OWNERS.

(a) It shall be unlawful for the owner of any animal, other than a domestic cat, to permit said animal to run at large within the City and County; provided, however, that the provisions of this subsection shall not be applicable to any area under the jurisdiction of the Recreation and Park Commission of the City and County, and which has been designated by said Commission as an animal exercise area.

1. It shall be unlawful for the owner of any animal to permit said animal to be within an area designated as an animal exercise area unless said owner is physically present at all times during which the animal is within said area.

(b) It shall be unlawful for the owner of any animal to permit said animal to breed on public property; provided, however, that the provisions of this subsection shall not be applicable to departments of the City and County, recognized educational institutions, licensed clinical laboratories, or medical research facilities which are in conformity with Federal or State laws.

(c) The owner of any animal shall provide proper and adequate food, water, shelter, care, exercise and attention for such animals.

(d) Any person who shall keep or permit to remain on any premises within the City and County of San Francisco any "Barking Dog" as defined in Section 41(i) of this Code, is guilty of a violation of this ordinance, provided that, during the time the dog is barking, no person is trespassing or threatening to trespass or no person is teasing or provoking the dog.

(e) Any two unrelated persons, living in different households within 300 feet of the location of the disturbance who are disturbed by a "Barking Dog" as defined in Section 41(i) of this Code may, after signing an affidavit setting forth the information in this subsection, request a police officer to issue a citation to the owner of the dog causing the disturbance for violation of Subsection (e) of this Section. (Added by Ord. 287-76, App. 7/16/76)

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SEC. 41.13. PENALTIES.

Any person violating any of the provisions of Sections 41.1 through 41.12, inclusive, of this Article, except the provisions of Sections 41.5.1, 41.11(c), 41.12(a) and 41.12(d), shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than $500 or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment.

Any person violating the provisions of Sections 40, 41.11(c) and 41.12(a) of this Article shall be deemed to be guilty of an infraction and upon conviction thereof shall be punished for the first offense by a fine not to exceed $10; for the second offense by a fine not to exceed $25; for a third and each additional offense by a fine not to exceed $50.

Any person violating the provisions of Section 41.12(d) of this Article shall: (1) upon the first offense in any 12-month period, be deemed to be guilty of an infraction and upon conviction thereof shall be punished by a fine not to exceed $10; (2) upon the second offense in any 12-month period, be deemed to be guilty of an infraction and upon conviction thereof shall be punished by a fine not to exceed $50; (3) upon the third and each additional offense in any 12-month period, be deemed to be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than $500 or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment.

Any person violating the provisions of Section 41.5.1 of this Article shall be subject to the penalties provided in said section. (Amended by Ord. 201-78, App. 4/21/78)

SEC. 41.5.1. BITING DOGS.

For purposes of this Section a biting dog shall be defined as follows: Any dog that bites any person or other animal in the City and County of San Francisco, provided, however, that the person or animal bitten was not at the time either provoking or teasing the dog without cause. For the purposes of this Section, the records of dog bites kept by the Department of Public Health shall be deemed official records and shall establish a rebuttal presumption of the number of bites recorded.

(a)(i) If a dog is reported and recorded by the Department of Public Health to have bitten any person or animal, the owner of said dog shall be deemed guilty of an infraction which shall be punishable by a fine of $25. The Director of Public Health shall inform the Police Department of the bite of said dog and the Police Department shall issue a citation to the owner of said dog.

(ii) In the event that a biting dog causes severe injuries to a person or other animal, the Director of Public Health may recommend that such dog be declared a menace to the public health and safety and he shall so inform the District Attorney by a written Complaint. The District Attorney shall then bring said written complaint to the Municipal Court for a finding that the dog is a menace to the public health and safety. If the Court finds the dog to be a menace to the public health and safety, the owner thereof shall be subject to the provisions of paragraph (c) of this Section, and upon order of the Court, the Animal Control Officer or a Police Officer shall impound, hold and humanely destroy the dog in accordance with the procedures of paragraph (c) of this Section.

(b) If a dog is reported and recorded by the Department of Public Health to have bitten any person or animal a second time within 12 consecutive months from the first bite, the owner of said dog shall be deemed guilty of a misdemeanor and shall be punishable by a fine of not less than $25 nor more than $250 or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The Director of Public Health shall inform the Police Department of the second bite of said dog and the Police Department shall issue a citation to the owner of said dog.

(c) If a dog is reported and recorded by the Department of Public Health to have bitten any person or animal within 12 consecutive months from said dog's second bite, the Director of Public Health shall recommend said dog be declared to be a menace to the public health and safety and shall so inform the District Attorney by a written complaint. The District Attorney shall then bring said written complaint to the Municipal Court for a finding that the dog is a menace to the public health and safety. If the Court finds the dog to be a menace to the public health and safety, the owner thereof shall be guilty of a misdemeanor and shall be punishable by a fine of not less than $50 nor more than $500 or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. Upon order of the Court, the Animal Control Officer or a Police Officer shall immediately impound the dog, and after a period of 10 days from the time of impoundment, the dog shall be humanely destroyed unless the owner shows the Court good cause why said dog should not be destroyed. (Added by Ord. 232-78, App. 5/19/78)

SEC. 41.14. ENFORCEMENT AGAINST VIOLATIONS ON PROPERTY UNDER JURISDICTION OF RECREATION AND PARK COMMISSION; DESIGNATED OFFICERS AND EMPLOYEES.

(a) Pursuant to California Penal Code, Title 3, Section 836.5, the classes of officers or employees of the City and County of San Francisco, Recreation and Park Department, listed below are empowered to enforce provisions of Section 41.12, pursuant to Section 41.13 of this Code, against violations committed on property under the jurisdiction of the Recreation and Park Commission as an infraction, by exercising arrest and citation authority.

Classification No.	Class Title
8208	Park Patrol Officer
8210	Supervisor Park Patrol

(b) Enforcement Procedure. In the enforcement of said provisions the classes of officers and employees set forth in this section shall utilize, where appropriate, the procedure as prescribed by Section 836.5 and Chapter 5C (commencing with Section 853.5) of Title 3, Part 2, of the Penal Code of the State of California. (Added by Ord. 435-89, App. 12/6/89)

SEC. 41.15. DOGS: DOG LICENSE FEE LICENSING REQUIREMENT; FEES; TERM OF LICENSE.

It shall be unlawful for any person to own, keep or have control of any dog without having obtained a current San Francisco license for such dog, which license shall be renewed no later than 30 days after the date of expiration, as herein provided.

(a) Every person owning, keeping or having control of any dog over the age of four months within the City and County of San Francisco shall within 30 days after the dog attains the age of four months or within 30 days of obtaining the dog, obtain a current license for each dog so owned, kept or controlled.

(b) New residents shall have 30 days in which to acquire a current San Francisco license for each dog owned, kept or controlled within the City and County of San Francisco.

(c) Such dog license shall be issued upon payment, in advance, of a license fee and upon satisfactory proof of antirabies vaccination and shall be valid for a specified term from the date of issuance, all as provided in Section 41.18. The Director of the Department of Animal Care and Control, the Tax Collector or other agency issuing said certificate, is hereby authorized to charge, and any person requesting said license shall pay, a fee for each such license, according to the following scale and subject to the exceptions set forth in this Article:

(1) Sixteen dollars for a one-year license;

(2) Thirty dollars for a two-year license;

(3) Forty-four dollars for a three-year license, issued only upon proof that such dog is 12 months of age or older.

Notwithstanding San Francisco Administrative Code section 10.117-87(c), said license fee shall be used to defray the costs associated with issuance of said license, including personnel costs. Any change recommended by the Director of the Department of Animal Care and Control as to the amount of the fees charged for each license shall be submitted to the Board of Supervisors for approval prior to the imposition of said fee. Fees for partial-term licenses for less than a 12-month period will be prorated on a monthly basis. A schedule of said license fees shall be posted conspicuously on the premises of the Department of Animal Care and Control and in the office of the Tax Collector, or other agency charged with the collection of said fees.

(d) Licenses issued under prior existing dog licensing ordinances of the City and County shall remain valid until expiration. (Added by Ord. 280-92, App. 8/31/92; amended by Ord. 472-96, App. 12/13/96)

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SEC. 41.16. REDUCTION IN FEE-SPECIAL CIRCUMSTANCES.

The following reductions in the fees provided for in Section 41.15(c) shall be available under the following circumstances:

(1) For each dog neutered or spayed in accordance with this Article, the license shall be prorated, as follows:

(A) Eight dollars for a one-year license;

(B) Fourteen dollars for a two-year license;

(C) Twenty dollars for a three-year license.

(2) If the owner of a dog is 65 years of age or older, the license fee shall not exceed 50 percent of the applicable fee set forth in Section 41.15(c) or 50 percent of the applicable fee set forth above. (Added by Ord. 280-92, App. 8/31/92; amended by Ord. 472-96, App. 12/13/96)

SEC. 41.17. FEES-LATE PAYMENT PENALTY.

(a) A late charge of $5 shall be assessed for failure to obtain a current San Francisco dog license or to renew any expired license within any of the time limitations set forth in Section 41.15 of this Article. Any such late charge shall be in addition to the applicable license fee and shall be payable at the time of issuance. (Added by Ord. 280-92, App. 8/31/92)

SEC. 41.18. VACCINATION REQUIRED FOR LICENSE.

(a) So long as the State of California has declared the City and County of San Francisco to be a rabies-endemic county, it shall be a requirement that every person owning, keeping or controlling a dog over the age of four months within the City and County of San Francisco shall at all times have procured current vaccination of the dog by a licensed veterinarian with an approved canine antirabies vaccine.

