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October, 1995

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Issue

A significant, and increasing portion of the public has a physical or sensory disability. Because of the traditional way in which facilities have been constructed and programs offered, these individuals are frequently denied access to the diverse opportunities and experiences provided throughout the National Park System. In 1968 and 1973, Congress passed laws that require all federal agencies to make their facilities and programs accessible to people with disabilities. In 1990, Congress passed the Americans with Disabilities Act which extended those requirements to all State and local governments, and to the vast majority of the private sector. The National Park Service (NPS) is endeavoring to provide the highest level of accessibility practicable, not simply because we want to comply with the law, but because we believe it is the right thing to do. In many ways, significant progress has been made over the past several years. In spite of that progress, however, much more remains to be accomplished to bring NPS into compliance with the letter and the intent of the requirements.

Talking Points

- Based on the 1990 census, over 49 million Americans have major disabilities. When you include people with temporary disabilities -- for example, those with broken arms or legs, the baby boomer generation which will be over 65 within 15-20 years and which account for 30 percent of our population, and those with cardiovascular and respiratory conditions, over 50 percent of our population could benefit from accessible design features and programs.
- The National Park Service is committed to providing accessibility to all people, including those with disabilities, and continues to develop servicewide strategies to accomplish that goal, while at the same time, preserving and protecting the resources.
- Two federal laws require the National Park Service to make facilities **and** programs accessible. The Architectural Barriers Act of 1968 requires **physical** access to buildings and facilities and Section 504 of the Rehabilitation Act of 1973 (as amended) requires **program** accessibility in all services provided with federal dollars, including interpretive programs and concessions.
- The Americans with Disabilities Act of 1990 extends accessibility requirements beyond the federal government, to all state and local governments and to most segments of the private sector. This law has raised the issue of accessibility to an unprecedented level of public visibility and Congressional commitment.
- Park designers and park managers should be aware that the official design standard for providing architectural access continues to be the *Uniform Federal Accessibility*

Standard (UFAS), but a process has been initiated to replace UFAS with the more comprehensive *Americans with Disabilities Act Accessibility Guidelines (ADAAG)*. A 1992 Department of the Interior directive instructed all Bureaus to "begin to utilize ADAAG in current construction projects," except in the few instances where UFAS is stricter. This will make areas accessible to more people and will avoid costly renovations in the future when ADAAG is adopted.

- Accessibility requirements recognize that a complex balancing act exists with accessibility on one hand, and preservation and conservation of the natural and cultural areas on the other. The regulations do not require actions that would alter the fundamental nature of the activity or environment or would, threaten or destroy significant historic features.
- Historic properties must be made accessible, but each site must be evaluated separately in order to achieve a balance between accessibility and the significant historic features of the site. The goal is to provide the highest level of accessibility with the lowest level of impact.
- New standards are currently being developed for the design of outdoor facilities such as trails, picnic areas and campgrounds. The guidelines recommend that the level of access in these facilities be proportional to the degree of person-made development. Highly modified facilities should be highly accessible, while backcountry or undeveloped areas will have much lower expectations for access.
- Concessioner facilities are subject to the same accessibility standards as NPS facilities; full access to the parks will not be realized until the concession facilities and services are available to disabled visitors.
- Since 1980, the NPS Office on Accessibility has worked with field units to develop, monitor and coordinate the entire servicewide effort on accessibility. Currently, that Office, in conjunction with Indiana University's National Center on Accessibility (created through a formal Cooperative Agreement), develops strategies for providing technical assistance, continuing education, research and development, and otherwise providing assistance to NPS units in achieving the goal of accessibility.

For more information

National Center on Accessibility, Indiana University, (800)424 -1877

NPS Management Policies Regarding Accessibility for Disabled Persons

Directive from the D.O.I. July 27, 1992, Implications of the Americans with Disabilities Act to the NPS and the Development of New Accessibility Standards

NPS Management Policies, see index for multiple listings

Special Directive 83-3, NPS Policy on Access for Disabled Persons

Staff Directive 80-2, Division of Special Programs and Populations

Issue

All units of the National Park System suffer from air pollution. Under the Clean Air Act, the Organic Act and other laws, the Department of the Interior has a responsibility to protect air quality related values within national park units from the adverse effects of air pollution.

Talking Points

- Important scenic and cultural landscapes are obscured by air pollution. Mostly sulfates, but also organics and other fine particles, reduce visibility to less than one-half natural conditions much of the time in all eastern parks, including Shenandoah and Great Smoky Mountains National Parks. Even in remote western parks, like the Grand Canyon, typical visual ranges are less than half of what they would be in an unpolluted atmosphere. Monitoring and other data show man-made pollution affects park scenic views over 90 percent of the time - everywhere that the NPS has monitored, with impacts ranging from just perceptible to virtual loss of view. Although the 1990 Clean Air Act (CAA) Amendments require significant sulfur dioxide emission reductions in the eastern United States, visibility in eastern national parks, while expected to improve, will remain seriously impaired. Moreover, little or no improvement is predicted for visibility in western national parks. Note, the 1990 Amendments do not require emissions reductions for sources impacting parks, but do retain the 1977 amendments national visibility goal of no man-made impairments for designated Class I parks and wilderness areas. Working with NPS and others, the EPA is developing a regional haze regulatory program to help address the national visibility goal.
- High levels of ozone are impacting park resources. Harm to vegetation from ozone has been observed in many national park areas. At Great Smoky Mountains National Park studies have documented injury on 30 species of native plants due to the ozone levels that occur frequently in the park. High ozone levels at parks such as Acadia and Shenandoah National Parks have prompted officials to issue health advisories to park visitors. Between 1987 and 1991, 15 park units recorded ozone levels at or above national standards for health and safety.
- Forested watersheds in both the eastern and western United States are being impacted by acid deposition. At Shenandoah National Park, stream acidification affecting fish and other aquatic life is expected to continue, despite expected pollution reductions under the 1990 CAA Amendments. At Sequoia National Park, intermittent acidification of high-elevation lakes occurs under relatively low pollution loads, threatening the stability of aquatic biological communities and raising concerns for potential long-term effects under increased pollution levels.
- Air pollutants accelerate the deterioration of cultural resources, including objects made from marble, bronze, limestone, and some sandstones. At Gettysburg National Military Park, marble sculptures erode about 10 microns for each meter of rain

received, a rate at least twice that expected under relatively unpolluted conditions. As a result, some of the inscriptions on monuments only 100 years old are no longer legible. Ozone exposure causes pigments used in historic documents and objects to fade and ethnographic resources, including textiles and basketry, to become brittle.

- Where emissions from new or modified facilities might affect Class I park and wilderness areas, the Clean Air Act charges the Assistant Secretary for Fish and Wildlife and Parks to review proposed permits with EPA and state permitting authorities, and to determine whether the proposed development would result in adverse impacts to air quality related values. Based on research, analyses, and monitoring data, the Assistant Secretary has made several adverse impact determinations. Because of existing adverse conditions at Great Smoky Mountains and Shenandoah National Parks, the Assistant Secretary has recommended that permitting authorities offset or otherwise mitigate emissions, prior to permitting new sources.
- As an important partner in nationwide air quality monitoring networks and regional studies, the National Park Service has a leadership role in air quality management throughout the United States. Since the 1970s, the Park Service has contributed expertise, personnel and funding to such projects as the Project Mohave Study, Winter Haze Intensive Tracer Experiment on the Colorado Plateau, the IMPROVE visibility program, National Atmospheric Deposition Program, and the National Dry Deposition Network, among others.
- The Park Service is engaged in multi-stake-holder partnerships to address regional air quality issues. Because of well known regional haze impacts, the 1990 CAA Amendments established the Grand Canyon Visibility Transport Commission (GCVTC). The GCVTC's charge is to assess regional haze affecting the Grand Canyon and 15 other parks and wilderness areas on the Colorado Plateau. The NPS, working with the Governors of eight western states, tribal nations, other federal agencies, industrial and public interest representatives, is developing recommendations to remedy existing, and to prevent future, impairment of visibility on the Colorado Plateau. Largely due to the adverse impact determinations the Assistant Secretary made for Shenandoah and Great Smoky Mountains National Parks, eight southern states and EPA, NPS, U.S. Forest Service and various private stakeholders launched the Southern Appalachian Mountains Initiative (SAMI). Considering environmental and socio-economic implications, SAMI's members are developing recommendations to address air pollution impacts to sensitive resources of the region.
- Since 1992, insufficient funding has forced the Park Service to reduce its air quality monitoring efforts. Continuing or future shortfalls will force further reductions in the number of monitoring sites and other critically important functions. Long-term data sets, collected under quality assurance and quality control procedures, are crucial in order to understand and recognize air quality changes and impacts now and in the future.

For more information

Air Resources Division Briefing Statements
NPS Management Policies, Chapter 4:15 and 4:17

Issue

The National Park Service (NPS) areas in Alaska differ in certain ways from those in the "lower 48" because the Alaska National Interest Lands Conservation Act (ANILCA) authorized certain uses and activities in Alaska parklands special to Alaska and typically not allowed in other parklands. Nonetheless, the resource protection and visitor enjoyment objectives are the same as with other parks.

Talking Points

- In 1980, Congress established 10 new areas in Alaska as part of the National Park System and expanded three others. This new acreage, added to previously established park units in Alaska, makes up 54.7 million acres within the state, which is less than 15 percent of the total land in Alaska but nearly 65 percent of all land in the U.S. National Park System.
- ANILCA, the 200+ page public law, provided for the continuation of certain historic and traditional uses within these park lands. As a result, the Service's management of most parks provides the opportunity for the continuation of specified activities that occurred on parklands prior to establishment. Local rural residents, whether they are native or non-native, living near or within designated national park units, are allowed to continue most customary and traditional subsistence activities occurring before the establishment of ANILCA. The legislative history of ANILCA stressed that subsistence eligibility ultimately depends on qualifying as an individual, or family member, with an established or historical pattern of subsistence use of parklands before designation. Subsistence activities include customary and traditional hunting, fishing, tree cutting (house logs, firewood), and trapping.
- The Park Service regulates subsistence activities to protect park values and purposes, and ANILCA specifies that subsistence use may not be inconsistent with the conservation of natural and healthy populations of fish and wildlife. Park Service authority to restrict subsistence uses is subject to certain substantive and procedural limitations. ANILCA's somewhat "non-conventional" park management directive has made the National Park Service more sensitive to local needs, uses, and traditions. The Service has had to develop new management strategies and new programs never previously attempted in order to carry out the mandates of ANILCA.
- Federal subsistence regulations have, in certain cases, provided more opportunities for traditional hunting, fishing, and trapping by imposing more flexible federal regulations over previously restrictive state regulations. For example, federal regulations lengthened the moose hunting season within Wrangell-St. Elias National Park and Preserve near Yakutat for local residents only, and provided for ceremonial moose and bear hunts for native Tlingit Indians. In other cases, however, federal subsistence regulations have been more stringent than state regulations to protect park values.

- ANILCA guarantees private landholders within park areas adequate and feasible access to their property for economic and other purposes, subject to reasonable regulations to protect the natural and other values of such lands.
- Unlike the "lower 48", ANILCA allows the use within parks (including park wilderness) of snowmachines, motorboats, airplanes, and non-motorized surface transportation methods for traditional activities and for travel to and from homesites and villages. The Park Service is authorized to regulate these activities, and to prohibit them if detrimental to park resource values.
- Sport hunting and trapping is allowed on over 40 percent or 22.5 million acres (an area almost 10 times bigger than Yellowstone National Park) of the lands managed by the National Park Service (the areas known as "preserves"). Sport hunting and trapping are not allowed within the boundaries of areas designated as national "parks" and "monuments" in Alaska. All national park units in Alaska provide for sport fishing.
- Recreational visits to the Alaska parks have increased 257 percent since 1980, with a total of 444,313 visits in 1980, increasing to 1.6 million in 1994.
- Approximately 275 commercial businesses are licensed to operate within national park units in Alaska. Many of these businesses operate in more than one park unit. These businesses range in size from large companies like Princess Cruise Lines to small mom-and-pop air taxi operations. More commercial businesses are working within Alaska national parklands than were there before the lands became part of the National Park System. ANILCA provides certain "historic operators" the right to continue providing visitor services consistent with park purposes, and establishes certain preferences for Native corporations and local residents in the selection of new visitor service providers. The 90 NPS concession permit holders (not including the 175+ commercial use licensees within park units) employed over 1,100 people in 1994.
- The State of Alaska reports that the tourism industry generated \$1.1 billion dollars in revenues for 1990. As tourism increases, in part due to the Alaska park units, the state and local tourism boards are promoting national parklands as a primary destination. An example is the Kenai Fjords National Park near Seward, Alaska. Prior to 1980, the area attracted very little tourism. Since the National Park was created, park visitation has increased steadily with over 200,000 visits reported in 1994. A number of tourist oriented businesses have started up in the community, including a tour boat industry. A number of tour boat operators now provide tours to the park area. Cruise ships also have started to embark and disembark passengers at a new port facility in Seward. The Seward Chamber of Commerce advertises the city as "the gateway to Kenai Fjords National Park".
- The Alaska state road and railroad system provides access to only four park units in Alaska. Due to the vastness of the state, access to most park units is by private and commercial small plane traffic.

