

ADMINISTRATIVE GUIDE FOR PARK RESEARCH COORDINATORS



SCIENTIFIC RESEARCH AND COLLECTING PERMIT

United States Department of the Interior
National Park Service

This guidance is provided to assist parks in administering Scientific Research and Collecting Permits in National Parks (36 CFR 2.5). The permit process uses the following documents:

- Application for a Scientific Research and Collecting Permit
- Scientific Research and Collecting Permit
- Application Procedures and Requirements for Scientific Research and Collecting Permits
- Guidelines to Researchers for Study Proposals
- General Conditions
- Investigator's Annual Report
- Cover Sheet

Who and what are covered under this permit?

The Secretary of the Interior is “authorized and directed to assure that management of units of the National Park System is enhanced by the availability and utilization of a broad program of the highest quality science and information” (P.L. 105-391, Sec. 202: Research Mandate). A broad range of research in parks is highly valuable and will be encouraged and expedited whenever possible. Scientific research and collecting activities as defined here involve the systematic approach to investigations of natural resources and social systems conducted by official representatives and qualified individuals and students requiring legal approval by the NPS. Permits are issued to representatives of federal, tribal, state, and local governments, educational and scientific institutions and organizations, and qualified individuals and students to conduct scientific research activities (also referred to herein as studies) in National Park System areas involving natural resource or social science fieldwork and specimen collecting of biological, geological, and paleontological resources.

Activities in parks allowed for the general public without restrictions do not require a permit when conducted by researchers (examples include bird watching, non-commercial photography, hiking, etc). Some requirements of research and collecting involve special access or permission to conduct activities not normally allowed, such as placement of field markers and equipment, capturing and handling animals, or use of motorized vehicles and equipment in areas closed to such use; these situations require a permit. Some management discretion exists in determining, in some instances, whether a permit is required for any given study.

Employees of the National Park Service (NPS) conducting scientific research and collecting activities as part of their official duties are not obligated to obtain this permit, although it may be required at the discretion of the Superintendent. Other permits and approvals, such as Fish and

Wildlife Service permits or approval by an Institutional Animal Care and Use Committee, are still necessary for all employees where applicable. When permits are required for scientific activities pertaining solely to archeology, history, [objects/specimens/documents in museum collections](#), cultural landscapes, historic and prehistoric structures, and [other cultural resources](#), or to special park uses, other permit procedures apply. Refer to 43 CFR parts 3, 7, and 10 and 36 CFR Part 79 for regulations on conducting and managing research activities involving archeological resources. Refer to Director's Order 53: Special Park Uses for other approval processes.

For researchers who are not NPS employees, other park, federal and state permits and approvals may also be required where applicable, including permits for threatened and endangered species, controlled substances, backcountry or wilderness permits, and/or archeological permits. Research that involves a federally funded collection of information from the public, such as when formal surveys are used, may require approval from the Office of Management and Budget (refer to Director's Order 78: Social Science). Studies involving human subjects or the use of animals (including the capture and handling of wild animals) should conform to any requirements of the researcher's institution, including institutional compliance with the Animal Welfare Act.

Commercial and consumptive uses are not covered under scientific research and collecting permits. [Current regulations prohibit the sale of collected research specimens](#). However, certain research may seek to, or incidentally, identify organisms with potential commercial value from non-consumptive uses, for example through the use of information contained in their genetic codes. A scientific research and collecting permit must be issued for such studies, but as stipulated in the permit, the permittee must also enter into a Cooperative Research and Development Agreement (CRADA) with the National Park Service. CRADAs generally involve benefit sharing with the park, including payment of royalties for successful commercial products, and are subject to review by the Director and the Solicitor's Office. Additional NEPA review may be required. Because of the evolving legal and scientific framework for this type of research, careful review and consultation is necessary before permit issuance.

How do parks respond to a request for a permit?

- 1. Upon request from a researcher for permission to conduct scientific research and/or collecting activities:**
 - a. Parks will not discourage anyone who expresses interest from submitting an application. A fair, objective, and timely appraisal will be performed on all applications received.
 - b. Park staff should provide the requestor with an "application packet," consisting of *Application Procedures and Requirements for Scientific Research and Collecting Permits* which outlines the process to the applicant, the *Application for a Scientific Research and Collecting Permit* which the requestor fills out and returns, the *Guidelines to Researchers for Study Proposals*, and a copy of the *General Conditions* pertaining to all permits issued. [Park staff must](#) not modify these servicewide documents.