(b) Upon proof of a current antirabies vaccination, a license may be issued pursuant to this Article for any period not to exceed 36 months, or three years. However, the license period shall in no event exceed the remaining period of validity of the animal's current antirabies vaccination.

(c) Every veterinarian who vaccinates or causes or directs to be vaccinated in the City any dog with anti-rabies vaccine shall:

(1) Use a form approved by the licensing authority to certify that such animal has been vaccinated; and

(2) Notify the licensing authority when such animal is vaccinated within 30 days. (Added by Ord. 280-92, App. 8/31/92; amended by Ord. 321-98, App. 10/23/98)

SEC. 41.19. YOUNG DOG CERTIFICATE.

(a) Every resident of the City and County of San Francisco who procures a young dog over the age of two months from any animal shelter shall register such dog with the Department of Animal Care and Control, Tax Collector or other agency authorized to issue said certificate. Upon payment of a deposit equivalent to the amount of a license fee set pursuant to Section 41.15 of this Article, the owner of the young dog shall be issued a temporary identification tag and young dog certificate. The certificate shall be valid until the dog attains the age of four months, or has received an antirabies vaccination, whichever occurs first. Upon expiration of the certificate, the Tax Collector will notify the owner that the certificate has expired and upon satisfactory proof that the dog has been vaccinated in compliance with Section 41.18 of this Article, the owner shall be provided with a valid license for said dog as provided in this Article.

(b) If an owner fails to procure a license within one month after the expiration of the young dog certificate, the deposited license fee shall be forfeited and the owner shall be deemed to be in violation of Section 41.15 of this Article. (Added by Ord. 280-92, App. 8/31/92)

SEC. 41.20. CERTIFICATE TO OWNER.

(a) Upon the payment of a dog license or cat registration fee, the owner of the animal shall obtain from the Tax Collector or other authorized agency a certificate stating (1) the period for which such license or registration fee is to be paid, (2) the date of payment, (3) the name, residence address, and telephone number of the person to whom such license is issued, (4) the name, breed and sex of the dog or cat licensed or registered, (5) the number of the license or registration tag issued as provided for in this Article, and (6) a statement whether the animal has been spayed or neutered. Such certificate shall be delivered to the person paying such license or registration fee and duplicates or records thereof shall be delivered to the Department of Animal Care and Control. All such duplicates and records shall be kept in the office of the Department of Animal Care and Control until the registration or certificate expires. The Tax Collector shall periodically provide the Department of Animal Care and Control with updated information regarding current registrations.

(b) The certificates and tags described in this Section shall not be transferable from dog to dog, cat to cat, or from owner to owner.

(c) At the same time that the Tax Collector issues the certificate pursuant to this Section, he or she shall also issue and deliver to the person paying such license or registration fee a license tag of such form and design as the Department of Animal Care and Control shall designate, with the words "San Francisco Dog License" or "San Francisco Cat Tag" and a serial number.

(d) The owner or person having control or possession of the dog or cat for which said license or registration fee has been paid, and such tag issued, shall attach such license tag or registration tag securely to a collar around the neck of the cat or dog, or otherwise adequately secure such tag. License tags shall be securely displayed upon dogs at all times, except when the dog is confined to the owner's premises or displayed in any show or exhibition. (Added by Ord. 280-92, App. 8/31/92)

SEC. 41.24. ENFORCEMENT.

It shall be the duty of the Animal Control Officer and every police officer while on duty to enforce the provisions of Sections 41.15 to 41.22, inclusive, of this Article requiring owners of dogs to obtain a license for same. (Added by Ord. 280-92, App. 8/31/92)

SEC. 42. DEFINITIONS.

As used in Sections 42 through 42.5, inclusive, the following words and terms shall have the following meanings, unless the context shall indicate another or different meaning or intent:

(a) "Vicious and dangerous dog" means:

(1) Any dog that when unprovoked inflicts bites or attacks a human being or domestic animal either on public or private property, or in a vicious or terrorizing manner, approaches any person in apparent attitude of attack upon the streets, sidewalks, or any public grounds or places; or

(2) Any dog with a known propensity, tendency or disposition to attack unprovoked, to cause injury or to otherwise endanger the safety of human beings or domestic animals; or

(3) Any dog which engages in, or is found to have been trained to engage in, exhibitions of dog fighting; or

(4) Any dog at large found to attack, menace, chase, display threatening or aggressive behavior or otherwise threaten or endanger the safety of any domestic animal or person.

(b) "Vicious and dangerous dog" does not mean:

(1) Any dog that attacks or inflicts bites upon a trespasser of a fully enclosed building; or

(2) Any dog used in the military or police if the bites or attack occurred while the dog was performing in that capacity.

(c) "Enclosure" means a fence or structure of at least six feet in height, forming or causing an enclosure suitable to prevent the entry of young children, and suitable to humanely confine a dog with adequate exercise area, and posted with an appropriate warning sign, in conjunction with other measures which may be taken by the owner or keeper.

(d) "Animal Control" means any person designated under the Administrative Code as the City Pound Keeper or Animal Control Officer.

(e) "Impounded" means taken into the custody of the City pound.

(f) "Person" means a natural person or any legal entity, including but not limited to, a corporation, firm, partnership or trust.

(g) "Hearing officer" means any designated representative of the Department of Public Health or the Police Department who conducts a hearing pursuant to Section 42.4. (Added by Ord. 408-87, App. 10/9/87)

SEC. 42.1. FIGHT TRAINING PROHIBITED.

It shall be unlawful to fight-train, keep, harbor, transport through the limits of the City and County of San Francisco, own, or in any way possess a dog for the purpose of dog-fight exhibitions. Scars and wounds are rebuttable evidence of participation in dog-fight exhibitions or training. "Fight training" is defined to include but not be limited to:

(a) The use or possession of treadmills unless under the direction of a veterinarian;

(b) Actions designed to torment, badger or bait any dog for purpose of encouraging said dog for fight exhibitions;

(c) The use of weights on the dog unless under the direction of a veterinarian;

(d) The use of other animals for blood sport training;

(e) Any other activity the primary purpose of which is the training of dogs for aggressive or vicious behavior or dog-fight exhibitions. (Added by Ord. 408-87, App. 10/9/87)

SEC. 42.3. SEIZURE OF DOG: HEARINGS.

(a) **Subject to Seizure.** Upon the receipt of a signed complaint, or upon the personal observation of an Animal Control Officer, or a representative of the Department of Public Health or Police Department, that a dog is vicious and dangerous, and said dog is on its owner, keeper or harborer's property, the Animal Control Officer, or the Department of Public Health or Police Department representative, may find the dog presents a danger and is subject to seizure and impoundment. Upon a finding that the dog is subject to seizure, written notice of such finding shall be made to the owner, keeper or any adult in apparent control or possession of the dog. Prior to the seizure of the dog, the owner or keeper of the dog shall be entitled to a hearing as described in paragraph (c) of this section.

(b) **Immediate Seizure.** (i) Should any Animal Control Officer, representative of the Department of Public Health or the Police Department determine that probable cause exists to believe that a dog is vicious and dangerous and cannot be properly controlled, such dog is subject to immediate seizure. The owner or keeper of the dog shall be entitled to a hearing upon seizure as described in paragraph (c) of this section, and upon the hearing the owner of any dog found to be vicious or dangerous shall be assessed the costs of sheltering the dog and of administering the ordinance.

(ii) Upon the receipt of a signed complaint, or upon the personal observation of an Animal Control Officer, or a representative of the Department of Public Health or Police Department, that a dog has killed or wounded, or assisted in killing or wounding any domestic animal, or has attacked, assaulted, bit or otherwise injured any person or assisted in attacking, assaulting, biting or otherwise injuring any person, such dog shall be subject to immediate seizure and impoundment. The owner or keeper of the dog shall be entitled to a hearing upon seizure as described in paragraph (c) of this section.

(c) (i) Prior to the seizure of any dog authorized by paragraph (a) and within three days of the seizure of any dog pursuant to paragraph (b) a hearing officer shall inform, in writing, the owner or keeper of the dog that the person's dog is alleged to be vicious and dangerous and be subject to penalties under this ordinance. Unless the hearing is waived by the owner or keeper of the dog, or the hearing is scheduled on an agreed-upon date not later than 30 days from date of incident, the hearing officer shall fix a time not less than 30 nor more than 60 days from date of the incident, and fix a place for said hearing and cause all parties to be notified, not less than 15 days before the date of such hearing. The hearing may be informal and the rules of evidence not strictly observed. It shall not be necessary, for the City, to prove that the owner or keeper of the dog knew that the dog was vicious and dangerous. Within 15 days following the hearing, the hearing officer shall issue his or her decision to all parties.

(ii) Should the hearing officer find the dog to be vicious and dangerous, the hearing officer shall order the dog be registered pursuant to Section 42.2, and that the dog be spayed or neutered. The hearing officer may, in addition, order the dog and the owner, keeper and any person in control of the dog attend and complete a basic obedience course under an approved and recognized obedience trainer or dog-training organization.

(iii) In the event the hearing officer concludes that the dog is vicious and dangerous and that the health, safety and welfare of the community is not adequately addressed by the requirements provided in Section 42.3(c)(ii), the hearing officer may order the dog destroyed.