For more information

See R.S. 2477 Rights-of-Way Talking Point Paper
Alaska National Interest Lands Conservation Act, 1980
NPS Management Policies, Chapters 8:11 and 6:9 for R.O.W. information
36 CFR Part 13, National Park System Units in Alaska

Issue

The backlog is, simply, an unfunded list of requirements in the parks. Over time, items get added to or, if they are addressed, dropped from, the list. It generally includes a full range of construction, repair and maintenance needs, such as disturbed natural resources and historical buildings and landscapes requiring restoration, and utilities needing repair. It also includes such elements as substandard housing and unmet code requirements; deteriorating roads and trails; and information deficits that adversely affect the sound management of park and program resources. It can also include the cost of land acquisition authorized by Congress.

Because of the nature of the backlog concept, the list is never static. Descriptions or catalogues of it produced in response to Congressional inquiry or during budget formulation are simply "snapshots" taken at a given moment. And, depending on the nature of the question being asked, only portions of the backlog may be included in the snapshot. (For example, someone may be interested in the housing backlog, or the backlog of rehab/repair of visitor services facilities). These are two of the reasons no two dollar figures given for the backlog ever seem to be the same. The third reason is that projected costs change over time.

Talking Points

- Here are some figures that have been given in recent years for the backlog, or a portion of it as noted:
 - Servicewide Priorities for Construction* (February 1995): Roads (Federal Lands Highway Program) \$1.3 billion, Line Item Program \$1.7 billion. *Based on priorities set in 1993
 - Curatorial Budget Justification 1996 (released January 1995) NPS-41 "...the total NPS collection size is 28 million objects and 11,800 linear feet of archives...with the allocation of approximately \$2.5 million from the collections management program, annually, the collection should be catalogued by 2011..."
 - Park Roads and Parkways; Assessment of Conditions and Needs, 1990 FHWA-NPS "The current estimate, excluding line item appropriations, is \$1.5 billion to bring the Service's roads and bridges up to a condition where they can be economically handled with routine maintenance."
 - Inventory of Interpretive Media and Assessment of Maintenance Needs (July 1989) "The dollar value estimated to bring all deficient exhibits, audiovisual programs,

historic furnishings, and wayside exhibits to standard is \$186 million."

- Park Service Managers Report Shortfall in Maintenance Funding (GAO/RCED-88-91BR March 1988) "Of the 267 park unit managers responding to our questionnaire, about 75 percent reported that they are deferring maintenance because of funding shortfalls. They reported that these funding shortfalls total \$1.9 billion."
- Natural Resources Assessment and Action Program Report, (NPS March, 1988) "The assessment identified over 2,500 unfunded natural resource projects, totaling between \$250 and \$300 million..."
- Over the years, the figures the NPS has provided for the backlog have been questioned by many. Sometimes the elements included in the snapshot are questioned. More often, the NPS is told it does not have enough hard facts and documentation to support a given figure.
- The huge size and constantly changing condition of the backlog make it very difficult to track. The lack of Servicewide, cross-discipline, automated record-keeping systems contributes to this. So does the fact that new scientific information and a changing understanding of preservation requirements often require a change in the description and dollar value of elements of the backlog.
- The total cost estimate of the backlog is not intended to serve as a target for action during any one year. Rather, it establishes a goal to be chipped away at slowly over a number of years as funding and resources become available.
- Most importantly, at the rate we are receiving funding to tackle the backlog each fiscal year, we are losing ground. Not only are we not catching up, the speed of deterioration exceeds the speed at which we can address it.

Concessions Reform: Competition and the Competitor

October 1995

Issue

Services in the national parks are provided not only by employees of the National Park Service, but also by private businesses, known as concessionaires, responsible for food, lodging, and other visitor services. There is widespread concern, however, that the concessions system has fostered a lack of competition and has not provided a fair return to the government. Recent administrative changes have served to create more competition in this business sector, obtain the highest quality services, and provide a fairer return to the U.S. taxpayer. Legislative changes are needed to assure that these administrative reforms are not overturned in the future.

Concession History in the National Park Service

- The Concessions Policy Act of 1965 encapsulates policies that date back to the infancy of the National Park Service. The first director, Stephen T. Mather, understood that many Americans would not visit parks if they did not offer facilities for lodging and dining. Hotel operators and restaurateurs, however, were reluctant to build facilities and conduct operations in parks that were relatively inaccessible to most Americans. Therefore, Director Mather lured these businesses into parks by offering them contractual incentives.
- Mather gave the early concessioner renewable long-term contracts. He charged concessioner relatively low fees for their operating rights. In 1948, the Park Service offered another "carrot" to concessioner by allowing them to claim compensable "possessory interests" in the structures they build on park lands, which generally appreciate, rather than depreciate, in value over the term of the contract.
- As these incentives nurtured the development of concession operations, the policies they furthered became obsolete. By plane, train and automobile, tourists now travel to remote parks as easily as their grandparents were able to visit places like Niagara Falls or Cape Cod. The money they spend in concession operations (approximately \$650 million in 1993) is persuasive evidence that Stephen Mather's incentives no longer are necessary to make these financial opportunities attractive to the business community.
- Ironically, the primary side effect of these policies is that these profitable business opportunities are, by and large, not publicly available to the business community. The almost automatic right of preference in contract renewal, coupled with the policies of awarding concessioner long-term contracts, and of granting "sound value" possessory interest to concessioner, has effectively thwarted competition for concession contracts. Only 7 of the approximately 1,900 contracts that have been executed since the passage

of the Concessions Policy Act of 1965 through October 1992 were awarded to businesses that competed against an incumbent concessioner.

Talking Points

- As of 1995, there were 656 private businesses operating concessions in the national parks, such as hotels, gas stations, restaurants, gift shops, outfitters and guides.
- Franchise fees paid by concessioner are determined on a case-by-case basis. In 1994, the National Park Service collected \$18 million in franchise fees from concessioner. These fees were paid to the United States Treasury and are not used to support operations of the national parks. Concessioner placed an additional \$11 million in government improvement and capital accounts for concession related improvements, in which the Park Service assumes immediate ownership and the concessioner do have any compensable interest. Also, over \$4 million of possessing interest was extinguished in lieu of franchise fees.
- The lack of competition for concession contracts has hurt the American public in several ways. A contracting environment that is isolated from competition cannot ensure that only the best service providers are awarded contracts. It also reduces the full potential for the American public to receive a fair return for allowing concessioner the valuable privilege of operating on park lands.
- The 104th Congress is considering several bills that would significantly modify or even repeal the Concessions Policy Act of 1965. The National Park Service supports the aims of the bills, which would restore the health of the concession contracting process by allowing market forces to play a greater role in the selection of concessioner. They would (with certain exceptions) 1) eliminate the *right of preference* in contract renewal, 2) *limit the terms* of contracts to 10 years or less (except in exceptional circumstances), and 3) depreciate the value of a *concessioner's compensable interest* in the construction of facilities on parklands over a specified period of time.

Definitions:

- Concessioner currently enjoy a *preferential right of renewal*, which is the right to match the contract terms of any competitor. The cost of preparing offers for concession contracts that are burdened by a "right to match," deters competition.
- Many *contracts* for large concession operations have been written for 20 year terms or longer. The length of these contracts remove business opportunities from the market, and provide concessioner with little incentive to upgrade quality of service.

- *Possessory interest* is another problem for the concession system. Possessory interest is the compensable interest earned by concessioner through the concessions contract for capital investments made by the concessioner, such as constructing or improving buildings while operating within the park.

Concessioner are guaranteed monetary compensation from either the National Park Service or the incoming business operator for their possessory interest. In some cases this can translate into millions of dollars, thereby stunting competition.

- Among other things, the bills also provide for the establishment of Special Accounts and Park Improvement Funds that would make concessioner fees available to the Park Service for use in park operations and maintenance.
- These changes would improve business competition, ensure the highest quality services are provided, and protect the interests of the United States taxpayer.

For more information

NPS Management Policies, Chapter 10, see index for multiple listings

36 CFR Part 5, Commercial and Private Operations

36 CFR Part 8, Labor Standards Applicable to Employees of National Park Service
Concessioner

36 CFR Part 15, Concessions, Contracts and Permits

Special Directive 78-7, Cooperating Associations and Concessions (Revised)

Special Directive 89-1, Concessions Planning Consideration for GMPs and DCPs

Concessions Management Guideline, NPS-48

Issue

To fulfill its mission to conserve cultural and natural resources and to promote outdoor recreation, the National Park Service (NPS) has developed a level of expertise that has made it a leader in conservation, both within the parks it manages and in partnerships with other federal agencies, state, local, and tribal governments, communities, and the private sector. The Service has developed a variety of programs and methods through which it exercises leadership.

Talking Points

- Leadership comes in many ways: by delivering expertise, instructions, and advice; by example, through providing a model for good resource stewardship; by providing seed grants, matching funds, and other incentives to stimulate conservation activity; or by energizing other partners to take on new challenges. The National Park Service provides leadership in all these ways.
- This leadership role is provided in the following federal laws:
 - Yellowstone National Park Bill of 1872
 - Antiquities Act of 1906
 - Organic Act of 1916
 - Historic Sites Act of 1935
 - Outdoor Recreation Act of 1963
 - National Historic Preservation Act of 1966
 - Wild and Scenic Rivers Act of 1968
 - National Trails System Act of 1968
 - Redwood National Park Act of 1968
 - General Authorities Act of 1970
 - Archeological and Historic Preservation Act of 1974
 - Archaeological Resource Protection Act of 1979
 - Abandoned Shipwreck Act of 1987
 - Native American Graves Protection and Repatriation Act of 1990
- In the area of cultural resources, the Park Service leads other federal agencies, states, local communities, and the private sector through expanding and maintaining the National Register of Historic Places; designating National Historic Landmarks; and undertaking Historic American Buildings Survey/Historic American Engineering Record documentation. Private investment is leveraged through federal preservation tax incentives, and grants are available through the Historic Preservation Fund to meet locally identified needs. Local governments and Indian tribes can become certified to participate more fully in the national historic preservation program.
- In recreation, the Park Service plays multiple roles: supporting national recreation, scenic, and historic trails; administering the Land and Water Conservation Fund

matching grant program; assisting states with outdoor recreation planning; promoting innovations in recreation services through the Recreation Recovery grant program. The Service also assists local communities in converting abandoned railroad corridors into trails and in transferring surplus federal and military land to the local level for recreation purposes. The Rivers, Trails, and Conservation Assistance program brings local communities, organizations, and citizens together to work on locally identified recreation and conservation projects.

- Conservation and the recreational use of America's rural and urban rivers is supported by the NPS Nationwide Rivers Inventory (a listing of 2,600 quality stream segments), and assistance to communities' candidate wild and scenic rivers.
- The Service not only responds to state and local government requests and those from the public, but is also a catalyst for conservation action through partnerships with the non-profit sector and governmental entities.
- Other federal agencies have sought out the National Park Service for technical assistance on programs as diverse as historic preservation (Department of Housing and Urban Development), scenic byways designation (Department of Transportation), urban natural resource conservation (Department of Agriculture), floodplain greenway planning (Federal Emergency Management Agency), and cultural resource management program development (Department of Defense).

For more information

Courier special issue, September 1990

CRM, The Federal Archeology Program, 1994

36 CFR Part 59, Land and Water Conservation fund Program of Assistance to States; Post-Completion Compliance Responsibilities

36 CFR Part 60, National Register of Historic Places

36 CFR Part 61, Procedures for Approved State and Local Government Historic Preservation

36 CFR Part 63, Determination of Eligibility for Inclusion in the National Register of Historic Places

36 CFR Part 64, Grants and Allocations for Recreation and Conservation Use of Abandoned Railroad Rights-of-Way

36 CFR Part 65, National Historic Landmarks Program

36 CFR Part 67, Historic Preservation Certifications Pursuant to Section 48(g) and Section 170 (h) of the Internal Revenue Code of 1986

36 CFR Part 68, The Secretary of the Interior's Standards for Historic Preservation Projects

36 CFR Part 72, Urban Park and Recreation Recovery Act of 1978

36 CFR Part 73, World Heritage Convention

36 CFR Part 78, Waiver of Federal Agency Responsibilities under Section 110 of the National Historic Preservation Act

36 CFR Parts 800, 801, 805, 810, 811, and 812, Advisory Council on Historic Preservation Special Directive 90-2, Role of Economic and Technical Feasibility in Applying the Secretary's "Standards for Rehabilitation"

Cultural Resources Management Guideline, NPS-28
Land and Water Conservation Fund Grants Guideline, NPS-34
Urban Park and Recreation Recovery Program Administrative Guideline, NPS-37
National Register Programs Guideline, NPS-49

Issue

Though National Park remain safe places for the majority of visitors, crimes against persons and property within the parks have been on the rise. As part of its authority and jurisdiction, the National Park Service (NPS) is required to enforce federal laws and regulations within park units. The National Park Service views visitor and employee safety as a primary function within parks and is addressing this through a proactive program of law enforcement conducted primarily by park rangers and, in a few parks, by United States Park Police. Unfortunately, the number of resource protection rangers is not keeping pace with the increasing crime rate.

