



United States Department of the Interior

NATIONAL PARK SERVICE

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Policy Memorandum 24-04

To: National Park Service Senior Leadership
Superintendents

From: Director

Subject: Affiliated Areas

1. Purpose and Duration

This Policy Memorandum sets forth guidance as to how the National Park Service (NPS) designates and works with affiliated areas. It supplements existing guidance found in [section 1.3.4](#) of *NPS Management Policies* (2006).

This Memorandum will remain in effect until amended, superseded, or rescinded by the Director.

2. Background

The NPS developed the concept of affiliated areas to allow for an administrative pathway to recognize a limited number of nationally significant properties, generally owned and operated by non-Federal entities, that have a relationship with the NPS with varying degrees of formality. No statute defines the term “affiliated area” or specifically authorizes the Secretary of the Interior to designate affiliated areas (or precludes the Secretary from doing so).¹ Generally, unless otherwise directed by Congress, the NPS does not provide permanent funding, staff, or visitor services to affiliated areas.

Over the years, affiliated areas have been established by different paths, including specific legislation, or using a Secretarial or NPS Director’s decision memorandum.² Designation as an affiliated area brings no special legal status to the property and is solely honorific in nature. The NPS used the term for the first time in 1975, publishing a list of affiliated areas in the *Index of the National Park System and Affiliated Areas*. In February 1990, pursuant to [Public Law 100-336](#), the NPS prepared a *Report on Criteria for Affiliated Areas*. This report identified a variety of ways the NPS had applied the classification over the previous 15 years, and provided recommendations to ensure consistency for usage of the title going forward. In 1998, Congress

¹ Historically, the Secretary of the Interior has used the Historic Sites, Buildings and Antiquities Act ([54 USC 320101](#) *et seq.*) to designate affiliated areas. However, the act does not direct their establishment as “affiliated areas” and designated affiliated areas have a variety of other titles. See [National Park Service Affiliated Areas: An Overview](#).

² Also see Congressional Research Service reports *National Park Service Affiliated Areas: An Overview* and *National Park System: Establishing New Units*.

used the term for the first time in [Public Law 105-378](#), to establish the Lower East Side Tenement National Historic Site in New York as “an affiliated site of the National Park System.” Most affiliated areas are non-federally owned, with a few exceptions.³

3. Policy

3.1 In General

The NPS acknowledges that Federal, State, local, and private entities have an important role in protecting, conserving, and interpreting public lands and resources throughout the United States. Affiliated area designation is a valuable method for the NPS to acknowledge and support nationally significant resources and themes that are protected and interpreted by other governmental entities or organizations.

In keeping with past practice, the NPS’s use of its authority to administratively designate affiliated areas should be used sparingly and exercised with consistency and rigor. Affiliated area designations can be valuable tools for the NPS to demonstrate support for third parties that are protecting, conserving, and interpreting nationally significant natural and cultural resources where NPS management is not feasible or desired. Affiliated area designation can be considered in cases where (1) there are compelling reasons why designation would benefit the NPS’s ability to fulfill its goals to tell a more complete story of the Nation, including underrepresented nationally significant resources and values, or (2) it would extend the NPS’s ability to highlight outstanding natural and cultural resources that – for reasons of feasibility, third-party interests, or otherwise – are not suitable to become national park units, or (3) the current management entity is effectively providing stewardship and public access to those significant resources to the extent that the NPS would not be a clearly superior management option.⁴ Affiliated area designations should continue to be established by legislation or via decision memorandum by the Secretary or the Director.

3.2 Eligibility

[Section 1.3.4](#) of *Management Policies* provides policy guidance when the NPS wishes to recommend for affiliated area status particular resources that are nationally significant but that do not meet other criteria for inclusion in the National Park System. This section of *Management Policies* states that in order to be eligible for affiliated area status, an area must (1) meet the same standards for significance and suitability 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 Service and the non-Federal management entity. These four criteria are matters of policy; they are not legal prerequisites to designation. When feasible, it is recommended that potential affiliated areas be evaluated

³ The NPS and other Federal entities own portions of several affiliated areas. For example, Pinelands National Reserve in New Jersey includes lands owned by the Department of Defense, Federal Aviation Administration, and US Fish and Wildlife Service.

