

In Reply Refer To:
L3015(NCR-OMD)

June 8, 1982

Memorandum

To: Associate Regional Director, Operations

Through: Chief, Division of Maintenance, NCR

Subject: Interim Agricultural Use Management Guideline

Enclosed is the latest version of the subject guideline. Stan Lock and I tried to clarify or otherwise address comments made by the C&O Canal and Manassas after Superintendent Leimer circulated the previous edition.

We do not see implementing this guideline as stifling flexibility. In fact, the biggest change we see is that more thought and planning will go into the agronomic aspect of the permit or memorandum.

Robert H. Cook

Enclosure

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INTERIM AGRICULTURAL USE MANAGEMENT GUIDELINE

The Secretary of the Interior, pursuant to the Act of August 25, 1916, (39 Stat. 535; 16 USC Sec. 1-4) has issued rules and regulations for the "management and use" of the areas of the National Park System, providing therein, for the issuance of permits and licenses. Section 207 of the National Historic Preservation Act Amendments of December 12, 1980, Public Law 96-515, 94 Stat. 2997 authorizes leasing of historic properties. The income from such leases would be available for administration, maintenance, repair, and related expenses. However, the procedures and guidelines for entering such leases have not been promulgated. Until they are, these interim guidelines are to be followed. These include the systematic selection of farmers and the development of a Management Guide for Crop and Pastureland.

It has been the practice in the National Capital Region to issue revocable special use permits Form 10-114 and continuation sheet 10-114a or Memoranda of Understanding for conforming agricultural uses for the maintenance of certain portions of historical, and other areas where it is desired to perpetuate or restore manmade conditions. While these have been legally adequate, the resulting farming practices and hence the protection of the historic scene have been less than ideal.

Special use permits are somewhat "neater" in that portions are pre-printed on the form. However, the proceeds from special use permits are deposited in the general fund. By using a Memorandum of Understanding to provide an interpretive service, exhibiting a rural scene, the proceeds can be returned to the park. This is authorized under the provisions of 16 U.S.C. 1a-2(g).

While full authority for the issuing and canceling "Revocable Special Use Permits" or Memoranda of Understanding has been delegated to Superintendents, requests concerning unusual circumstances or deviation from standard practices, must be sent to the Regional Director for approval before issuing the permit.

PURPOSE:

The chief objective in the administration and management of historical areas is the presentation to the public of the original historical scenes as nearly as possible. Thus, the preservation of, and gradual restoration of, the historical scene and keeping open of vistas that are an important part of the interpretive program may be achieved, in part, through mutually advantageous arrangements with farmers for the cultivation of lands formerly in agricultural use.

In permitting agricultural use of such lands, the intent is to foster land use practices which will improve the soil and control noxious weeds and prevent uses which tend to impoverish the soil and encourage undesirable vegetation.

SELECTION OF FARMER:

The selection of a special use permittee or the Memorandum of Understanding cooperator, herein after referred to as farmer shall

be preceded by inviting the public to make application to farm selected parkland. This may be done in an announcement through the news media, local farm bureaus, local farmers, persons with known interest, bulletin boards in public buildings, and local businesses.

The purpose, term, requirements, special conditions and other pertinent information regarding the use of the identified land must be available for review by perspective applicants and shall become part of the permit.

The farmer should understand, and be in sympathy with, the historical objective of the area.

In the event that more than one application is made for the same land, the application most beneficial to the program must be selected.

PERMIT or MEMORANDUM PERIOD:

Unless for experimental purposes or other short time consideration, permits for agricultural uses should be issued for a period of 3 - 5 years. The permit period should be such that the permittee can expect a reasonable return on his investment. Existing permittees should have a preferential opportunity to negotiate new permits in the event they have rendered satisfactory service during the life of the expiring permit.

FEES:

A fee comparability study must be made prior to issuing a permit and prior to each renewal. A fee at least equal to that normally charged for similar facilities in the local community, under conditions of use comparable to those set forth in the permit, should be charged. Fees comparable to those charged in the local community must take into account soil improvement practices required under the permit and benefits and services provided to the government.

Fees should be payable annually one year in advance. If the fee is to be paid with a share of the crop each annual share should be from the first harvest and the minimum share should be equal to what the comparable fee would have been. If fees are to be paid in other services, a proportional share should be completed before the first growing season. Performance Bond or a deposit should be considered whenever payment is to be other than cash.

ADMINISTRATIVE CONDITIONS:

Each unit of land must be considered individually and, if the permit is to be issued, its provisions must be adjusted to meet existing conditions of each situation in order to best achieve the objectives of the Service. Thus, special provisions such as insurance, archeological sites or findings, building use, non-discrimination, access, damages, equipment storage, special events and others as may be necessary to cover a particular use should be included by the Park Superintendent preparing and executing the permit. These are in addition to the general provisions included in the printed form or the standard provisions of the Memorandum of Understanding.

Modern machinery, not in use, shall be removed from the park or stored out of the historic scene. The same type of crop as was grown at time of historic events may be required on the occasion of formal programs commemorating those events.

AGRONOMIC CONDITIONS:

A "Management Guide for Crop and Pastureland" shall be developed by the farmer and the park staff in cooperation with the County Extension Service or the local office of the Soil Conservation Service for each field.

The elements of the guide shall be appropriate for the soil fertility, soil textural class, soil type, topography, erosion class, and the historic scene, as called for in the Statement for Management, Resources Management Plan, General Management Plan and other considerations as may be required by the Park Superintendent. Potential threats to ground and surface water and other phases of the environment will be kept to a minimum.

The guide shall include but not be limited to plans or statements addressing:

- A. Permanent Pasture
 - 1. Grazing plan
 - a. Rotation (restricting grazing to a portion of the field at any given time)
 - b. Animal units per acre (1000-pound animals per acre)
 - c. Provision for use of excess growth
 - d. Prevention of overgrazing
 - 2. Renovation and improvement plan
 - 3. Lime and fertilizer program
 - 4. Soil testing cycle
 - 5. Inventory of vegetative cover
 - a. Legumes
 - b. Grasses
 - c. Weeds
 - 6. Prescribed Integrated Pest Management (IPM) programs for weed, insect, pathogen, vertebrate and other pests that may threaten the crop or park resources
- B. Cropland (including hay or other forage harvested by grazing)
 - 1. Crop rotation
 - 2. Tillage methods
 - 3. Soil testing cycle
 - 4. Lime and fertilizer program
 - 5. Prescribed Integrated Pest Management (IPM) programs for weed, insect, pathogen, vertebrate and other pests that may threaten the crop or park resources

All pesticides shall be used in accordance with the label. Clearance to use each pesticide shall be obtained by the park staff in accordance with established Department of the Interior regulations and National Park Service policies.

The program shall be monitored continuously to insure efficacy and compliance with the management guide, the intent and special conditions of the permit or memorandum. It should be reviewed at least annually and revised as needed.