(iv) The decision of the hearing officer is final. (Added by Ord. 408-87, App. 10/9/87)

ANIMAL CARE AND CONTROL DEPARTMENT

CARL FRIEDMAN
DIRECTOR

1200 15th STREET
SAN FRANCISCO
CALIFORNIA 94103
(415) 554-6364
FAX (415) 554-9424
TDD (415) 554-9704

DOG WALKER AGREEMENT FORM

To be added to our referral list of Dog Care Professionals, please sign and date the following Agreement and fill in your business information below. We furnish our list to adopters and the public upon request.

I agree to work in accordance with the following guidelines set forth by San Francisco Animal Care and Control:

1. *To have a maximum of six dogs with one walker at any time.*
2. *To have a current dog license and identification attached.*
3. *To have verification of current vaccinations.*
4. *To clean up all feces left by the dogs I am walking.*
5. *To have one leash present for each dog and to use leashes except when in designated off-leash areas.*
6. *To transport dogs in safe, well-ventilated vehicles in a manner to prevent injury or overheating.*
7. *To transport dogs with safe and proper restraint in open vehicles to prevent injury.*
8. *To use handling and training methods that are humane and in compliance with state and local laws.*

_____ _____
Signature *Date*

Name of Business: _____

Areas or Locations covered: _____

Phone: _____ E-mail: _____

WEB Site Address: _____ Other: _____

May we list your service on the SFACC web site? (www.ci.sf.ca.us/acc) YES NO

(the following information is for our records and will not be given to the public)

Name: _____

Address: _____

Thank you for your listing. We appreciate your support for this project and your concern for the safety of the dogs in our community. We wish you continued success.

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ANIMAL CARE AND CONTROL DEPARTMENT

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1200 15th STREET
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ANNOUNCEMENT

TO: DOG WALKING SERVICES IN SAN FRANCISCO
DATE August 1999 (originally released 11/3/98)

Dog Walkers provide a valuable service to the City and County of San Francisco. People rely on dog walkers to provide professional, conscientious dog care while they are at work. In order for these services to meet the needs of the public and provide safety and companionship to the dogs, San Francisco Animal Care and Control has developed a list of guidelines, which we strongly recommend all dog walkers adhere to.

We have received an increasing number of complaints about dog walking services over the last year. The following is a list of complaints that our department has compiled to help you understand the importance of establishing standards by which dog walking services should operate. These complaints have included:

- dogs being lost by walkers
- dogs not wearing current license or any identification
- dogs being verbally and physically abused by walkers
- dogs in poorly ventilated vehicles without safe enclosures
- dogs contracting contagious diseases
- dog walkers failing to pick up feces

After reviewing these complaints, we have developed the following guidelines for dog walkers:

1. Each walker must have a maximum number of six dogs per walk.
2. Each dog must wear a current dog license and identification.
3. Each dog must have verification of current vaccinations.
4. Walker must clean up feces left by dogs and carry a container for clean-up at all times.
5. Walker must have one leash present for each dog in the group. (dogs must be on leash except when in "designated" off-leash exercise areas).
6. Dogs must be transported in safe, well-ventilated vehicles in a manner to prevent injury or overheating.
7. Dogs must be safely and properly restrained in open vehicles to prevent injury.
8. Walkers must use methods of handling that are humane and in compliance with state and local laws.

(OVER)

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San Francisco Animal Care and Control may enforce the recommended guidelines listed above when a dog walker is in violation of any the following applicable code sections:

Cruelty to Animals

Penal Code Sec. 597 (b)	Anyone having charge or custody of any animal, either as owner or otherwise, who subjects any animal to needless suffering, or inflicts unnecessary cruelty upon the animal, or in any manner abuses any animal or fails to provide the animal with proper food, drink, or shelter or protection from the weather is guilty of a crime.

Duties of Owners

Health Code Sec. 41.12 (a)	It shall be unlawful for the owner of any animal, other than a domestic cat, to permit said animal to run at large within the City and County. (not applicable to areas designated as an animal exercise area under the jurisdiction of the Recreation and Park Commission)
Health Code Sec. 41.12 1.	It shall be unlawful for the owner of any animal to permit said animal to be within an area designated as an animal exercise area unless said owner is physically present at all times during which the animal is in said area.
Health Code sec. 41.12 (c)	The owner of any animal shall provide proper and adequate food, water, shelter, care and attention for said animal.

Dog License Requirement

Health Code Sec. 41.15 (a)	Every person owning, keeping or having control of any dog over the age of four months within the City and County of San Francisco shall within 30 days after the dog attains the age of four months or within 30 days of obtaining the dog, obtain a current license for each dog so owned, kept or controlled.

(See Page 3)

Vaccination Requirement For License

Health Code Sec. 41.18 (a)	So long as the State of California has declared the City and County of San Francisco a rabies-endemic county, it shall be a requirement that every person owning, keeping or controlling a dog over the age of four months within the City and County of San Francisco shall at all times have procured current vaccination of the dog by a licensed veterinarian with an approved canine antirabies vaccine.

Dog to be Controlled as not to Commit Nuisances

Health Code Sec. 40 (a)	It shall be unlawful for any person owning or having control or custody of any dog to permit the animal to defecate upon the public property of this City or upon the private property of another unless the person immediately remove the feces and properly dispose of it.
Health Code Sec. 40 (b)	It shall be unlawful for any person to walk a dog on public property of this City or upon the private property of another without carrying at all times a suitable container or other suitable instrument for the removal and disposal of dog feces.

Protection for Dogs in Motor Vehicles

Health Code Sec. 40.5	It shall be unlawful to transport a dog in a motor vehicle upon any street within the City and County of San Francisco unless dog is fully enclosed within the motor vehicle or is protected by a belt, tether, cage, container or other device that will prevent the dog from falling, jumping or being thrown from the motor vehicle.
Health Code Sec. 40.6	No dog or other animal shall be left completely enclosed in a parked vehicle without adequate ventilation, or subject the animal to extreme temperatures, which may adversely affect the animal's health and welfare. (Also applies to transporting dogs in a motor vehicle)

(OVER)

Lost Dogs

If you lose a dog you are walking, you must file a Lost Report with San Francisco Animal Care and Control and notify the owner immediately. We strongly encourage you to visit the Animal Shelter on your own as quickly as possible. Stray dogs, or dogs with unknown "owners" are kept for a legal stray period of 4 days before being the legal "property" of the City and County of San Francisco. At that time, Animal Care and Control will decide whether he or she will be placed for adoption, according to health, behavior and space considerations.

Additional Suggestions

We encourage dog walkers to list your service with us. We will be happy to provide this list of services to the many people who call us looking for dog walking services.

We encourage all pet care professionals to have a business license.

We encourage you to carry the appropriate insurance.

We encourage you to join one of the national organizations for pet care professionals.

We encourage you to take classes or instruction in safe, humane and effective dog care and handling.

Dog walkers give companionship and exercise to the dogs in our community. To list your service with us, please complete the attached agreement form. We appreciate the hard work you do and welcome you to call SFACC with questions or comments.

Field Services - 415/554-9402
Community Affairs - 415/554-9414

(Continued on next page)

PARENT ADVOCATES FOR YOUTH
How do off-leash dogs in SF parks impact children and families?

Kids or Dogs: Who's the priority?

Many parents feel that it's the dogs who have priority in our parks. It shouldn't be this way. With leash laws on the books, dog owners should respect the law that protects the public safety. The parents' recommendations to the SF Rec and Park Department and City Hall (Rec and Park can't do it alone) are based on city-wide surveys of thirty-two parks throughout the City. We found that off-leash dog use of the parks has a significant negative impact on how families are able to enjoy our parks.

OUR FINDINGS:

- The leash law is ignored in the parks.
- The "pooper scooper" law is not enforced.
- Inadequate signage:
  - Posting on asphalt, easily missed.
  - Often, no signs posted.
  - No signs regarding where off-leash areas can be found on site or elsewhere in the city.
- Rec & Park gardening and program staff are often harassed, or worse, by uncooperative dog owners or uncontrolled dogs.
- Professional dog walkers pose a particular threat when they bring many dogs into the park at the same time.
- Most fields and green spaces suffer ruts from digging dogs and worn turf by over use.
- Many parks are not only impacted by feces, but by urination of green space making picnicking undesirable and unpleasant.
- Dog owners need to be educated about children.

RECOMMENDATIONS TO REC & PARK:

1. Off-leash areas should be separate and contained.
2. Acknowledge that not all parks are appropriate for off-leash dog use.
3. Improve signage
4. Leash laws
5. Where designated off-leash dog areas are located.
6. Invest in amenities to make current designated off-leash dog areas more hospitable dogs and their owners.
7. A decisive and enforceable leash law/"pooper scooper" plan.

RECOMMENDATIONS TO CITY HALL:

A. Support enforcement of the current leash law.
B. Support Rec and Park by expanding Animal Control.
C. Expand Animal Control enforcement officers.
D. Transfer dog licensing from the Tax Collector to Animal Control so they can expand licensing in the neighborhoods.
E. Improve the Health Department's reporting procedure for dog bites so people know how to report bites.

ATTENTION DOG OWNERS!

- Even friendly dogs can be scary to a small child.
- Even people who love dogs may not appreciate their time spent in the park dodging playful pups.
- It should be a parent's choice to allow a child to interact with your dog, not the dog's choice.
- It's never OK to allow your dog in a children's playground.
- Digging in an athletic field makes the field unsafe and drives up maintenance costs.
- Did you know that there was a reported dog bite for each day of the year last year?