Talking Points

- The 1970 General Authorities Act gave designated park rangers authority to serve as federal law enforcement officers.
- The number of crimes in park units has increased 17 percent in the last five years.
- In 1993, park rangers investigated 40,000 law enforcement offenses within the entire National Park System. In the same year, over 5,000 felony crimes occurred throughout the park system, including 19 murders and 226 aggravated assaults.
- In 1993, United States Park policemen investigated another 12,500 offenses within park units in Washington, DC, New York City, and San Francisco. They investigated over 1,400 felonies including murders, rapes, and auto thefts. (The U.S. Park Police is a full service police organization that reports directly to the regional director of the National Capital Region.)
- In 1993, 50 rangers and 48 park policeman were assaulted in the line of duty.
- Theft, especially car clouting, continues to constitute the bulk of felony crimes within park areas.
- Crimes within parks resulted in a loss of over \$4 million to the government and visitors.
- Resource crimes constitute the largest number of crimes. Examples include poaching of plants and animals, timber cutting and theft, and driving off road.
- The National Park Service has numerous cooperative agreements to enable joint

working relationships with local, state, tribal and other federal agencies.

- Designated park rangers attend 12 weeks of initial federal law enforcement training that is equivalent to or higher than most other law enforcement agencies throughout the country. Law enforcement commissioned rangers stay current in law enforcement issues through required annual training.
- The number of park rangers patrolling the park areas has decreased by 17 percent over the last 15 years, while the amount of land in park units has increased 166 percent over that same time period.
- The 1,631 permanent commissioned rangers cover the crimes in 80.3 million acres of parklands, which is approximately 50,000 acres per ranger. In Alaska, each commissioned field protection ranger is responsible for approximately 5 million acres of land. As a point of comparison, the Alaska field protection ranger oversees an area twice the size of Yellowstone National Park.

For more information

National Park Service Law Enforcement Guidelines, NPS-9
National Park Service Annual Law Enforcement Report, 1993

Issue

Cultural resources form a cornerstone of the National Park Service's parks and partnership programs. Many of the 369 units of the National Park System were established as historical parks; many other units contain cultural resources that can be used to enhance interpretation of natural and recreational resources and to house park functions. The cultural resources inside parks are almost always tied thematically to related resources in surrounding lands and communities.

Since 1935, the National Park Service has extended its cultural resources helping hand beyond the boundaries of parks in order to assist communities with the recognition and protection of the nation's cultural heritage. Park Service programs accelerated after the passage of the National Historic Preservation Act of 1966 and grew to include the National Register of Historic Places, the Historic Preservation Fund grants, federal preservation tax incentives, and protection for archeological resources--all administered by the National Park Service. The Advisory Council on Historic Preservation administers the process of protecting cultural resources in the course of federal agency planning. While these programs are targeted primarily at out-of-park resources, parks can use them to achieve greater park protection and enhanced interpretation.

Talking Points

- The National Park Service carries out its "external" cultural responsibilities in partnership with State Historic Preservation Offices, such as the National Register of Historic Places, which now includes nearly 65,000 listed properties of national, state, and local significance, and increases by nearly 1,800 new listings annually. All historic units of the National Park System are listed in the National Register as well as many other cultural resources within parks; but most listings are outside of parks. The National Register also includes 2,100 National Historic Landmarks, which the Secretary of the Interior has designated as possessing national significance.
- The National Park Service administers the Historic Preservation Fund grant program that supports the work of State Historic Preservation Offices, the National Trust for Historic Preservation and Native American tribes and organizations and assists local governments in achieving preservation objectives. Since 1968, historic preservation grants have provided just over \$738 million in support to states, tribes, local governments and the National Trust.
- The National Park Service manages the federal preservation tax incentives that are available to income-producing National Register properties rehabilitated according to the Secretary of the Interior's standards. Since 1976, the preservation tax incentives have resulted in \$16.5 billion of private investment in the rehabilitation of thousands of historic structures; the program is recognized as one of the federal government's most successful urban revitalization programs.

- The National Park Service provides Historic American Buildings Survey/Historic American Engineering Record documentation services to public agencies and private organizations. To further assist communities, the Park Service provides technical assistance and training in comprehensive historic preservation planning, documentation methods, the evaluation of historic properties, building materials conservation methods and using computer technologies to accomplish cultural conservation work.
- As a land-managing agency, the National Park Service complies with Section 106 of the National Historic Preservation Act and takes cultural resources into account in its planning activities.
- The National Park Service administers the major federal archeological laws and initiatives. It provides technical assistance on protecting archeological sites *in situ*, including training for law enforcement personnel, advising government officials in civil and criminal cases, and informing land managers and private citizens about the value of archeological resources. Through cooperative agreements, the National Park Service assists in developing archeological protection and management programs for land-managing agencies. It also reports to Congress on the status of government-wide federal archeological programs.
- As the lead agency in administering the national historic preservation program, the National Park Service can be justly proud of the revitalization successes that have transformed whole sections of America's cities and towns and educated entire generations about the importance of their built heritage to the long-term sustainability of their communities.
- Many natural and historical parks have staff cultural resources managers, such as historians, curators, and other professional personnel, assigned to manage the protection of cultural resources in the parks and to interpret them to the public. These staff, and the park superintendent, can often work with the national programs described here to better protect parks from the effects of nearby development, and enhance the standing of the parks within their communities. Parks can often draw upon national program funding and expertise to make significant contributions to the planning, conservation, cultural and education/interpretation activities in their surrounding areas. Partners in these "communities of cooperation" draw strength from one another--resulting in conservation that, as a whole, is greater than the sum of its parts.

For more information

National Register Programs Guideline, NPS-49
 Cultural Resources Guideline, NPS-28

"Held in Trust: Preserving America's Historic Places"

See list of CFR citations in NPS Talking Point paper, "Conservation: The NPS Leads the Way!"

Issue

Some members of Congress are of the opinion that there are units in the National Park System that are not of adequate significance and national value to remain in the system. These people conclude that if some of these "less valuable" properties are deauthorized, the remaining parks will be enhanced, both monetarily because of fewer demands on the National Park Service's budget and through greater national prestige accorded the remaining units.

A bill, H.R. 260, would establish a Commission to review the composition of the National Park System and report to Congress on which units, or portions of units, of the system it recommends for deauthorization. The bill was approved by the House Resource Committee, but defeated on the floor of the House in September, 1995 by a vote of 231-180. Despite this defeat, it was added to the House Budget Reconciliation bill by the Resources Committee later the same day. It will be taken up in the full House along with the many other provisions of the Budget Reconciliation bill in late fall, 1995.

Talking Points

- The composition of the National Park System is largely determined by the Congress through the individual acts that authorized the establishment of each of the areas in the System. (A few parks were established through presidential proclamation and therefore are without Congressional approval. In almost all of these cases, the Congress later authorized boundary adjustments to these areas, thus authorizing the inclusion of these sites in the National Park System.)
- Our nation's park system began with the 1872 authorization of Yellowstone National Park, the world's first national park. Since that time, the National Park System has grown to 369 areas; the most recent addition was the Korean War Memorial in Washington D.C.
- Beginning as early as 1930, the Congress also has deleted areas from the National Park System. Over the years, sites have been deauthorized; these areas are often transferred to another federal, state, or local agency, although in at least two cases they were returned to private ownership. The Congress also has redesignated units and authorized boundary changes to established units.
- It is the responsibility of the National Park Service to manage, protect, and make available for public use each area that the Congress has placed in its care. Whether a new unit is born in controversy or hailed as a great victory, National Park Service professionals have managed and will continue to manage all of the country's national parks to the fullest extent of the law.
- Should the Congress tell the Service to evaluate the composition of the National Park System or appoint a commission to do so, the National Park Service will comply.

However, any evaluation should look at the country's National Park System as an integrated system that provides a narrative of the cultural and natural history of the nation. It also is imperative that this analysis includes both a close look at alternatives to National Park Service management and an assessment of any cost savings to be derived from the transfer of a site out of the Service's jurisdiction.

- The basic premise that the budgets of areas remaining in the system will benefit from the deauthorization of others is at best unproven and probably wrong. First, any savings resulting from deauthorization would at best revert back to the 602(b) allocations from the Budget Committee, where it could be reallocated to any portion of the Interior & Related Agencies Appropriations, not just the NPS. More likely, it would simply be lost in the far larger federal budget, and attributed to deficit reduction. Second, even more likely is the demand that any unit transferred to state and local government bring with it the current level of appropriation for operations. For example, the only bill currently pending in Congress to transfer units to a state, S. 1185, would transfer Mt. Rushmore, Wind and Jewel Caves to South Dakota and requires that the FY '94 amount in the ONPS appropriation for these units be transferred to the state each year into the future.
- For many years, the NPS has had in place "Criteria for Parklands" as a set of clear and concise principles which are applied during the study of any site proposed for addition to the System, or even to many sites undergoing preliminary review (known as a Special Resources Study). Simply put, these criteria are: national significance, feasibility for management, suitability for management, and presence of other viable management options.
- The NPS has held the responsibility by Congressional Act and Secretarial delegation for the administration of all units of the National Park System since 1916, and has attempted to do so in a highly professional manner. NPS will continue to manage any site authorized for its management, until told otherwise by the Congress or the Secretary. Under the Organic Act, all 369 units of the National Park System are equal, and collectively the System is greater than the sum of the parts, which has also been stated by the Congress in law at 16 U.S.C.1:

"...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."

Issue

One of the fruits of our society's increasingly sophisticated understanding of ecological principles has been the adoption, by local, tribal, state and federal land managing agencies, of the ecosystem as the basis for conservation activities. The National Park Service (NPS), has embraced this concept as a way to upgrade cooperative approaches to conserving natural, cultural and recreational resources. This approach acknowledges that humans have had, and will continue to have, significant impacts on the environments both locally and globally, and that humans are, in fact, a part of the environment. Any attempt to manage our parks that does not recognize this basic fact is doomed to failure.

Talking Points

- Ecosystem stewardship is based on an awareness that resources and processes do not exist in isolation. Rather, living things exist in complex, interconnected systems within broad landscapes. These interconnected communities of living things, including humans, together with the dynamic physical environment, are termed ecosystems.
- Ecosystem stewardship is a long-term approach for protecting, restoring and maintaining ecosystem integrity (composition, structure and function) while also maintaining sustainable societies and economies.
- The traditional National Park Service division of resources stewardship activities into cultural and natural spheres impedes ecosystem stewardship. The Park Service is reducing the barriers to ecosystem stewardship that result from artificially separating cultural and natural resources by replacing them with collaborative planning, research and resource management efforts that reflect the real-world integration of material, human, natural and cultural features.
- Members of the Vail Ecosystem Stewardship Working Group have submitted a series of recommendations to the NPS National Leadership Council designed to eliminate organizational barriers to ecosystem stewardship and commit the Service to working cooperatively with its partners to conserve biological and social diversity while supporting sustainable local economies. Examples of these recommendations:
 - Increase training commitment to include interdisciplinary ecosystem-based decision making;
 - Continue commitment to professionalism/careers initiative; and
 - Increase training commitment to include leadership and adaptive management skills.

- Ecosystem stewardship is based on the information gained from research, encourages finding interdisciplinary solutions to complex problems and promotes cooperation and coordination among a diverse group of partners.

For more information

Creating a Government that Works Better and Costs Less, Al Gore, 1993, Government Printing Office, D.C.

See NPS Talking Point paper "Natural Regulation"

Issue

Educational outreach is a key part of the National Park Service's mission. The more than 360 units of the National Park System form the basis for the Service's educational activities. The National Park Service also extends educational outreach to include our shared natural, cultural and recreational heritage beyond park boundaries. Educational activities are conducted in person with professional and volunteer staff, through publications and audio-visual materials and increasingly, by using emerging communication technologies.

Talking Points

- Educational programs have been part of the National Park Service's mission since its 1916 authorizing legislation--"...through appropriate programs of research, treatment, protection, and interpretation." The Organic Act's mandate for education was further defined in the Historic Sites Act of 1935--"...to develop educational programs to inform the public about history and archeology in parks and beyond park boundaries."
- Today, national parks are classrooms and natural laboratories for environmental and cultural studies. They should connect generations and communities, providing places for people to explore their shared cultural heritage. In many cases, the programs are directly related to local school curricula or provide for life-long learning experiences.
- The Parks as Classrooms program strives to provide educational experiences that are based on curriculum and presented to organized groups following prescribed methods for learning. The programs are typically decentralized and based in the parks. Parks are encouraged to work directly with local educators and other park areas to provide educational programs designed and tailored to meet school curriculum needs.
- To underscore the National Park Service's educational programs for the public, Director Kennedy proposes to upgrade employees' educational abilities and facilitate exchanges between the Service and outside scholars. This exchange will broaden opportunities for intellectual enrichment of service personnel, ensuring that interpretive programs reflect current professional methods and techniques, are innovative and meet the needs of a diverse population.
- The National Park Service is using new technologies to broaden its educational outreach. Director Kennedy has expressed his desire that the National Park Service create systemwide educational videos to be aired on learning channels. He also proposed that the Service increase interaction with colleges, universities, museums, research libraries and other educational and cultural institutions. National Park Service information is available via the Internet on World Wide Web. An increasing number

of parks and service program offices are compiling additional educational information for computer users. Recently, the National Park Service developed a Cooperative Park Education Unit (CPEU) at the University of Massachusetts, Lowell. The CPEU has developed the Inter-Disciplinary Educational Access (IDEA) program, which links educators and rangers through the Internet.

