

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
HORACE M. ALBRIGHT TRAINING CENTER
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REGULATION OF VISITOR ACTIVITIES

I. Introduction

The need for the regulation of visitor activities should be clearly understood in order to facilitate an intelligent discussion of this activity. The act of August 25, 1916 establishing the National Park Service clearly charges the Service with certain responsibilities. A portion of this act is quoted as follows:

"The Service thus established shall promote and regulate the use of the Federal areas known as national parks, monuments, and reservations . . . 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 wildlife 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."

We are therefore by this act charged with:

1. Conservation of the scenery and the natural and historic objects and the wildlife.
2. Provision for the use and enjoyment of the areas administered by the Service in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.
3. In addition to the above we are charged with protection of the visiting public.

It is quite evident that the easiest way to fulfill our obligations as outline in item one above would be to exclude item two. Since this is neither possible nor desirable, it is necessary that we regulate certain of the activities enjoyed by the public in order that we may provide the necessary protection to park values and at

the same time provide for the enjoyment of these areas by the visiting public.

The need for adequate protection for the natural or historic features of a park are well understood by park staffs and by a surprisingly large majority of the visiting public. The need for adequate measures to provide for visitor protection is quite evident when we consider such potentially dangerous activities as mountain climbing, river running, swimming, or just boating. The danger of physical harm is always present in varying degrees in a number of activities which visitors enjoy, but too few people appreciate the necessity for this Service insisting on proper and adequate safeguards.

Thus, it becomes apparent that the activities of the park visitor must be carefully channeled or controlled in order to effectively conserve the park features and at the same time provide reasonable safeguards to visitor welfare. The real objective of this presentation is to (1) identify the visitor activities which most often need some form of administrative control, and (2) explore means where-
in the specific activity can be carried out with a minimum of adverse
effect on park features and/or with a prudent consideration for human
safety. As was implied earlier, complete protection can be afforded to park values as well as human welfare simply by prohibiting certain activities of visitors. However, we all realize that the real solution rests in a judicious control of human actions so that a maximum appreciation of park values emerges through minimum restriction of visitor activity.

II. Types of Visitor Control

A. Prohibition

This form of visitor control is mentioned at the outset only because it is the one form which most people think of first. Positive prohibition through regulation is generally a last resort and is adopted only after other methods have been tried and found ineffective. Some prohibitions are necessary to provide adequate protection to park values, for in their absence no other provision of protection would suffice. However, positive prohibition is not the answer to everything. Park rules and regulations to be effective as a management tool must be fair, reasonable, and enforceable.

They should be promulgated only when there is a definite need and should be of such nature as to provide the necessary protection with a minimum of inconvenience and restriction to the public.

To establish a prohibition which is not enforceable, or cannot be equitably applied to all visitors, is merely compounding the initial problem.

B. Zoning

Zoning may be defined as the arbitrary establishment of geographic areas within which certain practices are permissible and beyond which they are not. Some visitor activities which lend themselves to zoning are boating, swimming, water skiing, fishing, mountain climbing, camping, and motor vehicle operation. Some types of activity can be carried on in certain areas with a comparative degree of safety or minor nature of damage to park features. Where possible to do so, zoning should be used to its best advantage. The public will generally respond favorably to zoning if it can be demonstrated that it is in the public interest.

Zoning is generally backed up by some park rule or regulation, or at least by some very specific administrative determination. It must not be established simply to facilitate administration. There must be a consideration of public safety or of conservation of park values to make zoning effective.

C. Standards

The presence of suitable standards serves to protect the park and the public. Standards may take many forms and generally have their foundation in park rules and regulations. Some of the more obvious activities controlled through the use of standards are boating (types of craft, horsepower, safety equipment, etc.); fishing (lures, limits, etc.); saddle and pack trips (numbers of animals, length of stay, etc.); and camping (length of stay, equipment, etc.)

A great deal of thought must be given to the adoption of standards and they should not deviate appreciably from those in use in comparable situations in other park areas. Once standards are adopted and are received favorably by the public, it is most difficult to obtain public acceptance to a change in standards. For this reason it is always best to strive for the correct standard in the beginning rather than plan on an evolution of standards until the right one is obtained.

D. Closures

A closure is actually the ultimate form of zoning but must be considered separately since it cannot be qualified. Closures are

most often confined to geographical land areas (during periods of extreme fire hazard) and to water areas (to protect natural resources or to avoid physical hazards). They are made at the discretion of the Superintendent of each park area.

Closures may be either permanent or temporary. Wildlife habitats are permanently protected in some parks due to closures on certain bodies of water. On the other hand, fire hazards, nesting considerations, and animal populations may indicate the need for a temporary closure of an area.

Once an area is declared closed, it should be considered closed to all persons who do not have an official reason for entry. Even the excuse of official business should be carefully reviewed to prevent any unfavorable public reaction to such entry and use of an area. The public will be more apt to accept a closure as being in the public interest if it is apparent that government officials are also observing it.