A Project of Coleman Advocates for Children & Youth
415/239-0161

PARENT ADVOCATES FOR YOUTH

SF PARK GRADES – Impact of dogs on parks

	PARK	GRADE
District 1	Mountain Lake Park	C
District 2	Alta Plaza	D
	Allyne Park	D
	Lafayette Park	D
	Moscone Park	D
District 3	Washington Square	D
District 4	South Sunset	B
	Sunset	B
	West Sunset	B
District 5	Buena Vista Park	C
	Duboce Park	C
	Margaret Hayward	B
District 6	McKinley Square	C
	South Park	D
District 7	Miraloma Park	C
	Sunnyside Park	D
	West Portal PG	C
District 8	Christopher PG	D
	Mission Dolores Park	D
	Eureka Valley RC	D
	Glen Park	D
	Upper Noe RC	B
District 9	Bernal Heights PG	B
	Holly Park	C
	Mission PG	B
	Precita Park	D
	Rolph Nichols Park	C
District 10	Gilman PG	B
	Herz	B
	Potrero Hill PG	C
	Youngblood Coleman	B
District 11	Crocker Amazon	B

Grades based on:
1. Presence of off-leash dogs
2. Feces contamination control
3. Enforcement of dog regulations
4. Condition & maintenance of fields and multi-use green spaces
5. Interview with park staff
6. Is it an designated off-leash site?
7. Dog behavior
8. Signage

A Project of Coleman Advocates for Children & Youth
415/239-0161

PARKS CAUCUS—Delancy Street Town Hall
600 The Embarcadero San Francisco
June 5, 1999

BEST FRIENDS AND "PARK FRIENDS"

Moderator:Rosey Jencks, Neighborhood Parks Council
Facilitator:Tes Welborn
Resource people:Officer Brown—Department of Animal Care and Control, Mike Morlin—Recreation and Parks Department, Marybeth Wallace—Coleman Advocates for Youth, and Jeff Ward—SF Dog Owners Group

Introduction

Controversy and conflict over dogs in neighborhood parks is springing up all over San Francisco. An advisory dogs-off-leash task force to the Recreation and Parks Committee of the Board of Supervisors of the City and County of San Francisco has been created to address the issues of off-leash dogs in San Francisco's parks. They have been meeting and produced a report that evaluates the 18 current off-leash areas in the SF city parks. The report makes recommendations about the need for and locations of more off-leash areas. It recommends 20 new sites for off-leash areas. This process began with the assumption that more off-leash areas were needed, but did not necessarily address the general conflict over competing land uses in our city's open space. These remaining issues and recommendations have been very controversial within the city and many issues still need to be addressed. Additionally a city-wide dog-owners-group, (SF DOG), has formed to promote and advocate off-leash recreation for their animals. The conflict over land use in this city with limited space is still going on, and we need to elevate the discussion beyond the emotional battle of being "pro-dog" or "anti-dog".
Today we need to maintain the conversation about what is best for San Francisco's parks and not only single stakeholder groups. This means that we need to ask ourselves tough questions: like how is our system handling these competing needs? How can we increase funding to improve enforcement, education, licensing and maintenance? What can we do about existing non-compliance to leash laws? Are mixed-use hourly schedules workable? Are fenced-in dog parks a good compromise?

Discussion Issues

- Education
- Funding/Revenue for enforcement and amenities .
- Land use and planning criteria
- Enforcement
- Decision-making, process and community input
- Where do dog issues fit into the larger park improvement efforts?

For more information, contact the Neighborhood Parks Council Ph. (415) 538-1790 or on the web at: www.sfneighborhoodparks.org

Examples of successful strategies

Brooks Park, San Francisco

Community members are benefiting from the careful attention of responsible dog owners who have been charged with the task of covering any new graffiti they spot on their daily walks. This way the dog owners are seen as contributing to their parks and providing good examples to errant dog owners.

New York

NYC has a new goal to increase compliance with leash laws to protect people, park lawns, natural areas and other dogs.

- Raised fines for enforcement of rules
- Created databases to track repeat offenders
- Increases enforcement
- Excludes dogs from sensitive natural areas
- Produced effective signage and brochures
- Trained neighbors to enforce rules
- Big campaign and celebration of the 20th anniversary of the pooper scooper law with a public education campaign "Love your pet, love your park" that promotes responsible dog owners use of the parks that include educational and informational cards
- Established dog-free zones and fenced off-leash dog runs and dogs are not allowed off-leash except in these fenced areas
- Use of pea gravel in fenced in dog areas
- Requires that all dogs be licensed and violators be fined

San Francisco

Friends of Recreation and Parks provides special water fountains for dogs. This is a good alternative to owners allowing their dogs to drink out of human water fountains. A new dog fountain helps prevent the spread of animal diseases, and this has also been effective in Memorial Park in Houston Texas.

Marin County

Marin has five fenced dog parks; and in San Raphael Field of Dogs, a non-profit, has organized to build a 1/4 acre fenced dog park on land donated by the city. The park is run and maintained by the non-profit, and charges a $5.00/year membership fee, and they hold auctions, benefit dinners and produce a newsletter for their dog owners' community. They report that it is safe place to recreate with their dogs off-leash. Rick Johnson from the Marin Humane Society says that the major benefits of this meeting place are that it helps educate people about responsible pet ownership, veterinary health issues, and helps the community come together.

Neighborhood Parks Council Problem-Solving Fact Sheet: Dogs in Parks

Controversy and conflict over dogs in neighborhood parks is springing up all over San Francisco. While individual park groups will have to work to find solutions that are right for their specific park, we've provided below a list of amenities that can potentially help neighborhoods successfully resolve their dog issues. In the long run, neighborhoods that take pro-active approaches to user-conflicts will find that their park will benefit from the increased attention and the explicit agreements that neighbors make.

Amenities:

1. Posts with signage and plastic dog pick-up bags: Posting the rules and laws clearly, and providing the physical tools to clean up dog poop not only gives owners the information and support to behave respectfully, but it provides a way for dog-owners to educate their less-responsible peers with a simple point towards the dog-station.
2. Dog bowls for public water fountains: Dog-level bowls attached to water fountains. So far, they need a special plumbing arrangement to be installed, but hopefully, more adaptable models will soon be found and utilized.
3. Signage, clearly designating off-leash areas: In addition to posts with doggie bags, eye-caching, easily-read signage should be designed and posted, stating all the rules and laws that pertain to dogs in San Francisco's parks.
4. Instituting clean-up days for dog-people: S.F. DOG, and other dog-advocacy groups have already started doing regular clean-up days to pick up and restore their neighborhood parks. Many areas that are regularly used by dogs need a long-term agreement with the dog-owners to take some extra responsibility to clean up. These work parties would best be arranged and initiated by the dog-owners themselves.
5. More designated, fenced dog runs, where appropriate: San Francisco's Recreation and Park Department needs to provide several more official dog runs, similar to the new dog run being created at St. Mary's Park. Fenced, so dogs can run off-leash, these areas would be similar to the highly successful dog runs now being utilized in New York City.
6. Involving the SPCA and the city pound in an education campaign: Dog owners need ongoing detailed education on rules and regulations about dogs in parks. Owners also need updated information about designated off-leash areas and clean-up days. Education from peers who understand one another's perspective is always most effective, therefore, the SPCA, the city's pound, and other dog-advocacy groups should launch a joint educational campaign that gets results with handbills, posters and other media.
7. Lighting for dog areas (esp. winter/fall): Many dog owners don't use the designated dog runs at night in the winter and fall, because they are not lit and users do not feel safe. Different parks would have vastly different lighting needs, but many dog areas could use additional lighting near their designated dog runs to encourage users to stay in the areas allocated for them.

8. Empowering Recreation and Park Patrol, as well as the SFPD, to cite Dog owners who do not respect the community's resources need to be held responsible for their actions. With signage, educational campaigns and dog-amenities, there also comes an increased responsibility that dog-owners need to assume. One way to enforce community standards is to encourage and empower the Park Patrol and the SFPD to cite violators.

9. Talking to people from communities with success stories for dealing with dogs: Berkeley, New York, San Jose. Many communities and parks departments will have success stories for us, if we ask the right people.

The topic of dogs in parks is an emotional one; and we suggest that you utilize a community facilitation service like Community Boards (552-1250) to keep discussions friendly and productive. Many of our member groups have been relieved to have their skills at contentious neighborhood meetings. You should also invite groups like the Neighborhood Parks Council and Coleman Advocates for a city-wide perspective, as well as representatives from the Recreation and Park Department and the Police Department's Operation Park Patrol for practical and legal questions.

8.0 Dog Policy References & Bibliography

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    Bark Park, Foster City
    Edgewater Park, Foster City
    Boothbay Park, Foster City
    Catamaran Park, Foster City
    Sea Cloud Park, Foster City
    San Bruno Dog Exercise Area, San Bruno
    Heather Park, San Carlos
    Shore Dogs Park, Redwood City
    Mountain View Dog Park
    Cuesta Park, Mountain View
    Rengstorff Park, Mountain View
    Whisman Park, Mountain View
    Hellyer Park Enclosure , San Jose
    Las Palmas Dog Park, Sunnyvale
    Mitchell Park, Palo Alto
    Greer Park Dog Run, Palo Alto
    Hoover Park, Palo Alto
    Santa Clara Dog Park, Santa Clara
    Mitchell's Cove Beach, Santa Cruz
    It's Beach, Santa Cruz
    Lighthouse Field, Santa Cruz
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J **Web sites /Links**

28. assorted dog park web sites listings
web linkss

CITY MANAGER

Animal Care Services, 2013 Second Street, Berkeley, CA 94710
(510) 981-6600, TDD: (510) 981-6903, animalservices@ci.berkeley.ca.us

ANIMAL CARE SERVICES **BUDGET INFORMATION**
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SNYP Low Cost Voucher Program
Lost and Found Pets
Night Shelter Deposit
Animal Bite Procedures
Fix Our Ferals
Feral Cats and Public Safety
Volunteer Program

Quick Guide to Owning a Dog in Berkeley

- It is unlawful for a dog to be permitted to run off leash (BMC 10.04.090).
- Any person walking a dog must carry an instrument suitable for removing and disposing of feces (BMC 10.04.091).
- Every dog over the age of four months must be licensed and must wear the license (BMC 10.04.030).
- It is unlawful for any person to have more than four dogs over the age of six months on any one property (BMC 10.04.130).
- Any dog which on more than two occasions has bitten or otherwise injured any person can be impounded and humanely destroyed.
- Any dog owned or kept in whole or part for the purpose of dog fighting, or has been trained for dog fighting, or is outfitted with a training device for fighting may be declared dangerous and impounded and may be humanely destroyed.