- Through National Park Cooperating Associations, field seminars are offered at several national parks. These programs vary from one day to two weeks and allow adult learners an opportunity to study, in depth, various resource issues.

For more information

Humanities and the National Parks: Adapting to Change, a Report by the Humanities Review Committee, NPS Advisory Board, 1994
NPS Management Policies, Chapter 7
Interpretation Guideline, NPS-6

Issue

Rapid advances in technology and increasing use of the "information highway" are changing the way the world does business and how we live our lives. The National Park Service (NPS) is participating in this technology revolution to increase our ability to reach out and interact with diverse groups of people from across the nation and the world, improve ways of doing business and continue to provide high quality services to the public.

Talking Points

- The National Park Service is developing a comprehensive, publicly accessible, information system for the Internet. This system, part of the Internet's World Wide Web, will allow the 40 million current Internet users to rapidly access information about national parks and the National Park Service. The system will widen the audience the Park Service serves and will enable people to visit the parks "on-line." Because the World Wide Web integrates text with graphics, such as photographs and maps, those not able to travel to the parks will be able to experience through the Internet some of the grandeur that is the National Park System. These multi-media presentations, developed with many of our partners, will also serve the education community by bringing parks to classrooms.
- Increasing our use of the Internet also will allow NPS employees to perform their jobs more efficiently, allowing on-line consultation with researchers who are supporting resource protection decisions and performing rapid document searches of on-line libraries, university information sources, federal regulations and current legislation. In addition, the Service is making significant strides towards joining the Department of the Interior's computer network known as *DOINET*. By joining *DOINET*, the Park Service will be able to reduce dramatically telephone connect charges and to increase communication with other DOI agencies. It is anticipated that by the end of 1995 that all central offices and over 100 parks will have access to *DOINET*.
- Many parks are developing CD-based interpretive programs for use in parks and other locations. These CD-Interactive and touch screen systems allow the public access to a wide variety of pertinent information about the parks, their programs and the resources they manage. This is especially important as visitation continues to increase beyond the abilities our current staffing levels can adequately serve. Perhaps most importantly, these systems can be set up outside of parks, in major metropolitan areas, allowing people to learn about the parks while they are close to home.
- Parks are beginning to explore the use of broadcast video for use in interpretation and

education programs. By using these tools, park staff can potentially bring the lessons found in parks into thousands of classrooms. As an example, at the Grand Canyon park interpreters are working with Northern Arizona University on a program called GEONAUTS, which studies the physical resources of the earth. As part of this program, a live video of an education program is transmitted from the South Rim of the Canyon to Northern Arizona University, where it is uplinked to a satellite for distribution to over 3,000 schools.

Issue

The organizational health of the National Park Service (NPS) depends on a talented and diverse work force at all levels. The emphasis must be on diversity of background, culture, experience, skill and education. The Service must develop and implement a formal, professional recruitment program designed not only to address the underrepresentation of minorities and women in all grade levels and occupations, but to target specific recruitment, especially for the major mission-related occupations within the Service.

Talking Points

- NPS managers and supervisors must take an active stance toward diversification of the workforce. They should ensure that the diverse cultural contributions to America's heritage are included in educational presentations, thereby building an organizational structure that values and respects diversity--both cultural and professional.
- As of December 31, 1994, many recognized groupings such as white females, black males and females, Hispanic males and females, and Asian American males and females, are underrepresented in the total full-time and part-time permanent work force of the Service. As the underrepresented groups are recruited, retained and promoted, equal care should be given to seeing that the positions they fill represent a broad range of mission-related occupations.
- Recruiters should visit career days at historically black colleges and universities as well as other schools to acquaint undergraduates with the Department of the Interior bureaus, particularly the National Park Service, and they should stress the job areas where the Service is most in need of expanding its capabilities and expertise. Recruiters should present the Service's mission and career opportunities and encourage and assist undergraduates in participating in seasonal, intern, or part-time work as a means of increasing their knowledge of the Service.
- Park managers should develop creative and realistic ways of using the cultural diversity of their employees to serve all the citizens of this nation. By providing a better match of the individual and the job, the Service inevitably will find better ways of doing many of these jobs.
- Managers and supervisors must work to provide cultural awareness training to all employees. The backgrounds and insights of a cadre of employees that is diverse, both culturally and educationally, will contribute to the park's educational presentations.
- In addition to implementing a focused recruitment program that attracts qualified

individuals of underrepresented groups, the Park Service should provide a mentoring component and other appropriate support to facilitate the orientation of minority group members to the NPS culture. This orientation should be able to work in the other direction too--with the Service open to beneficial internal change that can occur from such infusion of cultural diversity.

- The Park Service currently has within its employ approximately 100 participants in the Cooperative Education Program. They are provided the opportunity for conversion to full-time positions after graduation from college. Several hiring authorities are being used in some areas to recruit underrepresented groups through the Co-op Program, a practice that can be initiated Servicewide to add diversity to the NPS work force.
- For the future, NPS can succeed in part through "grow your own" partnerships such as with the Student Conservation Association/Conservation Career Development Program, which has in place a recruiting, tracking, counseling, mentoring, internship and job placement sequence working with minority students from high school through college and into the workforce.

For more information

Workforce Composition: Status of the National Park Service

Issue

"Exotic", "alien", "introduced", "nonindigenous" and "nonnative" are all synonyms for species that humans intentionally or unintentionally introduced into an area outside of a species' natural range. The invasion of exotic species is one of the most serious threats that parks face today. If exotics are not actively and aggressively managed, the National Park System is at risk of losing a significant portion of its biological resources. Exotics do not wait to be invited into parks (where they often out-compete the native species we are responsible for protecting); they take every available avenue to invade, colonize and conquer. Vigilance is essential to prevent intrusion and pursue eradication of these exotic spoilers.

Talking Points

- The National Park Service (NPS) Management Policies define exotic species as those occurring outside their native ranges in a given place as a result of actions by humans. This definition allows the National Park Service to distinguish between changes to park resources caused by natural processes, such as natural range expansions and contractions, and those changes caused by humans. This distinction is important because the Park Service is required to keep the parks as unaltered by human activities as possible.
- The Park Service has designed and implemented a service-wide Integrated Pest Management (IPM) Program. IPM is the coordinated use of environmental information and pest control methods to prevent unacceptable levels of pest/exotic damage. Through the IPM program the Park Service is providing technology transfer and management assistance to parks, ensuring that the appropriate practices are used and that our native species are not damaged as a result of management actions.

Note: it is important to realize that while many fungi, insects, rodents, diseases and other species may be perceived as pests, they are native plants and animals existing under natural conditions as natural elements of the ecosystem. IPM is not directed toward native species that exist within natural conditions, natural population sizes and are no threat to the survival of other native species.

- **Why manage exotic species?**
 - Because exotic species disrupt complex ecosystems, reduce biodiversity, jeopardize endangered plants and animals and degrade habitats.
 - Because exotics are known to hybridize with native species, altering native genetic diversity and integrity.
 - Because exotics may transmit exotic diseases to native species, against which the natives may not have any defense.

- At least 194 parks have recognized that exotics species are a serious problem. Over 535 projects to eradicate exotics species have been identified servicewide in Resource Management Plans for implementation over the next four years at a cost of over \$80 million. So far, less than 10 percent of the projects (over \$8 million) are funded.
- The invasion of exotic plants has become a major threat to biodiversity in every area of the nation. Native ecosystems are being disrupted by, among others, kudzu in the southeast, purple loosestrife in the northeast, salt cedar in the southwest, leafy spurge in the northwest and banana poka in Hawaii.
- The Park Service currently is not in compliance with the 1990 Farm Bill which amended the Federal Noxious Weed Act and mandates each Federal agency to "establish and adequately fund an undesirable plants management program through the ...budgetary process" (sec. 15 (a) (2)).
- The National Park Service is working cooperatively with local, state and federal organizations to manage exotic species. For example, Yellowstone National Park is working with surrounding states, forests and communities to develop and implement long-range projects to manage exotic plants.
- An Exotic Species Ranking System has been developed by the Park Service for resource managers to evaluate exotic plants within a park according to the level of impact of the species and its innate ability to become a pest. The system is designed to separate innocuous species from the more disruptive species. For example, of Indiana Dunes' more than 1,440 vascular plants, 300 are exotic, but only 14 of these exotics are considered to be major threats at this time.
- The Park Service, as a leader in exotic plant control, has assisted with the establishment of several Exotic Pest Plant Councils. These councils represent dozens of agencies at the state, federal and private levels across the country dealing with exotic plant issues. The Service is also working with state and federal agencies in several parks to develop biological control agents to manage several exotic plant species.
- In 1993, the Bureau of Land Management coordinated a multi-departmental effort to develop a white paper on exotic weeds. The paper was completed and the Federal Interagency Committee for Management of Noxious and Exotic Weeds was created through a Memorandum of Understanding. The NPS Integrated Pest Management Coordinator is a member of the committee and is working cooperatively with other members to accomplish an ecological and integrated approach to the management of exotic weeds on federal lands and is providing technical assistance to the public.
- The National Park Service has created a temporary task force to evaluate its current efforts in exotic weed management and will make recommendations for improving the agency's capabilities in that area.

For more information

1988 NPS Management Policies, Chapter 4:11-13 and 9:4
1991 Natural Resources Management Guidelines - NPS 77, Chapter 2, pg. 243-301
Highlight of Natural Resource Management, 1992, Natural Resources Report
NPS/NRPO/NRR-93/10, NPS

Issue

Previous studies by the National Park Service (NPS), General Accounting Office (GAO), and other interested groups have documented that many threats to park resources originate beyond park boundaries. Examples include air and water pollution, mining activities, commercial development, and the "suburbanization" of areas that used to be rural. Some people suggest that NPS needs additional authorities to deal with these threats; others argue that NPS should confine its attention to what goes on inside park bounds.

What are the most serious threats to the long term protection of national park resources? What are the authorities available to NPS to deal with these threats that come from outside of park boundaries? What additional actions or authorities might be needed to assure that NPS can protect park resources while avoiding conflicts with park neighbors?

Talking Points

- In 1994, the General Accounting Office released a report entitled "Activities Outside Park Borders have Caused Damage to Resources and will Likely Cause More" (GAO/RCED94-59) This is just one of many reports including natural and cultural resource assessments by the National Park Service and "National Parks for the 21st Century: The Vail Agenda" that have focused on concerns about threats that transcend park boundaries.
- Urban encroachment was most frequently cited in the GAO report as a threat reported by park managers, closely followed by water pollution, air pollution and other human activities that adversely effect wildlife habitat and other resource values. Examples of major threats include proposals for mining upstream from Yellowstone National Park, nuclear waste facilities near Death Valley, air pollution that spoils the view of the Grand Canyon, oil and gas operations at Padre Island and loss of clean water flows needed to sustain the Everglades.
- Some parks have in their own legislative mandates specific directions about the need for cooperation in planning for resource protection in a broad context with neighboring land managers. Gettysburg, Redwood, Cape Cod and Pictured Rocks are a few different models of directions for park management and protection in cooperation with State and local governments.
- Many other federal laws provide direction and opportunity for parks to cooperate with other agencies to address issues that transcend park boundaries. These include: the National Environmental Policy Act that provides for interagency consultation; the National Historic Preservation Act; Clean Air Act; Federal Land Policy and

Management Act; National Forest Management Act; and many state environmental laws such as the California Environmental Quality Act.

- NPS management policies provide that parks should develop their general management plans considering the resources in their regional context. Parks should take every possible opportunity to coordinate with their neighbors on a continuing basis and be active participants in local and regional land-use planning efforts. This often requires a substantial commitment of time for park staff.
- By working with their neighbors, parks can identify matters of mutual interest and concern. For example, protecting an area's historic character, maintaining a high level of environmental quality, and providing open space opportunities can be important elements in a community's efforts to attract economic development. These qualities also are likely to help support uses of adjacent lands that are compatible with park purposes and values.
- Parks are most likely to be effective in dealing with external threats when they get involved in specific project proposals as early as possible and actively work with the developers to mitigate adverse impacts. It is much easier to influence a project before a lot of time, energy and money is spent. Sometimes, by suggesting simple items like wildlife-passable fencing, color, shape, style and night-lighting, issues can be resolved with ease early in the planning process, and can go a long way toward protecting park resources.
- Parks should make effective use of existing scientific data from all sources and conduct additional research if necessary in order to better document, respond to, and mitigate the potential impacts of adverse external threats.
- Staff at all levels in the park can and should become more familiar with state and local laws and regulations that deal with land use, conservation and preservation. This can be enhanced by training programs as part of our employee development strategy.
- With a very few exceptions in individual authorizing acts, the National Park Service does not have any authority to control land uses outside its authorized boundaries. However, park managers have an obligation to work with land owners, state and local governments, and other federal agencies to cooperate, be good neighbors and carry out their responsibilities to protect resources for the benefit of future generations.
- Park concerns about adjacent land uses are entirely compatible with the protection of private property rights and local autonomy. Superintendents are representing the interests of the American people who own our parklands, but they become involved most often as neighbors and partners to encourage informed decision-making that will reflect economic and social benefits communities derive from their parks.