E. Barriers

Physical barriers designed to control the actions of vehicles as well as pedestrians are commonly used to safeguard park features and promote visitor welfare. Barriers for vehicles range from the gate on a closed road to random rocks placed to prevent indiscriminate driving off a designated right-of-way. Such barriers are frequently necessary and may or may not be accompanied by signs.

Barriers restricting the movements of park visitors on foot are generally limited to fences or railings at points of overlook, at points of danger, or when other public safety considerations are necessary. Generally, such restraints are effective although they in themselves are not necessarily legally adequate protection if a visitor is injured in spite of them. Barriers should be reviewed periodically by the park safety committee to ensure their adequacy and stability.

Barriers are often used in conjunction with zoning, as at public swimming areas and to delineate the boundaries of campgrounds and picnic areas. Where used in this fashion they are generally accompanied by an approved sign to indicate to the visitor why his movement is restricted.

F. Signing

The park sign program provides adequate guidelines for almost

all possible occasions for signing. However, there may be an occasional situation not covered by these guidelines and a new or different sign must be considered.

Whenever a sign must be used to control or restrict visitor movement, it must be worded clearly, briefly, and with proper emphasis. Frequently, sign text may be too lengthy to be read in full, or may possess wording which is not commonly understood.

The addition of even a single sign to the dozens or hundreds which may already exist in a park must be carefully weighed. Is a sign the correct control measure? Where should it be placed? What should it say? How many will be required? What is the proper size? How conspicuous will it be? Will it intrude unnecessarily on the natural scene? Can people understand it? All these, and other, considerations must be satisfactorily answered before a sign is approved.

Where possible to accomplish, a sign should not be a printed prohibition of a visitor action. The indirect way is effective if the right approach can be found. The direct prohibition which generally starts out "It is unlawful to . . ." actually offends many people.

G. Registration

Mandatory or voluntary registration of park visitors prior to engaging in certain types of activity is a common and effective means of visitor control. While registration in itself is merely the recording of visitor intent, it does give the park staff an opportunity to acquaint the visitor with certain restrictions upon his actions. In most cases the visitor will call at a park office and talk to park employees. Upon this occasion his equipment may be inspected, his route examined, his itinerary established, park rules and regulations are brought to his attention, and he is otherwise acquainted with information which is to his advantage. Some park activities which lend themselves to registration are mountain climbing, boating, hiking, remote area camping, and certain winter activities.

The major benefit of registration is the element of public safety. Through registration park officers know where people will or should be at a given time, how they are equipped, how well they are informed, how long they plan to stay, and something of their physical resources. In the event a party is overdue at the time of planned return, park officials are immediately aware of the fact and can take whatever measures are needed.

Registration may also serve as a measure of protection to park features, although this is generally always a secondary consideration. The public will accept registration as a means of safeguarding the public welfare, but it is doubtful if it would be accepted as readily if the visitor thought it was intended to restrict his movements in the interest of park conservation. It is unlikely that registration will ever be used extensively as a measure of park protection. Rather, some form of licensing or permit will be used.

H. Licenses and Permits

Licenses and permits are commonly used in almost all park areas to accomplish a number of purposes. For the purpose of this discussion the two terms are used synonymously and are defined as written permission to engage in a specific action.

They are in effect a written and legal agreement between the Government and a park user in which is stipulated in specific terms the scope and extent of the user's actions. If the permittee goes beyond the limits of use provided for in his permit, he may be legally liable in subsequent court action. However, such is not generally the intent of licenses and permits. They are principally used to place a control upon the extent of a certain type of park use. Thus, when the type of use approaches the desired maximum the permits may be discontinued to prevent damage to park features.

Licenses and permits are also used as a measure of public safety. They insure that privileged persons possess the required experience and equipment to safely participate in certain types of park use. For example, licensed mountaineering guides are required in some parks for exceptionally dangerous or difficult climbs.

Some of the visitor activities which lend themselves to control through licenses and permits are boating, fishing, camping, saddle and pack trips, and operation of motor vehicles. Of course, permits are also used to control adverse uses such as grazing, commercial trucking, explorations and excavations, etc., but those uses are discussed under other aspects of the agenda and will not be mentioned further here.

I. Time Limits

Limitations on seasons, days of the week, or hours of the day are effective in park management. Some activities which readily lend themselves to this form of control are use of park roads, boating, swimming, fishing, camping and picnicking.

Time limits are often used in conjunction with a permit system, registration, or a sign program. Control through time limit is generally quite effective in that it is relatively easy to detect violations and principally for that reason it is generally well observed by the public. Time limits must have a foundation in park regulations or other administrative determination and must be commonly understood by the public. Limitations of time are used both to conserve park resources and as a measure of public protection.

J. Walks and Trails

The flow of public travel can often be influenced and guided to a park feature or away from a point of possible danger by means of carefully laid out walks and trails. In some park areas the ground cover is either extremely fragile, uncomfortable or even dangerous. In these circumstances a board walk is a ready answer and the public will unhesitatingly follow it to its destination. Thus, people can be steered away from danger or kept at a desirable distance from fragile park features without realizing that their paths are being guided.