If you have any questions, call the shelter at (510) 981-6600.

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INFORMATION FROM ANIMAL ADVOCACY ORGANIZATIONS:

AMERICAN VETERINARY MEDICAL FOUNDATION
CALIFORNIA DOG OWNERS GROUP
SAN FRANCISCO DOG OWNERS GROUP
SAN FRANCISCO SPCA
THE BARK
FORT FUNSTON DOG WALKERS ASSOCIATION

Addition to Section 13 – Information From Animal Advocacy Organizations:

The Fort Funston Forum (www.fortfunstonforum .com) was inadvertently left out of this section. A page from their web site, titled GGNRA Watchdog, has been added at the end of this section to rectify the error.

Mission Statement

California Dog Owners Group promotes responsible dog ownership and off-leash access with shared use of public space through education, cooperation, legislation and public advocacy.

Check out Caldog on KFUR radio in a recent Farley cartoon

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Issue 1
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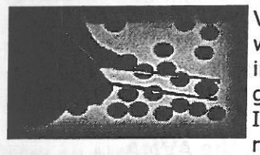

Veterinarians increasingly must wrestle with prescribing issues in their practices, particularly given the emergence of Internet-based services in recent years. These resources have been created to help you navigate the issues that are key for optimal patient care and the future of your practice. **[more]**

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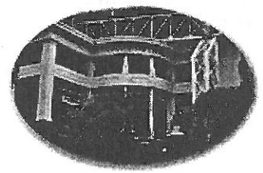

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Terrorism in the United States

(updated 2 Jan 2002)

Potential zoonotic agents of bioterrorism: *(updated 4 Dec 2001)*

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Related *JAVMA* News:

- **CDC urges veterinarians to watch for anthrax** *(15 Jan 2002)*
- **The anthrax detectives** *(15 Dec 2001)*
- **The Ames strain: What's in a name?** *(15 Dec*

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- **Four-legged heroes at ground zero** (*15 Dec 2001*)

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The AVMA proudly introduces the Veterinary Career Center, the online career resource for veterinarians and their staff. Start enjoying all the features you expect from a state-of-the-art online career center.

BSE Backgrounder (*updated 10 Dec 2001*)

Bovine spongiform encephalopathy (BSE), commonly referred to as "mad cow disease," belongs to the family of diseases known as transmissible spongiform encephalopathies (TSE). ...[more]

2002 AVMA calendar available now!

The AVMA is pleased to introduce its 2002 "Pets and People" calendar. These beautiful calendars are available for pet owners as well as for veterinary practitioners who will find them excellent giveaway items for their clients and friends. Order today!

Read the January 15th issue of *JAVMA* News

- Executive Board agenda includes economics, joint resolution with AAVSB
- Euthanatized animals can poison wildlife: Veterinarians receive fines
- Genetically engineering a pet? History shows it won't be easy

AVMA aims to take bite out of canine aggression

An estimated 4.7 million Americans are bitten by dogs each year. "A Community Approach to Dog Bite Prevention" (.pdf file), a publication just released by the AVMA, is intended to help state and local leaders

develop effective dog bite prevention programs in their communities. For more information, see our Educational Resources for Dog Bite Prevention and AVMA Press Releases.

2000 Report of the AVMA Panel on Euthanasia

In this newest version of the report, the panel has updated information on euthanasia of animals in research and animal care and control facilities; expanded information on ectothermic, aquatic, and fur-bearing animals; added information on horses and wildlife; and deleted methods or agents considered unacceptable.

(Click here to order reprints of the Panel Report.)

New on NOAH

Attention AVMA and SAVMA members

We have created a list of *Frequently Asked Questions* to help answer any inquiries you may have regarding the transition of NOAH from a paid subscription service to a member benefit at no extra fee. Want to know more about NOAH?

Attention foreign veterinary graduates

The AVMA's Educational Commission for Foreign Veterinary Graduates™ (ECFVG™) information has been updated. Beginning November 2000 the NBE/CCT will be replaced with the North American Veterinary Licensing Examination (NAVLE). Visit the site for more details.

More veterinary resources

Find more links to animal health resources on NetVet and Electronic Zoo.

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SAN FRANCISCO SPCA

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Great Gifts
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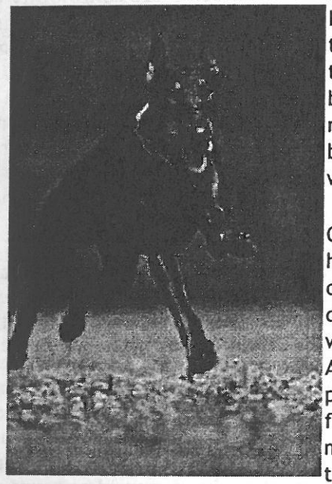
ZAK: A One-of-a-Kind Dog

Off-Leash Dog Recreation

<< previous pag

Dogs require daily exercise and contact with other dogs in order to remain healthy and well socialized. As one prominent dog advocacy group has noted, "a well socialized dog learns the skills required for getting along with the people and the other dogs [he/she] meets each day."



Further, "dogs socialize with each other through subtle displays of posture and behavio that can only occur when they are not impeded by a leash. A leash limits a dog's natural movement and can even cause some dogs to become territorial, protecting the area to which the leash confines them."

Off-leash areas are therefore essential for the health and well-being of dogs. Because million of dog lovers throughout the United States depend on local parks to provide for their pets we believe that their availability is imperative And because these caretakers, like other tax-paying residents, already pay the money used for these parks (and they independently pay fo municipal animal control services) they and their canine companions have a right to numerous, widely accessible off-leash parks.

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The San Francisco Society for the Prevention of Cruelty to Animals

2500 16th Street • San Francisco, CA • 94103-4213 • (415) 554-3000 • www.sfspca.org

Statement to the City and County of San Francisco Advisory Dogs Off-Leash Task Force

April 14, 1999

All over the world, San Francisco is regarded as one of the most beautiful and forward thinking cities in the United States. One of its treasures is our neighborhood parks. Through the daily activities available in these parks, San Francisco's culture, community and well-being are continually being shaped. We feel that because of the growth of our City's population, in human and canine terms, now is the time to accommodate for the future of our dog friendly parks.

San Francisco's diminishing number of off-leash areas are among the few remaining places in our densely populated urban environment where dogs can socialize freely and run off the energy they've built up from having been confined in houses and apartments. Off-leash recreation is not only an essential part of how many people care for their pets—-it is a way to give a little something back to the animals who give us all so much.

Accordingly, on behalf of the 90,089 members of The San Francisco SPCA, we recommend that current off-leash areas be improved, new sites added, and that the community be involved in determining the future status of the parks.

Throughout history, art and literature have depicted humans in all walks of life and social strata with dogs, illustrating their widespread acceptance in everyday life. Some religions even incorporated them into their worship. Indeed, dogs have long been admired for the purity of their character traits, with military annals documenting the wartime bravery and courage of dogs in the K-9 Corps.

Closer to home, our own culture is populated with examples of the well-established place dogs have found in our hearts and homes. People of all ages, but particularly the elderly and the young, enjoy their companionship. The emotional, physical, and social benefits dogs provide humans, however, do not discriminate against age, gender, or even physical well-being. For single people, dogs offer a welcome relief from loneliness. For children, an animal in the home contributes warmth and unconditional love, and teaches responsibility and consideration for the needs of another creature. Those who suffer from disease or injury experience a therapeutic, even spiritual, benefit from their presence. For

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the lonely, a dog provides the incentive to get up in the morning—-a walk on the beach with their best friend may be the highlight of the day or week. For others, it is often the only daily exercise they get. And in an increasingly sedentary society, these benefits can enhance health and prolong life. Dogs also provide a sense of safety and security, allowing many people freedom they would not otherwise have.

Perhaps most importantly, dogs also contribute to a more positive environment in our City by facilitating communication between people. Studies have found that the presence of a dog increases the likelihood of friendly contact. This is especially true—-and important—-for people with mobility problems or other special needs that keep them socially isolated. As one dog organization has noted, "[n]eighbors who would otherwise have little reason to speak to one another will stop and chat when dogs are present" (San Francisco Dog Owners Group, "SF DOG", Managing Off-Leash Recreation in Urban Parks, March, 1999 at p. 6). This fact is an important ingredient in the formation of a community. There are countless examples of dogs introducing people to other people, thus leading to the formation of neighborhood groups, park clean-up days, new friendships, and even marriage.

Dogs do so much good for the community: they give us a sense of optimism, safeguard us from depression and loneliness, and break down the barriers that isolate us from one another. Their presence improves our health, protects us from danger, and teaches us about caring and responsibility. And they ask for so little in return. While dog ownership may not be a fundamental right, it is unquestionably an integral aspect of our daily life—-which cannot be dismissed lightly and should not suffer unwarranted limits.