For more information

NPS Vail Agenda

NPS Management Policies, Chapter 2:9, see index for multiple listings

Issue

States and local governments are not taking full advantage of an opportunity to gain new park land and recreational facilities at no cost. Military bases that are closing, as well as other surplus federal lands, provide the potential for hundreds of transfers to local jurisdictions.

Talking Points

- Through its federal Lands-to-Parks program, the National Park Service (NPS) can help state and local agencies acquire lands, buildings and recreational facilities (including golf courses) at no cost.
- NPS helps by:
 - identifying historically and naturally significant surplus federal properties;
 - notifying communities of upcoming opportunities;
 - assisting in preparing applications;
 - acting as liaison with other federal agencies, including the Department of Defense;
 - ensuring the long-term preservation of properties transferred under these programs
- In the last decade, the Park Service has assisted 84 states and communities in acquiring 5,970 acres of land valued at approximately \$39 million.
- The federal Lands-to-Parks program selectively helps protect the substantial public investment in federal lands, by ensuring ongoing public benefit, access and re-use.
- After three rounds of military base decommissioning, the Park Service has identified 57 bases that have facilities or lands potentially of park and recreation value to surrounding communities. In 1994, the Park Service transferred portions of three bases, and assisted approximately 67 state agencies and local communities in reuse planning and arranging transfers. Communities are requesting more than 12,000 acres of land to be recycled for state and local public recreation areas.
- Two successful projects include a new 859-acre state park created in Indiana along the Ohio River; and a 1,400-acre regional park to be established in Sacramento County, CA (in partnership with the Sacramento County Conservation Corps and Corporation for National and Community Service) that will incorporate a 2-year program providing youth/adult education and job training.

For more information

Surplus Property Act of 1944

Federal Property and Administrative Services Act of 1949

Public Law 91-485 (1970)

Issue

National park units as well as other National Park Service (NPS) programs have sought private funding to supplement Congressional appropriations. This well-established and successful practice has raised questions on two fronts: whether the parks could do with less Congressional funding, and whether partnerships involving corporate funding will compromise the NPS image and its values.

Talking Points

- The National Park Service has a long history of attracting private sector support, a tradition that continues today. This support has ranged from private citizens' interest in volunteering their time; to gifts of donated money, art, furnishings, historic artifacts, land, buildings and even entire parks; to fund raising by organizations established for single campaigns or those created for indefinite periods and/or with multiple functions and responsibilities.
- Although the Park Service has authority to accept donations, historically its role in philanthropic expressions has been primarily a passive one. This is changing, as the Service now more actively encourages expressions of public support and concern. In 1994, Director Kennedy testified in favor of S. 2121, the NPS Entrepreneurial Management Reform Act of 1994 (which did not pass but was re-introduced in 1995). This Act would enable the Secretary of the Interior and certain NPS employees to solicit donations of money, within strict guidelines.
- Donations help meet real needs at a time in NPS history when there simply is not enough funding available to do all the things we know need to be done.
- However, private/corporate fund raising is not necessarily consistent or dependable. For this reason, parks must continue to rely on the Congress to fund normal operations at a steady level. Private funds are not used to operate the parks; they fund only special projects or enhancements that otherwise might not be done.
- Corporations or individuals are most willing to make donations when they believe it will add value or quality to NPS programs; they would not be willing to make a donation if they believed it would simply be offset by a reduction in appropriated funds.
- When a corporation or an individual lends financial or other support to help us accomplish the NPS mission, those donors should be recognized appropriately. Depending on the nature of the donation, and the wishes of the donor, recognition may come in the form of a handshake, a letter of thanks, a certificate of appreciation, a press release, a press conference, a special award, a public ceremony, or a bronze plaque to be hung on a corporate board room wall. These ideas were incorporated into the National Leadership Council's donor recognition guidelines, approved in

January 1995.

- The Park Service has policies and guidelines on fund raising partnership arrangements. All proposals must be reviewed carefully to ensure compliance.
- The Park Service makes every effort to ensure that partnerships involving non-federal funds neither have, nor even create the appearance of, a conflict of interest. NPS employees do not conduct fund raising campaigns; such campaigns are managed only by nonprofit organizations acting on the Park Service's behalf.
- Examples of fund raising for national park units:
 - The \$10 million being sought by Independence National Historical Park will not be used for law enforcement, salaries, etc., but rather for essential repairs such as roof replacements and restoration of deteriorating wood and brickwork.
 - George Washington Birthplace National Historic Site received \$80,000 from the Drackett Corporation during 1993-94 to support trail work in the park.
 - Ellis Island/Statue of Liberty, the most successful park fund raising effort ever, raised more than \$400 million in a multi-year national campaign headed by Lee Iacocca.
 - Mesa Verde and Mt. Rushmore also have undertaken large-scale private fund raising.
- The Park Service currently receives approximately \$9.5 million annually in direct cash contributions from outside sources in support of the parks; these include such things as bequests and monies put into donation boxes at visitor centers in over 150 parks. They do not include entrance fees, dollars from cooperating associations, etc.
- In 1994, 80,742 volunteers contributed 3,471,418 hours of work for the National Park Service. This was an 8 percent increase over volunteerism in 1993.
- Support from cooperating associations totaled \$14.7 million in 1993. The National Park Foundation awarded \$2.3 million in 1994 to benefit the parks.
- Under the Challenge Cost-Share Program with partners such as local governments and private businesses, donors match federal funds for in-park and out-of-park projects. In 1993, donors matched \$2 million of federal money with their own contributions.

For more information

Special Directive 89-2, Promotional and Advertising Campaigns

Staff Directive 84-1, Donation Policy and Procedures

NPS Management Policies, Chapter 10:10

Issue

Much of the employee housing within parks is inadequate. Many employees must live in remote areas where no other housing is available in nearby communities. Much of the housing provided by the National Park Service (NPS) is in poor condition, such as dilapidated trailers or converted shipping containers. As a result, many positions are hard to fill with qualified candidates and some employees have left the agency due to poor housing.

Talking Points

- The housing situation in the national parks gets worse every year. The reasons are simple--they all boil down to money. Due to increased public visitation, infrastructure needs, such as roads, parking lots and sewage treatment, have absorbed most of the available funds. Little has been left for employee housing.
- The National Park Service manages over 5,000 housing units in 225 park areas. The average age of the units is nearly 47 years, with some historic housing units over 100 years old. Approximately 2,863 housing units located in parks are rated substandard. About 10 percent of NPS housing was built before 1900.
- During the period of 1966-1988, no significant funding was available to build or rehabilitate employee housing, and housing stock deteriorated significantly. Since FY 1989, the Park Service received \$57 million for repair and \$43 million for construction of new or replacement housing. This funding replaced 150 trailers and 28 other obsolete units with more appropriate permanent structures.
- A backlog of housing reconstruction and replacement projects remains despite the recent funding. This backlog is estimated to be in excess of \$300 million.
- The Park Service was allocated \$24 million for FY 1995 to improve employee housing. This was \$7 million less than requested by the department. The FY 1996 housing program increase for trailer replacement was eliminated by both the House and Senate.
- Although the National Park Service continues to look to Congressional appropriations to resolve this situation, we are pursuing other avenues. Examples of innovative partnerships underway to address employee housing include:
 - The National Park Foundation's "Target Parks" program, which finds funding, goods, and services to improve employee housing. The program works with representatives from the housing industry, financial institutions, and others.

Target Parks include Big Bend National Park, Texas; Channel Islands National Park, California; Cape Hatteras National Seashore, North Carolina; Glacier Bay National Park, Alaska; Isle Royale National Park, Michigan; Rocky Mountain National Park, Colorado; and Yellowstone National Park, Wyoming.

- The Institute of Design at the Illinois Institute of Technology in Chicago has agreed to devote two semester-long courses toward studying the housing needs of parks.
- Through partnership with the National Park Foundation the Doblin Group, also of Chicago, will join the effort to understand how housing fits into the entirety of NPS needs.

For more information

WASO Public Affairs Office - Briefing Statements

NPS Management Policies, 9:15

Special Directive 88-3, Employee Housing - Responsibilities of Management

Special Directive 88-4, Employee Housing - Design and Rehabilitation (revised)

Government Furnished Housing Management Guideline, NPS-36

Issue

Title 36 Code of Federal Regulations, Chapter 1, Section 2.2 (a) prohibits hunting and/or trapping in National Park units unless the activity is specifically mandated or identified as discretionary in parks' enabling legislation. When Congress makes a determination about hunting in a park's enabling legislation, the determination can only be changed by Congress with new legislation. Hunting is currently allowed in 57 NPS areas including some national recreation areas, national lakeshores, national seashores and national preserves. Recently there has been some talk about opening national parks for hunting, either as a game species population control mechanism, or as an avenue by which to raise additional funds to support park units. The NPS will oppose such efforts

Talking Points

- A principal reason that visitors come to natural NPS areas is to view wildlife. If park enabling legislation were changed to allow hunting, many wildlife species would become more wary of humans and more difficult to view in areas opened to hunting.

Categories Governing Hunting in the National Park System:

- ***Mandated Hunting:*** Of the 57 areas where hunting is currently allowed, a majority of them are specifically mandated (opposed to discretionary) by parks' enabling legislation. For example, Apostle Island National Lakeshore, Gulf Island National Seashore and Delaware Water Gap National Recreation Area all have mandated hunting as part of their enabling legislation.
- ***Discretionary/Allowable Hunting :*** 36 CFR Chapter 1, Section 2.2 (b) (2) states that "hunting may be allowed in park areas where such activity is specifically authorized as a discretionary activity under federal statutory law if the superintendent determines that such activity is consistent with public safety and enjoyment, and sound resource management principles. Such hunting shall be allowed pursuant to special regulations." Parks with discretionary hunting include Cape Cod National Seashore and New River Gorge National River.
- ***Prohibited Hunting:*** Hunting is prohibited in park units in one of two ways: the park's enabling legislation specifically prohibits hunting; there are 30+ NPS units in the lower 48 states where hunting and/or taking of wildlife is specifically *prohibited* in park's enabling legislation, for example, Glacier, Lassen Volcanic, and Yellowstone National Parks; or the park's enabling legislation is silent with regards to hunting it shall be prohibited under Title 36 CFR, Chapter 1, Section 2.2.
- NPS Management Policies, Chapter 4, states "in controlling wildlife populations, highest priority will be given to encouraging public hunting outside the parks and live trapping within parks for transplanting elsewhere." The decision to initiate a population

control program will be based on scientifically valid resource information obtained through research. Planning and implementation of control actions will comply with established planning procedures, including provisions for public review and comment.

- The prohibition on sport hunting in parks provides safe places for non-hunter outdoor recreation users during the hunting season by separating use.
- The prohibition of sport hunting in parks creates natural systems in which humans are not predators and thus provides settings for ecological research on natural systems and their processes. Research to compare ecological systems in these un hunted areas to hunted areas can help managers better understand how to regulate hunting to ensure sustainability.
- In 1994, Grand Teton National Park in Wyoming allowed 2,250 licensed hunters to act as deputy park rangers in an annual elk-reduction program. The hunt is highly regulated and designed as a wildlife management tool rather than a sport hunting event. Congress specifically authorized the hunt as part of Teton's 1950 enabling legislation. The hunters contribute to the management of the herd, and keep the animals they shoot; the park works cooperatively with both the hunters, the National Elk Refuge, and the Wyoming Game and Fish Department, while receiving valuable assistance controlling the wintering elk population.
- Over 50 game species were hunted in NPS areas in 1993 with more than 50,000 animals taken.
- Within 84 percent of the lands added to the National Park System in Alaska by the Alaska National Interest Lands Conservation Act (ANILCA), all local, rural residents, whether they are native or non-native, living near or within national park units, are authorized and allowed to continue most of the traditional subsistence activities that occurred there before the enactment of ANILCA. These activities include subsistence trapping, hunting, fishing, and selected harvesting of trees and other plants material.
- Visitor Management and Resource Protection Assessment Program is a new NPS program that, among other things, developed an objective process to evaluate park protection operations. One of these operations is Resource Protection, including management of hunting/trapping. The data gathered from park units include numbers of species that were hunted and numbers of animals that were actually taken. For example, at Big Thicket National Preserve in Texas four species were hunted (squirrels, hogs, rabbits and deer) accounting for a total of 1,657 animals taken in 1993.

For more information

NPS Management Policies, see index for multiple listings

Issue

Mineral development on lands in and adjacent to National Park System units can adversely affect park resources and visitor values. Recent mineral exploration trends and advances in technology that enhance the economics of marginal deposits indicate that mineral development pressures will likely intensify in and adjacent to parks. To safeguard parks, the National Park Service must be vigilant in controlling internal mineral development and enlist assistance from decision-makers in local, state, tribal and federal agencies involved in the management of adjacent mineral operations.