⁴ See [National Park Service System Plan: One Hundred Years \(2017\)](#) for an explanation and list of underrepresented cultural and natural resources and values.

according to these four criteria within the scope of a reconnaissance survey or a similar report.

3.3 Working with Federal versus Non-Federal Management Entities

Where a non-Federal entity manages the affiliated area, the NPS will work toward:

- developing and using a consistent management framework across all affiliated areas;
- establishing clear expectations for the NPS and partners for affiliated areas;
- creating an affiliated area system graphic eligible for use by an affiliated area upon the express permission of the Director; and
- developing a consistent approach to partnering with the affiliated area's non-Federal management entity (management entity) that is well coordinated and understood.

Where a Federal entity manages the affiliated area, the NPS will work toward developing an agreement to establish roles and responsibilities.

3.4 Agreements

Upon receiving affiliated area designation, the management entity and the NPS must formally document their relationship through an agreement that ensures the affiliated area adheres to the following operations and standards. See Director's Order #20: Agreements for guidance on selecting the agreement type that best fits the purpose of the relationship.

- (A) The NPS will not provide the management entity with funding unless specifically appropriated by Congress for that purpose. Funds may be specifically appropriated by establishing a line item within an appropriation, adding funds to base operating accounts with an explanation in the committee report, or reallocating funds from other sources with an explanation in the committee report. Nothing about affiliated area status precludes the management entity from applying for a competitive Federal grant for which it is eligible.
- (B) The NPS will offer the management entity the following methods of special recognition:
 - listing on nps.gov with a link to the partner website; and
 - permission to use an NPS-owned affiliated area system graphic, when developed, consistent with section 3.3 of this Memorandum, on signage, interpretive or educational materials, and physical or web publications, consistent with NPS policies and guidelines (see for example, [Director's Order #52A](#) and [Special Directive 93-7](#)), and subject to the Director's discretion.
- (C) To ensure the affiliated area is managed in accordance with NPS policies and standards for operations, visitation, interpretation, visitor experience, and accessibility that apply to sites administered by the NPS, the management entity should, at a minimum:
 - ensure the affiliated area is open and accessible to the public;
 - advertise public hours and days of operation;
 - adhere to non-discrimination laws, as well as NPS policy and guidelines, in employment and treatment of the public, consistent with [43 CFR part 17](#) (Nondiscrimination in Federally Assisted Programs of the Department of the Interior), subparts [B](#) and [E](#);

- remove barriers for visitor accessibility consistent with applicable laws, including the Americans with Disabilities Act, the Architectural Barriers Act of 1968 (for projects that use Federal funding), and the Rehabilitation Act of 1973, section 504 (see Director’s Order #42); and
 - follow other policies, standards, and guidelines identified in the agreement.
- (D) To ensure sustained resource protection, the affiliated area must be managed in accordance with NPS policies and standards that apply to NPS resource management, such that the management entity:
- does not undertake activities, or neglect to take actions, such as routine maintenance and repairs, that may compromise the integrity of the resource;
 - ensures management actions for future projects meet the [Secretary of the Interior’s Standards for the Treatment of Historic Properties](#);
 - satisfies applicable compliance requirements for projects that receive Federal funding or require a Federal permit; and
 - follows other policies, standards, and guidelines identified in the agreement.

The agreement may identify additional goals and objectives for the affiliated area provided that the activities associated with those goals and objectives comply with the above operations and standards expected of an affiliated area.

The agreement should identify the management entity’s point of contact and an NPS liaison, and define roles and responsibilities for preserving, maintaining, and interpreting the resource(s). The agreement should outline expectations for any cooperative activities, such as holding regular meetings to discuss training, interpretive and educational collaboration, and NPS technical assistance opportunities that could be developed using task agreements. NPS assistance can include cooperative ventures such as linked tours and interpretive exhibits. NPS technical assistance should be directly related to carrying out the agreement. The agreement should outline a process for ensuring the affiliated area is being managed consistently with sections 3.4(C) and (D) above, as well as consequences for non-compliance.

4. Further Information

For more information about affiliated area requirements, contact the NPS Park Planning and Special Studies Division.

For more information about the affiliated area system graphic, contact the NPS Brand Management Team.

5. No Third-Party Enforceability

This Memorandum is intended only to improve internal management of the NPS and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person.

-----*End of Policy Memorandum*-----