What Do Dogs Need?

As a society, we have yet to recognize and appreciate the emotional and psychological needs of animals. As a result, while our laws demand that a dog kept as a companion receive the basic requirements of sustenance and shelter, there is no way to guarantee that an animal receives love and attention. For the dog, the absence of attention and affection is tragic.

Because dogs, like human beings, are "pack" animals, they, like us, need to socialize in order to remain psychologically healthy. Keeping dogs isolated from one another goes against a dog's most basic instincts. In addition, if continually frustrated by their lack of mobility, many dogs will react with intense enthusiasm, such as dashing around wildly.

As noted by the San Francisco Dog Owners Group, "Dogs require daily exercise and contact with other dogs in order to remain healthy and well socialized… [A] well socialized dog learns the skills required for getting along with the people and the other dogs [he/she] meets each day" (SF DOG, at p. 7).

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(414) 554 3000 email: publicinfo@sfspca.org

The Need For Off-Leash Parks

Modern urban life makes it difficult to give dogs all that they need. As noted in the Task Force Report, a high number of San Francisco's pet-owning residents are without outdoor yards. In our City's increasingly expensive housing market, many people cannot afford to buy a home and are forced to find virtually any available pet friendly rental housing. Oftentimes, this requires dog owners to go to parks, "because many households have no backyards or other protected areas for outdoor activities" (p. 9).*

There is no substitute for off-leash parks: "Dogs socialize with each other through subtle displays of posture and behavior that can only occur when they are not impeded by a leash. A leash limits a dog's natural movement and can even cause some dogs to become territorial, protecting the area to which the leash confines them" (SF DOG, at p. 7).

Off-leash areas are therefore essential for the health and well-being of our pets. Tens of thousands of dog owners throughout San Francisco depend on City parks to provide for their pets. We believe that, in the interest of representing this large contingent, the need for numerous, widely accessible off-leash areas is imperative.

The Successful Off-Leash Park System

The San Francisco SPCA was disheartened with the recent closing of off-leash activities at Ocean Beach, Lands End, and parts of the Presidio. As noted in the Task Force Report, further Golden Gate National Recreation Area ("GGNRA") lands could be closed to off-leash walkers at any time (p. 3). Additional closures would lead to increased overcrowding and congestion of existing parks by people traveling to areas they normally wouldn't need to visit in order to satisfy their dogs' needs.

In addition, many of the City's residents do not travel by car or are mobility-impaired, thus preventing them from access to some dog parks. By providing a wealth of local parks, we not only foster a sense of community, we also protect San Francisco's environmental interests. In fact, in the 1996 Sustainability Plan for the City of San Francisco, the Department of the Environment firmly endorses minimal automobile use (Sustainability Plan, at p. 79). By providing residents with the necessary local park facilities, our City experiences less traffic, as well as less park crowding and degradation—-thus meeting the mandate set by the Board of Supervisors.

Moreover, as the Task Force recognized, the twenty-year old park system does not "reflect the distribution of dogs and dog owners in the City," nor does it "reflect an apparent increase in dog ownership in the last twenty years" (p. 3). In fact, The SF/SPCA estimates that there are at least 150,000 dogs in San Francisco.

* All page citations are to the draft Report of the Advisory Dogs Off-Leash Task Force to the Recreation and Parks Committee of the Board of Supervisors of the City and County of San Francisco, unless otherwise noted.

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As the City's population has grown, the needs of dog owners have changed drastically since the late 1970's. At the same time, the closure of several key off-leash areas has led to tremendous disadvantages for our City's dog owners. Because of this, it is not only imperative that the availability of multi-use parks is expanded, but also that existing parks be properly maintained.

As stated in the Task Force Report, the current off-leash areas "are, by and large, poorly marked, poorly maintained, and inadequate to meet the needs of dog owners" (p. 8). Just as our park system as a whole has aged, the areas available to dog owners have aged along with it. In some cases, simple maintenance and signage will help to improve dog areas. In others, the availability of trash cans, waste bags and benches will lead to a more successful park.

Finally, the Off-Leash Task Force has provided an opportunity for dog owners to voice their opinions. The SF/SPCA strongly believes that future changes regarding the accessibility and availability of dog parks must include public comment and representation by local dog-owners themselves. We feel it is imperative that future decisions include adequate notice of meetings, a full report and accounting by City staff, public input regarding the listing and de-listing of parks, and a forum to share concerns.

The San Francisco SPCA believes that:

- current off-leash parks need to be improved
- new off-leash sites need to be created
- the community needs to be involved in determining the status of parks

The Leader of the Pack

For much of history, animals were considered mere commodities who pulled our wagons, provided the products for our farms, herded our sheep, and kept our barns free of mice. During the last century, however, socio-economic changes in society at large and our own unfolding humane ethic have produced changes in the status of animals as well. Many animals—-dogs in particular—-are now overwhelmingly *companions* instead of *servants*. In addition, government laws and services have evolved from promoting animals as property, to protecting them as cherished pets. In this regard, San Francisco has led the nation.

San Francisco is the first City and County in the United States, for example, where adoptable dogs (and cats) are guaranteed a home. Ours is the first to undertake a comprehensive rehabilitation program to save thousands of treatable dogs (and cats) in our City's shelters every year. The San Francisco SPCA believes that the system of off-leash dog parks we create today can also, and rightly should, be a model for the rest of the country.

Attachments:

- Selected Comments Regarding the Report of the Advisory Dogs Off-Leash Task Force
- Minimum Requirements for a More Successful San Francisco Off-Leash Dog Park

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Dog Power

BY CLAUDIA KAWCZYNSKA

The Bark examines the nation's Dog Parks and gives tips on how to create a park of one's own.

In the beginning there was a dog, a ball and a piece of green...

Many of you already come together at your favorite de facto dog park daily to do what every responsible dog person knows must be done—exercise and socialize your dogs. We all strive to give our dogs a happy life and enough stimulation so they poop out (in more ways than one). But strictly enforced leash laws can really zap the fun out of this innocent activity, turning many of us into lawbreakers. We aren't deterred, because we care more about our dog's recreational needs than we do about our legal standing, but we are forced into playing hide-and-seek games with the authorities. Many of us no doubt feel like Kevin Kraus of Washington DC: "I have a very well-trained dog so I leave him off leash and he responds and stays with me and it isn't a problem, but I still wound up getting fined. I said this is ridiculous. I know that I'm breaking the law, but at the same time I feel as if this offense is not a problem." Kevin's experience is being repeated in parks everywhere, and so dog people are organizing and forming activist groups, as he did in his Dupont Circle park. No matter how vigilant the authorities are—in New York they're equipping citizen-snitches with cell phones!—dog people are united in their desire to get a piece of green!

Off-leash recreation is turning into one of the biggest imbroglios in park management, and one of the most politically challenging and hotly debated items for local legislators. It's inspiring participatory democracy at its finest, with off-leash advocates, many political novices, pulling out all stops to earn the right to exercise their dogs—and it also has local politicians running for the hills. According to the March issue of *Governing*, most of these fights have much in common, and it cautions local

RESOURCES

Author Bio:
Claudia Kawczynska, the ed of *The Bark,* is also a Berkel Waterfront Commissioner an served on the Task Force fo Dogs in Parks. She is happy announce that after an eigh long effort the Berkeley city council voted unanimously t approve the sixteen-acre off leash park.

Websites & e-mails:
SFDog

FIDO

ArlingtonDogs

NYCDOG

Good dog park links:
Dog-Play: Tips on Dog Parks

San Francisco SPCA,
publicinfo@sfspca.org

Papers:
Mary Battiata's article
"Lassie Go Home,"
Washington Post Magazine,
May 30, 1999.

"The Case for Space:
An Analysis of Off-Leash
Recreation Areas in
Los Angeles"
Freeplay

"Public Open Space and Dog
PetNet

"Companions in the Park:
Laurel Canyon Dog Park,"
Landscape, Vol. 31,
No. 3, 1992.

Videos:
Santa Barbara DogPac,
"Your Dog Off Leash"
805.967.3111
a donation would be
appreciated.

"The Point Isabel
Video Project"
$12, check to
Point Isabel Video

legislators that "if you thought that taxes were the only issue that made voters' blood boil, then you haven't had a dog issue appear on the public agenda lately." Such off-leash activism gave birth to *The Bark*, so we thought it was time that we responded to your requests and offer tips on how to get and keep a dog park. The information we present here has been gleaned through discussions with off-leash advocates and park administrators, from studies and reports, and from working in the trenches in this struggle for the past five years. This report will run in two issues of *The Bark*, beginning with the following discussion on "taking up the banner"—including development of political action plans and position papers. In the next *Bark* we'll focus on the nuts and bolts of the issues involved with implementation; topics will include planning, designing and operating dog areas. Both segments will be supplemented with accounts by experts that you can use to guide your efforts (fuller texts will be available on www.thebark.com/whatsnew). But we won't stop there. Dog parks have been, and will continue to be, an ongoing feature in *The Bark*—we would love to hear your frontline stories so we can learn from your examples too.

So what's the beef?