Talking Points

- Rights to non-federally owned minerals exist in over 200 units of the National Park System. Currently, 625 active mining operations (580 oil and gas and 45 mining operations) occur in 33 park units. Examples include oil and gas development in Big Cypress National Preserve (Florida), gold mining in Wrangell-St. Elias National Preserve (Alaska) and sand and gravel operations in Saint Croix National Scenic Riverway (Wisconsin/Minnesota).
- Additionally, at least 90 park units are or could be affected by adjacent mineral development.
- Adverse impacts to parks stemming from mineral development include: surface and ground water pollution from chemicals, acid mine drainage, and siltation; air quality effects from industrial emissions and noxious odors; cultural resource damage and disruption of cultural context; soil removal, erosion, and exotic plant introduction; wildlife disturbance and reduction of wildlife habitats; visitor experience degradation from marring of scenic vistas, noise intrusion from industrial traffic and processes, and artificial lighting effects on night sky viewing; and safety concerns for park visitors and staff from increased traffic and hazardous processes.
- Existing National Park Service regulations fall short of providing needed protection to park resources from mineral development. For example, regulations designed to protect parks from internal nonfederal oil and gas development exempt approximately 70% of the 580 operations from regulatory control. To date, the National Park Service has not been able to promulgate regulatory revisions to rectify this shortcoming. In many cases, unregulated mineral development may proceed in parks without resource protection measures and without adequate bonding to guarantee reclamation. Adjacent mineral leasing and permitting is subject to control by other federal, state or local agencies which often do not consider impacts to park resources.

- Abandoned mines exist in more than 140 park units causing resource degradation and safety problems. An ongoing inventory has identified over 2,400 sites containing approximately 10,000 mine openings, tailing piles, hazardous structures and tens of thousands of acres of scarred lands. These numbers will increase significantly once data is included for the new California Desert park lands. To date, mitigation has been limited to 5 percent of known safety hazards and often occurs in response to accidents or to actual or impending severe resource damage. Resource degradation issues will become increasingly important as the Environmental Protection Agency and states require parks to comply with Clean Water Act requirements for discharges from these abandoned sites.
- In addition to mines, over 700 abandoned oil and gas wells, 1,000 material pits and quarries, and 5,000 miles of abandoned access roads requiring reclamation exist on national parklands.
- Limited budgets and staff significantly constrain park managers' ability to effectively address internal and external minerals management concerns. This often places parks in a reactive stance when dealing with operators or adjacent land managers. Early involvement in internal development proposals and external leasing and permitting decisions can lead to the identification and adoption of needed mitigation measures or consideration of development alternatives.
- In most situations, the National Park Service lacks adequate baseline and quantitative data on resources susceptible to internal and adjacent mineral development. Without sound data, park managers find it difficult to justify development restrictions and to garner support from adjacent land management agencies for park protective stipulations on mineral leases and permits.

For more information

"Mining and Mineral Development in the National Parks" statistics

"Abandoned Mineral Lands in the National Parks" Brochure

NPS Management Policies, chapter 8:12-14, see index for multiple listings

36 CFR Part 9, Minerals Management

Special Directive 91-6, Field Guidance on Implementing the NPS Management Policies, Re:
Administrative Use of In-Park Borrow Pits

Minerals Management Guideline, NPS-66

Issue

National Park Service (NPS) land and resource management generates museum collections that require processing and care to professional standards. Lack of funding and curation facilities prevent full compliance with laws (e.g., Native American Graves Protection and Repatriation Act) and undercut the use of collections to support NPS resource management and interpretive missions. We must ensure that NPS restructuring improves management and use of museum collection resources.

Talking Points

- The National Park Service is responsible for managing a collection of 28 million museum objects and 11,800 linear feet of archives, approximately 90 percent of which are held by the Park Service. The rest are from NPS lands or collected from non-NPS lands during NPS-funded projects, and are presently curated in public and private museums and research laboratories across the United States.
- Collections issues must be addressed in the current revision of 36 CFR 2.5, which regulates research and collecting activities on federal lands. Inconsistent standards among federal land managers, and among natural history disciplines, confuse researchers and result in inconsistent management of federal collections stemming from research activities on federal lands.
- In an NPS omnibus bill, the Park Service seeks expanded authority to deaccession museum collections outside its scope, thus increasing efficiency in managing NPS collections and ensuring that only appropriate collections are retained for long-term care.
- Federal funding has not kept pace with laws and increasing professional standards that place collections management responsibilities on federal agencies. The National Park Service must continue to seek funds and promote efficiencies through partnerships with other agencies and non-federal institutions.
- Extraction and consolidation of data from existing collections, within both federal agencies and non-federal institutions, is essential for effective NPS resource management, especially in an ecosystem context where the Service must manage resources in partnership with others.
- Through the Interior Museum Property Program (located in the NPS Curatorial

Services Division), the Park Service coordinates policy for managing department-wide collections totaling 70 million objects.

- By coordinating the Interagency Federal Collections Working Group, we advocate consistent government-wide policies for managing NPS and other federal collections.

For more information

NPS Management Policies, see "collections" in index for multiple listings

36 CFR Part 79, Curation of Federally-owned and Administered Archeological Collections

Special Directive 80-1, Guidance for Meeting NPS Preservation and Protection Standards for Museum Collections (Revised)

Special Directive 87-3, Conservation of Archeological Resources

Special Directive 91-4, Ensuring that Natural Resource Projects Fund the Curation of Collections

Special Directive 94-6, Ensuring that Projects Generating Museum Collections Fund Cataloging and Basic Preservation

Staff Directive 87-1, Procedures for Using the NPS Clearinghouse to Dispose of Excess and Acquire Needed Museum Objects

NPS Museum Management Handbook, Parts I and II

NPS Conserve O Gram

Manual for Museums by Ralph Lewis, NPS

Cultural Resources Management Guideline, NPS-28

National Biological Service and the Biological Research Program

October 1995

Issue

With an eye to the needs of all of Interior's land managers and the nation as a whole, Secretary of the Interior Babbitt created the National Biological Service in 1993 to consolidate and thereby focus biological expertise on the pressing issues faced by Interior decision-makers and by the country. This came on the heels of efforts by the National Park Service to improve its research program, including requesting a review of its science activities by the National Research Council (NRC). That review found that decentralized management of research and its integration with resource management adversely affected the quality of research. The report also stressed the need for more professional resource management expertise and inventory and monitoring information. The NBS provides an alternative means to meet one of NRCs' most important recommendations--an autonomous research program--but one not under the Park Service's direct control. Now the future of the NBS, and the research it provides to parks, is uncertain.

Talking Points

- In FY 1994, a total of \$167 million was transferred to the National Biological Service from Interior land management bureaus, along with about 1,560 FTE. The National Park Service contribution to the transfer was \$20 million and 174 FTE. With these resources, the NBS shouldered all the responsibility for the biological research needed to support decision-making in parks. Some biological inventory and monitoring and social science research responsibilities and funding were also transferred.
- The NPS still directly supports limited research activities in physical and social sciences, as well as park-based inventory and monitoring activities and some applied research activities in biological sciences.
- Most researchers who formerly worked for NPS in FY 1995 still were working on research addressing parks and were still stationed at the parks or at Cooperative Park Study Units at universities where they worked when they were in the Park Service.
- NPS's strategic plan calls for "a current, comprehensive research program conducted to prevailing scientific and scholarly standards...to identify and understand park resources and how they are affected by local, regional, and global influences," and recognizes the recent establishment of the National Biological Service.
- To conserve the natural resources of the parks unimpaired for future generations requires extensive effort to maintain or restore natural conditions or prevent further

damage, since no parks today exist within pristine ecosystems. Park managers must frequently find ways to compensate for damaged or missing components of naturally functioning systems. These activities require research to understand natural processes and when management responses are required. Whether that research comes from NBS or NPS is not important--what is important is that it be available and that it be focused on the manager's needs for information.

- Identified natural resource research needs in FY 1994 resource management plans totaled over \$250 million.
- In FY 1995 NBS, experienced a 10 percent recession of its budget and the agency is among those that are targeted for possible abolition or major reduction of funding in FY 1996.
- If NBS is abolished or severely downsized without returning research funds, FTE and personnel to NPS or otherwise providing for any research capabilities, the Park Service would lose the bulk of the applied, management-oriented research it needs. If this loss were to occur, the Service's ability to meet its resource stewardship obligations would be severely, if not fatally, compromised.

For more information

Science and the National Parks, National Research Council, National Academy of Sciences Press, 1992

Science and the Parks II, National Park Service, 1993

Issue

The National Natural Landmarks (NNL) Program was established in 1962, under authority of the Historic Sites Act of 1935, to identify and encourage preservation of geological and ecological features that represent nationally significant examples of our natural heritage. Once designated a Natural Landmark, an area is included in the National Registry of Natural Landmarks. A program review and improvement period has been underway since 1989.

Talking Points

- The National Registry of Natural Landmarks illustrates the great diversity of this country's natural environment. Sites determined to be among the best examples of a region's characteristic biotic or geologic features are considered nationally significant. Examples of NNLs include areas such as Diamond Head, Hawaii; Okefenokee Swamp, Georgia; and Rancho La Brea, California.
- The NNL Program is an important component of the National Park System because it recognizes natural areas of national significance that cannot or need not be acquired by the federal government.
- The designation process has included sponsorship of studies of the country's 33 natural regions to classify and describe major ecological and geological features and inventory sites best representing those features. Other scientists then evaluate these sites on a comparative basis to determine which qualify for nomination. Recommendations are made by the Secretary who makes the final decision about designation.
- The National Registry now lists 587 NNLs. Of these, 16 are located within units of the National Park System. The Secretary is required to prepare an annual report on damaged or threatened natural landmarks and send it to the U.S. Congress.
- NNL designation does not constitute a land withdrawal, change a site's ownership or dictate activity. Federal agencies should consider the unique properties of the landmark in preparing environmental impact statements. Also, state or local implications might arise from the designation.
- In 1989, the Director of the National Park Service placed a moratorium on the activities related to the consideration of new sites for landmark status. The moratorium responded to concerns about the adequacy of the provisions for landowner notification, landowner rights and landowner consent. During the moratorium, a review was conducted and revisions were made to program regulations. The revised regulations

are currently in the approval process.

- Other proposed program improvements protect the rights of private landowners. They include confirmation that no entry on private land shall occur without landowner permission, no landmark designation will occur if the majority of landowners object in writing and the right of landowners to withdraw the designation during a 90-day period of opportunity.

For more information

National Registry of Natural Landmarks, 1992
NPS Management Policies, Chapter 2:1
36 CFR Part 62, National Natural Landmarks Program

Issue

Established by Congress in 1967, the National Park Foundation (NPF) is the official non-profit partner of the National Park Service (NPS).

Talking Points

- The Foundation's mission is to work with the private sector to help conserve, preserve and enhance our National Parks for the benefit of the American people. For more than 25 years, the National Park Foundation has accepted and managed donor restricted funds to achieve specific goals. These funds provide safe, sure support for the parks. The Foundation also provides direct support for park units through a competitive grants program that serves as a venture capital fund to seed creative efforts to conserve park resources for future generations.
- The Foundation generates funds for grant making and assistance programs through gifts from private individuals and organizations, and a range of fundraising activities. In 1994, the Foundation entered into a Memorandum of Agreement with the National Park Service to represent the Service on cause-related marketing activities. The Foundation works with leading corporations, including Canon U.S.A., Target Stores, The Eureka Company, JanSport and Lever Brothers among others, to develop partnerships benefitting the parks and providing public relations and advertising opportunities to the corporation.
- The Foundation helps the parks by supporting on-the-ground conservation, preservation, education and stewardship programs designed to help protect the rich natural and historic legacy of the parks into the future and expand the constituency for Park protection.
- The Foundation is governed by a Board of 22 distinguished business and civic leaders, appointed by the Secretary of the Interior, who participate in, and direct the Foundation's efforts to support the parks. The Secretary of the Interior is Chairman of the Board, and the Director of the National Park Service serves as the Board's Secretary. The Foundation welcomes a new President, Jim Maddy, former President of the League of Conservation Voters, scheduled to begin his NPF tenure in October 1995.
- Since 1991, the Foundation has made grants to parks totalling over \$6.5 million. These include more than \$2.5 million in grants to over 150 projects through the competitive grants program and over \$4 million in restricted fund grants. Based on surveys and evaluations of the grants program, the program has significantly advanced NPS conservation efforts since its inception. It is viewed as a lifeline program, that often makes the key difference in getting important projects off the ground. Thus far, millions of children have and will benefit from projects supported by NPF grants, thousands of volunteer hours have been leveraged, and over 3/4 of the grants have

been matched by other funds, both public and private, as well as significant donations of materials, services, technical assistance and more.