The application packet may also include a copy of a park-developed document entitled “Park-specific Conditions” applicable to all permits issued by the park (so the applicant can be aware of them before completing the application process). In developing Park-specific conditions, the park coordinator should ensure that applicants don’t misunderstand the difference between the “Park-specific” and *General Conditions*. This can be achieved by creating a uniquely separate document in the same style as the *General Conditions*, with a title including the park name and a statement clarifying the difference between permit *General Conditions* and “Park-specific conditions.” This will help applicants understand park special concerns and issues, and park managers will be able to make discretionary decisions relevant to permit conditions.

Additional information about the park that could affect field research (logistics, wilderness issues, safety notices, etc.) may be discussed in an “Information Bulletin” that the park develops and includes as part of the application packet. Information provided in the “bulletin” should not include mandatory items, such requirements should be placed in the “Park-specific Conditions.”

- c. The completed application, along with the study proposal, is returned to the park by the applicant.
2. **Once the completed application form and research proposal are received**, park staff should:
- a. Initiate the standard Cover Sheet and establish a file of the application to include hard copies of the printed application form, study proposal, and any other documents submitted (peer-reviews, etc.).
 - b. Review park goals for standard application turn-around times, such as 30, 60, or 90 days. When study proposals will require longer than 90 days to process, parks should inform applicants how long the analysis is expected to take.
 - c. Review the proposal for its scientific validity, researcher and institutional qualifications, its benefit to the park service and the public, its actual or potential impacts to park resources, visitor experiences, wilderness, safety, and other issues. Reviewers may include natural and cultural resource managers and specialists, and other relevant reviewers. Depending upon the scope and complexity of the study proposal, the park may seek additional outside reviewers.
 - d. Consider if other federal or state permits or approvals are applicable, and if so, that valid copies or adequate information has been provided by the applicant.
 - e. Assess proposed research for potential impact under NEPA guidelines before a permit is issued. A determination must be made that the proposed project is categorically excluded or that, as a result of conducting an appropriate level of environmental assessment, it may proceed within the framework of any park-specific conditions that may be required.

- f. Review the permit *General Conditions* and “Park-specific Conditions” (if any). Determine if additional project-specific conditions or restrictions should be placed on the permit (the permit form includes an identified space for this purpose).
- g. After weighing perceived benefits against potential impacts and risks, make a recommendation to the Superintendent or designee to approve or reject the permit request.

3. If a permit is approved:

- a. Each permit needs an assigned study number. Determine if a unique study number was previously assigned to the project. If previously assigned, the prior study number should be designated in the appropriate box on the permit form. If a study number was not previously assigned to the project, staff must issue a new number to track the study using the format “Park-Number” where “Park” is the park acronym and “Number” is the unique tracking number (example: ACAD-000001). The study number will be used to track all permits, reports, and correspondences related to the study over the life of the project.
- b. Assign a permit number in the appropriate box on the permit form using the format “Park-Year-SCI-Number” where “Park” is the park acronym, “Year” is the four-digit calendar year the permit is being issued in, “SCI” is the identifier for scientific permit, and “Number” is the unique tracking number assigned during the listed calendar year (example: ACAD-2001-SCI-0001). There may be many different permit numbers issued for a single study number over the life of the project.
- c. Designate the starting date and expiration date of the permit in appropriate boxes on the permit form. The permit may be approved for any reasonable length of time. Some parks will use the length of the project as its expiration date, others may prefer an annual renewable permit.
- d. Determine if an entry should be made in the block labeled “Optional Park Code” on the permit form. Parks may use this block to track permits by topic, geographic area, university, funding source, or any other classification they wish to use.
- e. Complete remaining blocks on the permit and attach permit *General Conditions* and any “Park-specific Conditions” (staff may not modify the permit *General Conditions*).
- f. An approved official permit requires a filed copy of the permit with the signature of the Superintendent or her/his designee and the signature of the Principal Investigator. The permit *General Conditions*, any “Park-specific Conditions,” and any permit specific conditions or restrictions must be provided with the permit form when obtaining signatures. The park should transmit the permit to the Principal Investigator for signature via mail, electronic mail, or facsimile (FAX). Once the park has obtained the Principal Investigator’s signature back via mail or fax, the Superintendent or designee signs, and a copy of the permit is transmitted to the Principal Investigator via mail or fax. Official methods supporting the use of electronic signatures may be implemented servicewide sometime after calendar year 2001.