It has been found that raising a board walk 6 to 8 inches off the ground greatly reduces the temptation to step off the walk prior to the end of the path. In areas where the ground may be swampy, icy, rocky or otherwise dangerous the board walk is frequently used to promote the safety of pedestrians.

Roads and trails are obvious measures of control and their usefulness and advantages in directing the orderly flow of visitor traffic are apparent to all of us.

K. Supervision

Direct and indirect supervision are, of course, the most effective measures which can be taken to ensure adequate park protection and public welfare. Direct supervision includes interpretive trips conducted by Service personnel; lifeguards at swimming areas; guides for mountaineering parties and saddle and pack trips; boat operators; fishing guides; bus drivers and ski instructors. Indirect supervision is obtained through patrol activities where the occasional presence of a Service uniform often serves as a deterrent to otherwise harmful or careless human actions. Ski patrolmen at winter use areas, boat patrolmen at water use areas, and rangers on periodic patrol in a variety of surroundings all have a controlling effect on the public.

Direct supervision is costly in terms of man-hours of time invested in a protective enterprise, but no other measure approaches it in effectiveness. Where an unusually severe element of danger is present, as in mountain climbing in some parks, an experienced guide is the best safety precaution. Where human thoughtlessness or carelessness is encountered in park use, such as in trips through caves or certain archeological ruins, it is always best to have a Service employee leading the group.

L. Interpretation

One of the best means of visitor control, if properly planned, is education through the park interpretive program. Through such a medium the visitor has opportunity to learn something of the situation involved and the proper course of action on his part to assist in relieving the problem. Too often the contact between a Service employee and the park visitor is a fleeting one. A question asked often receives a rather brief answer due to the fact that the employee doesn't have the time to develop the answer fully. However, in the interpretive program the problem can be presented in a number of different ways and the solution can be developed in any way that the situation dictates. In general, the information offered at an interpretive program is complete, comprehensible, and frequently illustrated through visual means.

Frequently direct appeal is made to the public through the interpretive program. If the fire danger is severe, if hiking routes are dangerous, or if outdoor swimming is considered unsafe, the visitor is informed in this regard. Often alternate uses of his time can be suggested so that he not only engages in a more beneficial type of park use, but never has had the feeling that his actions have been controlled.

In a more subtle fashion, the visitor is made aware of the values of park features and resources and is educated to the advisability or necessity of conservation. This latter use of interpretation to control the activities of the visitor has a great potential and should be used to full advantage. Talks and other contacts with school groups are extremely valuable and can assist effectively in the overall park protection program.

III. Control Measures as Applied to Visitor Activity

Following are listed some of the control measures which are commonly applied to specific examples of visitor use. Many of these have been applied due to the presence of certain circumstances which make them

advisable. There should be no attempt to apply these measures unless a study of the visitor use problem indicates that such measures are required.

A. Mountain climbing

1. Voluntary registration
2. Mandatory registration
3. Zoning (specific areas require permission of Superintendent)
4. Licensed guides
5. Tours conducted by Service personnel

B. Boating

1. Voluntary registration
2. Mandatory registration
3. Zoning of waters
4. Standards (safety equipment, motors, carrying capacity, etc.)
5. Supervision (concessioner boat operators)
6. Permits
7. Signing

C. Swimming

1. Zoning (permitted in certain areas by Superintendent)
2. Supervision
3. Barriers
4. Signing
5. Time limits

D. Fishing

1. License
2. Time limits
3. Signing
4. Standards
5. Closures
6. Interpretation

E. Hiking

1. Zoning
2. Closures (Closing poor trails)
3. Signing (At campsites, etc.)

4. Registration
5. Interpretation
6. Trails

F. Camping

1. Zoning (To protect meadows, etc.)
2. Standards (Equipment, capacity, etc.)
3. Closures (Closed due to unsanitary conditions)
4. Barriers (Camp limits)
5. Signing
6. Registration
7. Time limits

G. Picnicking

1. Zoning
2. Closures
3. Barriers
4. Signing
5. Time limits

H. Saddle and pack trips

1. Standards (Length of stay, horses in party, etc.)
2. Closures
3. Signing
4. Registration
5. Licenses and permits
6. Time limits
7. Supervision (Guides)

I. Vehicular traffic

1. Zoning
2. Standards
3. Closures
4. Barriers
5. Signing
6. Licenses and permits
7. Supervision

J. Skiing

1. Zoning
2. Signing

3. Time limits
4. Supervision (Ski slopes)
5. Registration (Ski touring)
6. Standards (Lifts, etc.)
7. Closures (During danger periods)

K. Self-guiding facilities

1. Walks and trails (Generally a well developed trail)
2. Signing
3. Interpretation
4. Barriers

L. Guided facilities

1. Walks and trails
2. Signing
3. Interpretation
4. Barriers
5. Supervision
6. Time limits