Key Programs

- *Parks as Classrooms* is the education program of the National Park Service in partnership with the National Park Foundation. Parks as Classrooms fosters the use of parks as stimulating, hands-on learning laboratories for students. This program brings students to the parks, and sends the parks to the schools. This partnership has strengthened and expanded the parks' educational programs, such as school camping and Junior Ranger programs, teacher workshops, curriculum based study guides, environmental education seminars and field trips, cultural and historical programs and traveling trunk programs. In 1993, the Foundation received a \$1 million grant from The Pew Charitable Trusts to support pilot Parks as Classrooms programs throughout the National Park System.
- *The Park Friends Initiative* is intended to increase the effectiveness of Park Friends groups in providing support and assistance to the National Parks. It consists of a number of projects and programs to assist start-up and existing Friends groups in areas such as fund raising, communications, training and technical support. The Foundation received major support from The Haas Foundation and publishes the "Friends Forum" newsletter.
- *Easy Access Park Challenge* is a national program that improves recreational opportunities for people with disabilities. The Easy Access Park Challenge utilizes volunteers, namely the Telephone Pioneers of America, to make accessibility improvements in 100 parks to date. The 100th project will be completed at Golden Gate NRA this fall.
- *Albright/Wirth Employee Development Fund* is the only privately-financed career enhancement fund for National Park Service employees.

Awards/Events

- In partnership with the National Park Service, the NPF manages the *Partnership Leadership Awards*, the *Harry Yount National Park Ranger Award*, and the *Theodore Roosevelt National Park Medal of Honor*. In addition, the Foundation manages the *American Scenic and Historic Preservation Society Awards*. The Foundation also helped to establish and support *National Park Week* in 1994 and 1995.

Publications

- The NPF publishes "The Complete Guide to America's National Parks" a portion of the proceeds benefits the national parks. The NPF also publishes a newsletter, three times a year, distributed to contributors and National Park Service units.

For more information

National Park Foundation, 1101 17th Street, NW, Suite 1102, Washington, D.C. 20036

Issue

The National Park Service (NPS) faces an exciting challenge as a key player in the National Trails System: how can we simultaneously care for 13,000 miles of trails within park units, administer 14 National Trails crossing hundreds of jurisdictional lines and land ownerships, and, at the same time, respond to the requests for technical assistance that result from the vast interest in developing trails in cities and communities throughout the country?

Talking Points

- *Federal role in trails* The role the National Park Service and other federal agencies take in trail leadership nationally is authorized by the Outdoor Recreation Act of 1963 and the National Trails System Act of 1968. Today, "top-down" federal management of these resources (outside of federal lands) is generally a thing of the past. The NPS role is primarily one of empowerment of states, local communities and the private sector. Successful trails require strong partnerships.
- *National trail plan* The Park Service has worked with national trail organizations and other federal agencies to develop a national agenda for trails, "Trails for All Americans", that will be carried out primarily by not-for-profit organizations with federal, state and local support.
- *Trails in parks* Within national park units, walking, hiking and backpacking remain very popular activities; trail maintenance is an activity shared in many areas between NPS staff and volunteers.
- *Designated national trails* The Park Service currently administers 14 National Scenic or Historic Trails throughout the nation, from the 2,100-mile Appalachian Trail in the east to the 3,700-mile Lewis and Clark Trail in the Midwest and West, providing millions of visitors with extraordinary recreational and historical experiences. These trails are designated under the National Trails System Act.
- *National system of trails* Citizens across the nation have embraced the notion of a national network of trails: a system of interconnecting pathways and corridors for recreation and transportation. The American Discovery Trail (authorized for study by Congress in 1992) runs coast-to-coast and may provide the backbone for the national trails system.
- *Community importance of trails* Individual communities have found that trails not

only promote health, recreation and tourists' dollars, but also become important social links that can bind a community together. Hundreds of communities recently

have developed local trails connecting regional lands in low-cost alternative transportation. States play a role with state trails plans linking local community efforts.

- *Rail-to-trail conversions* The Park Service plays a critical role (under the National Trails System Act) in helping non-profit organizations identify upcoming railroad abandonments, in training local organizations and agencies on how to plan, design and fund the conversion to trails, and in getting local NPS units involved in rail-trails that could add to their recreation opportunities and/or visitor experiences.
- *Technical assistance for trails* Under authorities in the Outdoor Recreation Act and National Trail System Act, the Park Service also provides technical assistance to states, local governments and not-for-profit groups to develop trails. More than 8,000 miles of trail and greenway have received such assistance from the Park Service over the last six years.
- *National Recreation Trails* The Park Service handles the applications to the Department of the Interior for designations of National Recreation Trails (NRT) from most other agencies or local governments. This is solely a recognition program. There are currently about 800 designated NRTs.
- *Popularity of trails* Trails were recently identified in a national poll as the third most important amenity for Americans buying new homes, ranking just behind "lots of natural, open space" and ahead of exercise centers, tennis courts and golf courses.
- *Model for cost-effective government* The NPS trails program has been a model for cost-effective management of a public resource. All of the designated national trails are managed as partnerships with non-profit organizations, with volunteers taking the lead on trail maintenance and, in some cases, actual land management. For example, 2,700 volunteers monitor over 100,000 acres of federal land along the Appalachian Trail, as well as provide public information, trail signing and upkeep. All told, the Park Service administers 27,000 miles of long distance trails on a \$2.2 million dollar budget; that's just under \$100/mile.

For more information

NPS Management Policies, Chapter 2:1 and 9:10

Native American Graves Protection and Repatriation Act: The Return of Heritage

October 1995

Issue

In response to the 1990 Native American Graves Protection and Repatriation Act (NAGPRA), the National Park Service is: 1) completing summaries and inventories of Native American human remains and cultural items (including, as defined in the statute and regulations: funerary objects, sacred objects, and objects of cultural patrimony) in its collections and notifying culturally affiliated Indian tribes and Native Hawaiian organizations; 2) consulting with affiliated tribes and organizations regarding planned excavations and inadvertent discoveries on NPS lands. Native American human remains and cultural items will, upon request, be repatriated to the culturally affiliated tribe or organizations; 3) acting on behalf of the Secretary of the Interior in preparing regulations, providing support for the Native American Graves Protection and Repatriation Review Committee, administering grants to assist museums and Indian tribes and Native Hawaiian organizations in implementing the statute, and providing training and technical assistance to all affected parties.

Talking Points

- The National Park Service museum collections include an estimated 4,500 sets of Native American human remains and numerous "cultural items" as defined by the Act, distributed among 80 NPS units.
- In compliance with the statute, in October 1993, the Service provided summaries of the unassociated funerary objects, sacred objects, and objects of cultural patrimony currently held in NPS collection to over 700 Indian tribes, Alaska Native villages and corporations and Native Hawaiian organizations.
- In further compliance with the statute, by November 1995, the Park Service, in consultation with culturally affiliated tribes and organizations, will have completed an inventory of the Native American human remains and associated funerary objects currently held in NPS collections.
- Repatriation of objects and remains will be done upon request to culturally affiliated Indian tribes. That process probably will occur gradually over a long period of time.
- The National Park Service is preparing for the Secretary regulations to implement the statute (43 CFR 10).
- NPS provides support to the Native American Graves Protection and Repatriation

Review Committee, a seven member advisory group appointed by the Secretary, as required by the statute.

- The National Park Service administers grants to tribes and museums to assist in implementing the statute. In 1994, NPS awarded 41 grants totaling nearly \$2.2 million. Awards for 1995 included 19 grants to museums and 23 to Indian tribes, totalling \$2.2 million.
- The National Park Service provides training and technical assistance about the statute to tribes and organizations, museums and federal agencies. In addition, NPS has developed national online databases, including official tribe, organization and federal agency contacts and copies of required Federal Register notices, that are available through the National Archeological Database (NADB).

For more information

NPS Management Policies, Chapter 5:13

Native American Indians, Alaska Natives, and Native Hawaiians and the NPS

October 1995

Issue

National Park Service Government to Government relationships with federally recognized Indian tribes and Alaska Native Groups are established by the Constitution, treaties, legislation and case law. The Government to Government relationship is highlighted in National Park Service management policies. Law, as well as NPS policy, also emphasizes special relationships between the Park Service and Native Hawaiians and American Indian groups that might not be federally recognized but have ancestral ties to resources in units of the National Park System. American Indian tribes, Alaskan Natives, Native Hawaiians and federally unrecognized tribes are collectively called Native Americans. Increased Native American employment in critical NPS positions, and expanded Native American contributions to decision-making, would enhance these particular relationships and NPS opportunities for culturally informed actions.

Talking Points

- Legislation that calls for the active participation of Indian tribes and Alaskan Natives in federal programs, services and decisions includes:
 - The National Environmental Policy Act of 1969, which requires federal agencies to consult Indian tribes and Alaskan Natives who might be affected by planned federal actions. Regulations and NPS policies require planners, park superintendents, American Indian coordinators and resource specialists to consult tribes and other Native Americans when undertaking activities such as planning new parks or preparing management plans to guide future park development.
 - The Tribal Self-Governance Act of 1994, which directs the Secretary of the Interior to reinforce tribal participation in programs with special geographical, cultural or historical significance to the tribes. NPS is now discussing self-governance projects for fiscal year 1996 with 15 tribes.
- Other Congressional acts involving Indian tribes are:
 - The National Historic Preservation Act of 1966 as amended, which authorizes the National Park Service's heritage conservation partnership with American Indians. The Park Service provides grants to Indian tribes for heritage assessments, cultural education, preservation plans, tribal museums, archives and language/oral history.
 - The American Indian Religious Freedom Act of 1978, which instructs federal

agencies to consult American Indians, Alaskan Natives and Native Hawaiians to

develop and implement culturally appropriate policies to protect and provide access to sacred resources. Law and NPS policy prohibit the Service from charging entrance fees to Native Americans who enter parks for non-recreational purposes.

- Native American Graves Protection and Repatriation Act of 1990, which directs federal agencies to return Native American human remains and cultural items to culturally affiliated tribes and organizations. The National Park Service is completing an inventory of native human remains and associated funerary objects in its collections.
- Native American concerns include:
 - Park operations, visitor uses, jurisdictional differences and limited consultation that have kept the Park Service from either fully meeting its trust responsibilities to American Indians or adequately reflecting its special relationships with Native Hawaiians and other Native Americans.
 - Employment in professional positions, including interpretation, where persons with no experience with Native American cultures often are hired to interpret these cultures to visitors.
- The NPS Cultural Resources Directorate is concerned with Native American policies and programs and provides technical assistance in applied anthropology, archeology and curation to American Indians, Alaskan Natives and Native Hawaiians.
- A new American Indian Liaison Office has been created in the NPS Washington Office (WASO) to coordinate NPS national Indian issues, and assist the field in carrying out Government to Government relationships and NPS Trust responsibilities.
- The National Park Service has offices of American Indian Trust Relations in two other locations: Colorado Plateau System Support Office and Southwest System Support Office.

For more information

NPS Management Policies, see index under "Native Americans" for multiple listings

Issue

The National Park Service (NPS) interprets its legislation to take a holistic approach to the conservation of the land, water, wildlife, and scenic resources within the National Park System. Many national park units represent the best examples of minimally disturbed ecosystems still available anywhere. These ecosystems call for management strategies built on their abilities to self-regulate. NPS management policy is to avoid single species management in favor of system self-regulation, and thus preserve significant opportunities for study and enjoyment of natural ecosystems and their components. Natural regulation does not imply no management by NPS. It means that NPS professional resource managers will actually manage human influences on ecosystems to achieve a closer approximation of naturally functioning natural ecosystems.

Talking Points

- NPS seeks to bring parks to a state of natural regulation by mitigating past human-caused changes in the various ecosystems, such as the removal of predators from food chains early in the 20th century or suppression of natural fires over the past 60 to 70 years.
- Past errors, simple solutions and ongoing externally generated forces have resulted in the present state of disrupted ecosystems in parks.
- Oversimplification of the intricacies involved in managing natural systems can lead managers to adopt simplistic and erroneous management practices.
- The NPS policy that encourages limited intervention and systemically focused approaches to resource management issues is not a non-action policy.
- Human actions to reduce or remove populations of native plants or animals is permitted in accordance with appropriate circumstances as outlined in the management policies. An example is population management when an individual species interferes with the clearly articulated management goals of a park, e.g. mammals destroying cultural landscapes by browsing, as in the case of white-tailed deer at Gettysburg.
- Having well-trained employees kill animals to reduce population sizes is, in fact, a more potent, focused and less impactful tool for achieving targeted wildlife population goals than is recreational hunting.
- Long-term ecosystem management goals may not be well served by traditional timber harvesting because traditional harvesting does not function the same way as natural

processes.

- NPS policy clearly directs the removal, where circumstances permit, of exotic or alien species from park environments because such species are not part of the natural system, but instead are the result of human alteration of the natural system.
- The Leopold Report, the natural regulation hypothesis and modern scientific principles provide valuable guidance on how to restore and preserve the full range of ecological processes needed to ensure the long term survival of all the native species in balance with the available habitat.
- Under mandates of the Endangered Species Act and in keeping with its management policies, the Park Service does engage in single species management and habitat manipulation for the purpose of recovering threatened and endangered species.

For more information

Leopold Report

Endangered Species Act

See Practicing Ecosystem-Based Stewardship talking point paper

NPS Management Policies, Chapter 4

Natural Resource Inventory and Monitoring Guidelines, NPS-75

Natural Resource Management Guideline, NPS-77

Issue

How are new areas added to the National Park System? National parks can only be created by Congressional action. Recommendations to Congress for new units come either after an evaluation of the sites appropriateness to be included in the NPS system, or sometime citizens ask their elected representatives to establish a national park near their hometown or in their favorite places to visit.