- g. In a single folder for each study number, hardcopies of the final application and permit package (including all signed forms) will be filed in a secure location. All relevant information, including permit and application forms, study proposals, peer-reviews, correspondences, or related information including notes, photos, maps, and field data, are placed in the file. These records are considered resource management files and are maintained for long-term use. The park may desire to use laser jet printing on acid-free paper and folders to assist with their preservation. Final disposition within five years of inactivation should include incorporation of the files in the park's museum collection as permanent archives. All copies of field notes, data, reports, and other records associated with the study that are submitted to NPS pursuant to a permit must be accessioned and cataloged.
- h. Review multi-year permits on an annual basis to ensure compliance with permit conditions. Parks may revoke a previously issued permit or deny future permits if the Principal Investigator does not comply with assigned conditions (including the submission of an Investigator's Annual Report).

4. If the permit is not approved:

- a. A letter of explanation must be sent to the applicant explaining the grounds for disapproval. Phone or verbal discussions may also take place, but do not replace the need for a written response. The correspondence should clearly state what elements of the proposal are unacceptable. If modifications could make the proposal acceptable, the park may state them at this time. If the permit is to be denied based upon a lack of researcher qualifications or institutional affiliations, copies of written consultation on this issue with qualified scientists or resource specialists should be obtained for the records.
- b. A copy of the correspondence and application should be placed in a file identified by Principal Investigator's name and year of application. Rejected application files should be maintained with the study number files in a secure location (See Step 4.g above). If the application pertains to a project that was previously approved and received a prior study number, an additional copy of the rejected application and associated correspondence is also placed in the study number file.

- 5. Parks may issue a permit to cover activities in multiple parks**, but only where close coordination and communication is possible. Permits are issued under a lead park, using their numbering system, and a notation is made on the permit under "locations authorized" as to the parks that are covered by the permit. The lead park is then responsible for keeping the other parks informed and updated on permit activities. Examples of situations where multiple park permits should not be issued include blanket permits covering more than five parks. At this time, tracking and coordination of large numbers of parks under a single permit is not feasible due to unique park conditions and individual park management concerns.
- 6. Upon expiration of a permit and completion of a research activity**, the park should receive all reports and deliverables as required under the permit conditions. The final products should describe the findings and conclusions of the research and/or collecting

activities. Parks should encourage investigators to provide copies of publications, even if issued many years after a permit expires. Copies of all study and permit materials are entered into the study number file. The final receipt of all products and/or specimens under a permit should be noted through written correspondence and copies placed in the study number files.

7. **If a permit is revoked**, the park should inform the Principal Investigator in writing of the reasons the permit is terminated. Permits can be revoked for violations of conditions or terms, and other valid reasons for denying continuation of the project. Under permit *General Conditions*, investigators are informed they may consult with the Regional Science Advisor on reasons a permit has been revoked.

How should subsequent requests from a researcher be handled?

Permit renewals may be simple extensions of the permit expiration date where the project needs additional time, or they may entail modifications to the existing permit. Modifications, or subsequent applications, should follow the same process as a new application. While parks may consider past performance and deliverance of products on the part of a Principal Investigator as a favorable factor, projects can change considerably in their potential impacts and benefits, and a thorough review is needed for each permit issued.

What about pending revisions to 36 CFR 2.5?

A proposed revision to the scientific research and collecting regulations was being developed in calendar year 2000. The proposed regulations would change the manner in which specimens that are permanently retained in collections are managed. Other changes have been proposed as well. Additional information will be provided to parks if and when the proposed regulations are approved.

What else should staff consider when administering permits?

In calendar year 2001, the NPS will initiate an Internet process enabling parks to receive applications and generate and track permits electronically. Park research coordinators also will use the system to inform potential researchers about the type of research they are most interested in attracting and convey special park conditions potentially affecting field work. Researchers will be able to review the general permit application procedures and park specific information before applying for a permit.

An Investigator's Annual Report (IAR) is required as a general condition of all permits issued. Parks work with regional offices in organizing this process and determining effective actions to comply with an annual call for the accomplishment reports. Investigator's Annual Reports are used to consistently document accomplishments of research conducted in parks. Principal

investigators are responsible for the content of their reports. NPS staff will not modify reports received unless requested to do so by the principal investigator responsible for the report.

Park staff will be able to use the automated permit system to search the servicewide Investigator's Annual Report (IAR) database to determine if a researcher that was previously issued a permit complied with the requirement to provide annual accomplishment reports.

Park staff should be aware specific information can sometimes be withheld from Freedom of Information Act (FOIA) requests. Contact appropriate staff at your park or regional office if you have questions related to FOIA.