De facto off-leash parks have been around for a long time, and in the past this has worked out fairly well. What schoolyard doesn't have its doggie regulars playing fetch long after the kids' soccer game has ended? But lately a lot has changed. Now it seems that "being anti-dog is the socially permissible prejudice," says Pam Ferguson, who spearheaded the first dog park campaign in Berkeley in 1985. In her insightful *Washington Post* article, Mary Battiata points out that leash laws were mostly enacted in the 1980s by "local governments with no intention of strict enforcement. Rather, there still was a tacit understanding that if dog owners wanted to run their dogs off leash, they would do so in out-of-the-way places where they wouldn't disturb anyone." But in the '90s we are going through one of those horrid "paradigm shifts," with a number of factors affecting how far the shift will go. There is increased competition for scarce green space from a number of other public park users—inline skaters, picnickers and exercise-driven adults wanting to play "ball" sports. There are more people living in "planned" developments (many in the Sun Belt states or in exurbs) that didn't put dog parks into their master plans. And, as Battiata suggests, urban areas' "in-fill development" is taking away green space, and "the 'echo' baby boomers are filling parks with strollers and toddlers once again," setting up the overplayed children vs. dog conflict. There is criticism leveled in NYC that people are favoring bigger dogs (Labs are the most popular dog today, while in the '50s it was the Cocker Spaniel). Add to all this a society that is becoming increasingly less tolerant in general, with road rage spilling over into dogs-in-park rage, and your *de facto* dog park can vanish in the wink of an eye.

Mitch Baum
3871 Piedmont Ave.
Oakland, CA 94611

Catalog:
Delta Society:
1.800/869.6898

"being anti-dog is the socially permissible prejudice..."

There is truth in the adage "don't fix what ain't broke." Perhaps this isn't the time for you to venture into the dog park minefield—you might want to hang back to see what happens. But leash law enforcement is usually complaint-driven, so it only takes one irate citizen's angry complaining and that schoolyard-doubling-as-dog-park can come to a screeching halt—as dog lovers in Sacramento recently found out. In Berkeley a scat-obsessed citizen with a penchant for high drama dials 911 to report dogs in "his" public park, pooping on "his" grass. This staunch dog-hater gave a slide presentation at a Task Force meeting showing offending poop piles with little white flags he'd stuck in them, neatly dated, to demonstrate how uncivil dog people can be ... umph. But as unreasonable as a 911 call for dogs pooping may be, this man's complaints were answered by swift police action and he managed to make life miserable for that park's dog people.

... and the wheel keeps turning, turning, turning ...
Changing public policy and amending laws isn't all that easy. It can take an enormous amount of grassroots effort, aided by familiarity with governmental procedures and the tenacity of 10,000 Terriers (definitely the most important factor of all). Leaders in the movement have a lot in common with dogs: their staying-power, ability to focus and determination would make any Border Collie proud. Attendance at dull and often frustrating committee meetings and public hearings, letter writing, petitionings and buoying up flagging volunteers might consume years of your time, with an attendant loss of sanity. But if you think you are ready for the challenge and promise to keep your good sense of humor, here is some information that might help you along.

CONTINUE to **A Doggedly Determined Political Action Plan...**

HOME | TOP | CONTACT US | ABOUT THE BARK | WEBMASTER

San Francisco Dog Owners Group

This Issue's Highlights

Events:
12/05 - SFDOG General Members Meeting
All December - SPCA Holiday Windows

Winter Holiday Tips:
Make your home pet safe!

Get your copy of SFDOG's Pet Policy, then tell us and your local Supervisors what you think!

No time for dog chat, but still want to stay informed about the important stuff? Join the SFDOG Email Announcement List.

Park Users, Please....

- Carry a leash.
- Pick up and dispose of dog waste.
- Do not leave dogs unattended.
- Leash aggressive dogs.
- Control excessive noise.
- Prevent digging and destructive behavior.
- Always carry a bag, a spare, and one to share!

SFDOG

SFDOG Mission Statement

Quick Jumps

Top Stories in The News - Recent news headlines about local dogs and dog parks

Press & Action Alerts - Something to bark about!

Features - Member-written articles to inform and entertain

Lost and Found Dogs - Find your lost pet, or find a new friend

Health & Safety - Tips and hints about caring for your canine friend

Links - Resource of local dog parks, rescue groups, and other great places

Members & Visitors - Membership info

Run Free - Park locations in San Francisco

EMERGENCY! After hours resource for veterinary help

Search the SFDOG Website

Contact

If you have an upcoming event,

About SFDOG

Support your local search and rescue dog teams! More info here

would like to let us know about your favorite park or dog run, an item of concern that you think should be added, or suggestions about new pages, please e-mail the webmaster at the address below.

Web Issues:
webmaster@sfdog.org
Membership:
membership@sfdog.org
Information:
info@sfdog.org

San Francisco
Dog Owner's Group
Post Office Box 31071
San Francisco, CA 94131
(415) 339-7461

SFDOG Home | Press & Action Alerts | Features
Run Free | Lost & Found Dogs | Health & Safety
Members & Visitors | Links | Search

SFDOG (c) 1998-2001

Fire Horse Productions

San Francisco Dog Owners Group is a member of the Offleash Dogs Web Ring.

Previous | Next | Random Site | List Sites | Join

I want a place to play offleash!

Mission Statement

Action Alert!

Senate Bill 712

Download Documents

12-Acre Closure Book Introduction

1:FFDW Org

2:Enabling Legislation

3:Survey

4:Bank Swallows

5:Native Plants

6:Erosion

7:Public Safety

News & Letters

Membership

Message Board

Links:
S.f. Dog
www.sfdog.org
GGNRA
www.ggnrawatchdog.com
Caldog
www.caldog.com

Editor:
fortfunston@hotmail.com

Webmaster:

Fort Funston Dog Walkers Association

Welcome to the Fort Funston Dog Walkers Home Page. Fort Funston Dog Walkers is a community organization made up of dog owners and dog lovers who want to protect and preserve one of the largest and most beautiful dog-friendly parks in America.

Fort Funston is located in San Francisco, south of Ocean Beach. The entrance and large parking lot can only be reached by driving south on Skyline Blvd (Highway 35). Go past the traffic light at John Muir Blvd and up the hill. You'll see a small sign on the right, near the top of the hill. If you get to John Daly Blvd in Daly City - you've gone too far! The upper parking lot is open from sunrise to sunset, but if you park in the smaller lot near John Muir Blvd you can always hike in up the hill.

We're still walking off-leash although the Park Service will tell you that the leash law is in effect. See Alerts for more information about this battle. If you want to get weekly email Fort Funston updates, send an email to fortfunston@hotmail.com to be put on the list.

Sign The Online Petition!!!

http://www.PetitionOnline.com/OLA/

Oct 5, 2001

ALERT ! Off-leash status at Fort Funston & call for volunteers. The Park Service has started an intensive education program that includes new signage, brochures stating "5 Reasons to Leash Your Dog", and free leashes.

Mission Statement: Fort Funston Dog Walkers is a community organization made up of dog owners and dog lovers who want to protect

News & Letters: Nov 28,2001
[Urging GGNRA to delay leash enforcement] Resolution requesting the National Park Service to delay enforcing, in the San Francisco parks situated in the GGNRA, 36 C.F.R. 2.15, requiring pets to be on leash in national parks, until the ANPR process has been completed.

Become A Member: Join our organization and keep Fort Funston leash free.

Wedosites@mail.com

and preserve one of the largest and most beautiful dog-friendly parks in America: Fort Funston.

Message Board: This forum is for members only. Please do not give out the password to non-members.

12-Acre Closure Book: A tremendous amount of research went into this book. The book was titled "Opposition of Fort funston Dog Walkers and San Francisco Dog Owners Group (SFDOG) to the Proposal to Close Twelve Acres at Fort Funston".

Online Petition: Please sign a new online petition to support Senate Bill 712, Jackie Speier's proposed legislation for the State Department of Parks and Recreation to conduct a feasibility study regarding state park locations and conditions that would support off-leash dog activity.

Contact:

Editor:
fortfunston@hotmail.com
Webmaster:
Wedosites@mail.com
Become a member:
Membership Info

2396

GGNRA WatchDog

Saturday, Jan. 19, 2002
e-mail Editor

NOTICE:
Next Tue. Jan. 22nd at 7:30 pm: Advisory Commission Meeting
Bldg. 201, Fort Mason (Bay & Franklin Streets, SF)
Non Agenda Items will be at the start of the meeting and limited to 15 minutes.

GOLDEN GATE NATIONAL RECREATION AREA
AND
POINT REYES NATIONAL SEASHORE
ADVISORY COMMISSION

The Golden Gate National Recreation Area (GGNRA) and Point Reyes National Seashore Advisory Commission will meet on Tuesday, November 27, 2001 beginning at 7:30 p.m. at GGNRA Park Headquarters, Bldg. 201, Fort Mason, Bay and Franklin Streets, San Francisco, California.

AGENDA

1. Approval of Minutes of 10/23/01 meeting
2. **Park Vision - Park Education and Community Programs**
3. **Fort Mason Pier 2 Seismic Retrofit Environmental Assessment**
   - Public Comment
4. **Water Transit Authority- Ferry Planning Efforts**

For more info. call 415.291.3377 or visit www.watertransit.org

- Public Comment

5. **Public Comment on Fort Baker RFP Respondents***

* At this time the GGNRA Advisory Commission's role in the Fort Baker Retreat and Conference Center is to pass on to the National Park Service any public comments received regarding the project without summarizing, analyzing, or otherwise evaluating the comments. In order to avoid influencing the decision process, the Advisory Commission will not take an official position on any of the three proposals. The public is free to submit comments to the Advisory Commission during the public comment period ending November 27, 2001.

6. Reports: Superintendent's Report
   Presidio Trust Director's Report
7. Committee Reports
8. Non Agenda Issues

For further information on this PUBLIC MEETING contact Michael Feinstein at (415) 561-4733. Minutes of this meeting can be received by writing to Staff Assistant, GGNRA, Bldg. 201, Fort Mason, San Francisco, CA 94123 or calling (415) 561-4733. Large print agendas are available by request. **Sign language interpreters are available by request for this meeting but must be requested at least 1 WEEK prior to the meeting.** The TDD phone number for GGNRA is (415) 556-2766.

GOLDEN GATE NATIONAL RECREATION AREA
AND
POINT REYES NATIONAL SEASHORE
ADVISORY COMMISSION

The Golden Gate National Recreation Area (GGNRA) and Point Reyes National Seashore Citizens Advisory Commission will meet on Tuesday, January 22, 2002 beginning at 7:30 p.m. at GGNRA Park Headquarters, Bldg. 201, Fort Mason, Bay and Franklin Streets, San Francisco, California.

AGENDA

1. Approval of Minutes of 11/27/01 Advisory Commission meeting
2. Non Agenda Issues
   (15 minutes will be allocated for Non-Agenda Issues. Speakers will be given 2-3 minutes each.)
3. Committee Reports
4. Reports: Superintendent's Report
   Presidio Trust Director's Report
5. Marin Agricultural Advisory Group Presentation
6. Presentation of Redwood Creek Watershed Vision Process*
7. Park Vision - Park Education and Community Programs
8. Fort Mason Pier 2 Seismic Retrofit Draft Environmental Assessment (EA)
   - Public Comment

"HELP DEFINE THE VISION FOR FUTURE OF REDWOOD CREEK WATERSHED PUBLIC WORKSHOP PLANNED FOR FEBRUARY 23 AT TAM HIGH (12-3 p.m.)

Redwood Creek flows from the peaks of Mount Tamalpais, through Muir Woods, and connects to the ocean at Muir Beach. The National Park Service (NPS) is partnering with Marin County, California Department of Parks and Recreation, Marin Municipal Water District and Muir Beach Community Services District in an effort to create an ecosystem-based framework to guide near-term and future planning efforts and actions in this watershed. There will be three public workshops as part of this vision process. If you would like to be on a mailing list for public outreach and workshop notices to participate in this process, please call (415) 561-4743.

For further information on this PUBLIC MEETING contact Michael Feinstein at (415) 561-4733. Minutes of this meeting can be received by writing to Staff Assistant, GGNRA, Bldg. 201, Fort Mason, San Francisco, CA 94123 or calling (415) 561-4733. Large print agendas are available by request. **Sign language interpreters are available by request for this meeting but must be requested at least 1 WEEK prior to the meeting.** The TDD phone number for GGNRA is (415) 556-2766.

ALSO:
Hearings on US Fish & Wildlife's
"Draft Recovery Plan for Coastal Plants of the Northern San Francisco Peninsula"
Fort Funston area meeting: Thu. Jan. 24 at 1-3 PM and 6-8 PM.
Golden Gate Club, Presidio of San Francisco
Ventana Room, 135 Fisher Loop -- see map & directions
[see several items below for more info!]

NEWS FLASH!
The case was heard from 10:15 am to 1:15 pm yesterday.
The Magistrate Judge's decision will be filed next Tuesday.
Check back for more details!

A key GGNRA off-leash came to trial yesterday:

Fri. Jan. 18th at 9:30 a.m.
Federal Building, 450 Golden Gate Ave., San Francisco
(between Hyde & Larkin, 1 block from Civic Center)
U.S. Magistrate Judge Maria-Elena James' Courtroom
Courtroom B, 15th Floor - Court Calendar

Dennis Tanaka was walking his two dogs off leash at Baker Beach last fall, as he has done for the past 30 years. There were no signs indicating leashes were required. He was not in any sort of protected area, but rather in the section that has been traditionally off leash there. Without warning or an opportunity to leash up the dogs, a ranger singled him out and gave him a ticket for having a dog off leash!

Dennis is being defended by an experienced criminal defense attorney, Jeff Adachi (who is currently running for Public Defender). This is an important case; the Park Service should see that off-leash tickets are going to be unpopular to prosecute.

All Rise: Remember, federal courts are formal venues; look respectable & act respectfully, whatever is said or done in the proceedings! Also, keep in mind the heightened security in place at the Federal Building; you may be required to wait in line, show ID to enter the building, and certainly are subject to search. There is a coffee shop just above the lobby, so try to come early in case of delay -- have a cuppa joe if there is no delay!

Also: The attorney, Jeff Adachi, is interested in speaking with anyone who has been a dog walker at Baker Beach in the past or is familiar with what has been accepted practice there. Please e-mail Michael Goldstein to be put in contact with Mr. Adachi. Thanks!

Click here
for transcript from Jan. 10, 2002 press conference announcing the start of the ANPR (Advanced Notice of Proposed Rulemaking) process!

Click here
for the actual ANPR notice in Jan. 11, 2002 Federal Register!
-- be patient; it may take a minute or more to display! --
(or click here for an Acrobat/PDF version)

"Draft Recovery Plan for Coastal Plants of the Northern San Francisco Peninsula"

The US Fish and Wildlife is sponsoring meetings about native plant recovery plans at the Presidio and vicinity, and Fort Funston and vicinity.

All meetings will be held at the same venue:

Golden Gate Club, Presidio of San Francisco
Ventana Room, 135 Fisher Loop
see map & directions

The **Presidio** meetings were held Wednesday, Jan. 16th, at 1-3 PM and 6-8 PM.

The **Fort Funston** meetings will be held **Thursday, January 24th, at 1-3 PM and 6-8 PM.**

The plan is to maintain, introduce and expand two plants, Lessingia and Raven's manzanita, at the Presidio and Fort Funston, as well as on additional private and municipal land in San Francisco and Daly City.

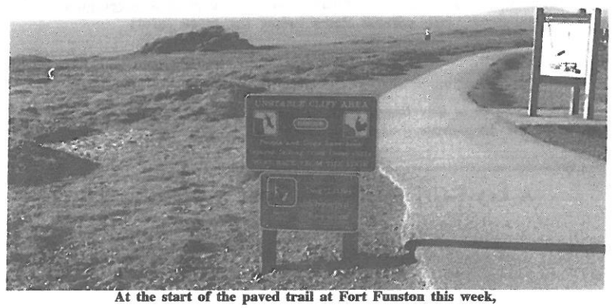
Come find out what areas of land are next going to be taken out of commission if this plan goes through.

You can get a copy of the "Draft Recovery Plan for Coastal Plants of the Northern San Francisco Peninsula" from US Fish and Wildlife by phoning Patricia Foulk at (916) 414-6600.

Deadline for public comment is March 4, 2002.

No Notice

of ANPR at Fort Funston and Elsewhere!
Jan. 15, 2002



At the start of the paved trail at Fort Funston this week,

REFERENCE DOCUMENTS FOR THE ADVANCED NOTICE OF PROPOSED RULEMAKING FOR PET MANAGEMENT IN GOLDEN GATE NATIONAL RECREATION AREA WEB SITES	
Full text of the Advanced Notice of Proposed Rulemaking (ANPR) for Pet Management in Golden Gate National Recreation Area, as published in the Federal Register	www.nara.gov/fedreg/
ANPR Questions and Answers ANPR informational brochure GGNRA Pet Brochure GGNRA enabling legislation	www.nps.gov/goga/pets/anpr
Code of Federal Regulations Title 36 – Parks, Forests and Public Property, Section 2.15 for Pet Regulations	www.access.gpo.gov/nara/cfr/waisidx_01/36cfrv1_01.html
National Park Service 2001 Management Policies	www.nps.gov/policy/mp/policies.html
National Park Service Organic Act	www4.law.cornell.edu/uscode/16/1.html
National Park Service General Authorities Act	www4.law.cornell.edu/uscode/16/1a-1.html
Migratory Bird Treaty Act	www4.law.cornell.edu/uscode/16/ch7.html
Directors Orders: DO-12 (Conservation Planning, Environmental Impact Anaysis and Decision Making) DO-47 (Soundscape Preservation and Noise Management) DO-77-1 (Wetland Protection), DO-83 (Public Health) NPS-77 (Natural Resource Management Guidelines)	www.nps.gov/npspolicy/Dorders.cfm
The Nature Conservancy	www.nature.org/aboutus/press/press40.html
Population Action International	www.populationaction.org/resources/publications/naturesplace/np_summary.shtml
California State Parks	www.parks.ca.gov/default.asp?page_id=21300
East Bay Regional Parks	www.ebparks.org/dropdown/dogs.htm
Midpeninsula Regional Open Space District	www.openspace.org
San Mateo County Parks	www.eparks.net/trails/index.htm#rules
Note: sites highlighted are not currently accessible due to conditions outside our agency. When the National Park Service sites are once again available, it will be announced to the media.	

Marin County Parks and Open Space	www.co.marin.ca.us/depts/pk/main/os/osrules.cfm
Marin Municipal Water District	www.marinwater.org
City of San Francisco, Parks and Rec. Dept.	www.parks.sfgov.org
City of Berkeley	www.ci.berkeley.ca.us/animalservices/dogregulations.html
American Veterinary Medical Foundation	www.avma
American Dog Owners Association	www.adoa.org (site not available at time of printing)
California Dog Owners Group	www.caldog.org
San Francisco SPCA	www/sfspca.org/advocacy/off-leash.shtml
San Francisco Dog Owners Group	www.sfdog.org
The Bark	www.thebark.com/commumity/advocacy_dogParks/dogParks.html
Fort Funston Dog Walkers Association	www.fortfunstondog.org

Fort Funston Forum www.fortfunstonforum.com