Talking Points

- New parks are established by acts of Congress. Although the President has authority to establish National Monuments on public lands (e.g., those administered by the Bureau of Land Management or the Forest Service) by proclamation, this authority has not been used in recent years.
- Most, but not all, recent additions to the National Park System have gone through a rigorous process of study and evaluation. The National Park Service (NPS) has an established study procedure for determining whether an area is appropriate to be added to the National Park System. These studies--called special resource studies--include a determination of national significance, an evaluation of the suitability of the area as a park and an analysis of the feasibility of National Park Service management of the area.
 - To meet the standard of national significance, an area must be an outstanding example of that type of resource; have exceptional value in illustrating the nation's heritage; offer superlative opportunities for recreation, public use, or scientific study; and retain its integrity as a true, accurate and relatively unspoiled example of the resource.
 - To be eligible as an addition to the National Park System, an area must also represent a resource type that is not already represented in the National Park System or other protected areas, and be feasible for administration by NPS considering size, configuration and costs for acquisition, development and operations. Management alternatives are also considered: NPS will not usually recommend additions to the System if the area can be adequately protected and made available for public enjoyment by the state, local government, other agencies or the private sector.
- In 1991, the National Park Service developed a system for determining what areas should have high priority for a special resource study. Ranking factors include significance of the site, rarity of the resource(s), educational potential of the area,

potential for public use, integrity of the resource(s), current risks to the resource(s), public support for protection of the site, federal involvement at the site and special initiatives.

- In FY 1995, 17 studies were funded in the NPS appropriations act. Most (13) of these studies are being done in response to directions from Congress in appropriations committee reports or in legislation directing a particular study.
- In the past, some land rights organizations have opposed NPS special resource studies for fear these studies might constitute the first step toward taking private lands in order to create new parks. Since 1970, the Park Service has conducted more than 200 studies; most have resulted in no action and only about one in every four of these studied areas has been added to the National Park System.
- By conducting special resource studies, the National Park Service can provide Congress with professional advice on what areas have national significance, are eligible to be part of the National Park System, and exhibit a high potential for education and visitor enjoyment.
- NPS criteria and the study process also help encourage states and local governments or the private sector to protect important resources without any direct federal involvement.

For more information

NPS Management Policies, Chapter 1, see index for multiple listings
Special Directive 92-11, Special Resource Studies

Issue

A general increase in the use of Off-Road Vehicles (ORVs), such as snowmobiles and dune buggies, has created a greater demand for permission to use them in NPS areas. ORVs are allowed in a few NPS units, but use is restricted. The characteristics specific to this type of activity require careful consideration in balancing it with the protection of park resources and with other forms of visitor use.

Talking Points

- The use of off-road motor vehicles on public lands is governed by Executive Order 11644 amended by 11989, "Use of Off-road Vehicles on Public Lands" (42 USC 4321), which requires in part that routes and areas for off-road vehicle use be designated by agency regulation. (Ch. 8:4, Dec. 88, NPS Management Policies). ORV use is authorized in the enabling legislation creating specific parks. Currently, ORV use is included in the enabling legislation for some park units in Alaska.
- ORVs also can be allowed on designated routes within many of our national preserves, national seashores, national lakeshores and national recreation areas after showing such use will not damage natural or cultural resources or impact other visitors' experience.
- Besides the Alaska units, ORV use is currently allowed in certain areas within seven national seashores, three national recreation areas and a national preserve. Some of these include Glen Canyon National Recreation Area (UT), Cape Cod National Seashore (MA), Assateague Island National Seashore (MD and VA), Big Cypress National Preserve (FL), Cape Lookout National Seashore (NC), Cape Hatteras National Seashore (NC), Gateway National Recreation Area (NY) and Lake Meredith National Recreation Area (TX).
- With three exceptions, snowmobiles are permitted in the lower 48 states' national parks only on unplowed roads or frozen lakes where other motorized vehicles are allowed at other times of the year. Exceptions include several carriage paths in Acadia National Park, the Chain of Lakes scenic trail in Voyageurs National Park, and the Potholes in Grand Teton National Park (the Potholes exception is currently under review). [36 CFR Ch. 1(7-1-93 Edition) Sec.2.18 (c).]
- The National Park Service limits ORVs because they have been found through numerous studies to cause serious damage to numerous ecosystems from sand dune areas to alpine meadows. Also, a quality visitor experience in many areas includes an environment of solitude and quiet that is incompatible with ORV use.

- Currently, within the United States, over 461 million acres of public land are managed by the United States Forest Service and the Bureau of Land Management. Much of this land is open to ORV use.

For more information

NPS Management Policies, Chapter 8:2 & 8:4
Alaska National Interest Lands Conservation Act
Executive Order 11644

Issue

The natural quiet preserved in many national park units is increasingly rare and difficult to find in today's world. The sense of solitude to be found in parks is intruded upon in many ways. In some areas it is increasingly disturbed by low-level commercial sight-seeing flights and, to a lesser extent by low-level military overflights. The Federal Aviation Administration (FAA), which regulates airspace, Defense Department agencies, and the National Park Service are involved in efforts to resolve airspace issues over national parks.

Talking Points

- Natural quiet, an inherent resource in parks, is increasingly rare in America, even in national parks. Low-level overflights can disrupt the peace and quiet of parks and may have other impacts on wildlife and cultural resources.
- As many as 50 to 100 parks in the system are affected by low-level overflights. This issue needs resolution at 30 to 40 of these units. A variety of park units are affected, from the Statue of Liberty and Congaree Swamp National Monument to Grand Canyon National Park and several units in Hawaii. Surveys have shown that visitors notice and are disturbed by overflights. In parks with significant overflight operations, such as Grand Canyon and Haleakala National Parks, aircraft noise can be heard during 70 to 80 percent of daytime hours.
- The air tour industry serves large numbers of visitors, and significant economic interests are at stake. Growth in this industry has been continuous and significant. Although totally accurate information is not available, it is estimated that as many as 700,000 people annually take air tours in Hawaii, and 800,000 people annually overfly the Grand Canyon. More and more parks are reporting the start-up of air tour operations. It is desirable to address these problems before solutions become harder to find.
- The FAA is responsible for managing national airspace. The Secretaries of the Interior and Transportation have appointed a working group to address the broad array of issues related to overflights of parks. An Advanced Notice of Proposed Rulemaking on this issue was published in the Federal Register on March 17, 1994, requesting public comment. Comments were split between those who would like to see a ban on low-level overflights of national parks and those who believe that air tours provide a valuable way for many (including handicapped) individuals to see parks without contributing to congestion and pollution on the ground.

- Close cooperation between the FAA and the Park Service is essential to achieve solutions. Some solutions that may be explored include: voluntary agreements; incentives to encourage use of quieter aircraft; spatial zoning (such as air corridors and no flight zones); altitude restrictions; operating specifications; noise budgets, and flying time limits.

For more information

Report to Congress on the Effects of Aircraft Overflights on the National Park System, 9-12-94 (Prepared pursuant to Public Law 100-91.)
Aviation Management Guideline, NPS-60

Prescribed Burning: Reintroducing Fire into the Ecosystem

October 1995

Issue

The 1988 Yellowstone National Park fire brought to light the public's concern over the National Park Service's fire management policies. Until 1968, the Service followed a policy of suppressing natural wildfire, based on the belief that natural fires were deleterious to forest-based ecosystems. After numerous studies and controlled experiments, however, it was determined that the removal of fire as a natural process actually caused dangerous ecological changes raising the likelihood of catastrophic fire. In order to restore a more natural role for fire in perpetuating park ecosystems and to protect resources from catastrophic fire, the Park Service has expanded prescribed burning within many wildland environments.

Talking Points

- A major ecological advantage of fire in the ecosystem is that it creates a better environment for plant species dependent upon fire for rejuvenation or reproduction, such as the sequoia trees of Kings Canyon, Sequoia and Yosemite national parks which need fire to open their cones and enhance sprouting of seeds. In 1968, the Service instituted a program of prescribed fires in sequoia groves which led to a noted increase in their reproduction rate.
- The loss of fire in an ecosystem leads to the buildup of dead trees and underbrush which can fuel fires. When pursuing the policy of suppressing fires, hazardous fuels can build up in the forest so that ground fires burn hotter and become ecologically damaging, destroying trees that would not have been affected by less catastrophic fires.
- Prescribed burning uses fires under controlled circumstances to remove hazards (i.e., underbrush, dead trees, etc.), making forests less susceptible to catastrophic fires and righting some of the ecological damage from earlier fire suppression activities. Prescribed burning is performed through two means:
 - *Management-ignited Prescribed Fires*--fires intentionally ignited under controllable conditions; and
 - *Prescribed Natural Fires*--fires ignited by natural means (usually lightning) which are permitted to burn under specific environmental conditions, such as high moisture levels and low winds, with adequate fire management personnel on hand to prevent a loss of control.
- Prescribed fires are only undertaken by trained and certified professionals. Burn plans are

prepared according to rigorous scientific criteria before any prescribed fire can take place. The plans consider such factors as fuel type, allowable air temperatures, humidity, the slope of the ground, number of people needed for control and equipment available. All these factors are combined to produce the criteria, or prescription, under which the burn can take place.

- Fire suppression--taking all actions possible to manage wildfires to prevent loss--continues to be used in wildfire that pose threats to cultural resources, such as historic structures, natural resources and human beings or property.
- In 1994, there were 962 wildfire on 69,572 acres of the National Park System lands. From 1987 through 1990, \$87 million was spent on wildfire suppression (at a cost of about \$59 per acre burned) and about \$3 million to reduce hazardous fuels (at a cost of \$18 per acre burned), including hazard fuel removal through mechanical or labor-intensive means.
- Although prescribed burning may improve ecological processes and reduce the potential for catastrophic fire, the quality of smoke associated with the fire can often be disturbing to the public and obscure significant visual resources.

For more information

Fire Management and Ecosystem Health in the National Park system--The Problem Analysis
1993 NPS Wildland Fire Report
NPS Management Policies, Chapter 4:15
Wildlife Fire and Management Guideline, NPS-18
Structural Fire Guideline, NPS-58

Issue

In 1972, when Congress authorized the creation of the Golden Gate National Recreation Area (GGNRA), provisions were included to authorize the transfer of the Presidio of San Francisco to the National Park Service should the Army determine the post was excess to its needs. As a result of the Base Closure and Realignment Act, the Army announced in 1989 that the Presidio would be closed by 1995. The Presidio transferred to the Park Service on October 1, 1994.

For over 200 years the Presidio has had a continuum of use as a military garrison, occupied in turn by Spain, Mexico and the United States. Bordered by the Pacific Ocean on the west, the city of San Francisco on the south and east, and San Francisco Bay and the Golden Gate on the north, the Presidio includes 1,480 acres of land with spectacular vistas, nationally significant historic features, unique ecological systems and inviting parklands. The transfer of the Presidio from post to park also symbolizes the swords-into-plowshares concept, linking our military history with a future full of promise and possibility.

Talking Points

- The National Park Service (NPS) worked to assure a smooth transition as the Sixth U.S. Army departed in September 1995. In FY 1995, \$25 million was appropriated to the Presidio to fund operating costs. However, the NPS supports the development of legislation to create a public benefit "The Presidio Trust" corporation to assist in generating funds to manage the Presidio. Currently, Congress has legislation under consideration. The U.S. House of Representatives passed legislation creating a Trust this month, and the U.S. Senate is now considering Trust legislation. The Park Service continues to advocate the public/private partnership concept to support the Presidio and reduce overall costs of operations.
- NPS supports legislation that would create a federally-chartered Presidio Trust corporation, a public benefit corporation, to work in partnership with the National Park Service to facilitate the leasing and operations of Presidio facilities. The trust would ease the operations and physical improvements by adding additional flexibility and private sector expertise to Presidio management. Similar foundations or corporations that have been successfully created as public/private partnerships, such as the Fort Mason Foundation, Salem Partnership, and Pennsylvania Avenue Development Commission, manage significant federal properties. The Park Service continues to support the passage of such legislation.
- The Presidio General Management Plan (GMP) was released in August 1994. This plan provides guidelines for the management, use and development of the site for the

next 10-15 years and outlines strategies for conversion from a military post to a national park.

- NPS staff is in the process of leasing buildings within the Presidio to tenants consistent with the GMP. Current tenants include the Department of Defense, Federal Emergency Management Administration, the U.S. Postal Office, the U.S. Department of Agriculture, the National Ocean and Atmospheric Administration, the Gorbachev Foundation and the Tides Foundation. Meanwhile, the Presidio continues to provide housing to remaining military personnel from other military installations in the Bay Area. The Park Service is also soliciting proposals and working with prospective tenants for the Letterman Medical Complex, the Main Post and other facilities within the Presidio. The golf course has been awarded to a concessioner, Arnold Palmer Enterprises and was reopened as a public golf course on September 1, 1995. The Presidio Bowling Center will reopen as a public facility on October 3, 1995. The Presidio Bowling Center, Inc. was selected as the concessioner to manage the center.
- Additional tenant revenue generated will be used for operating costs and capital improvements.
- The National Park Service is responsible for law enforcement, fire protection and emergency services. Visitors can now enjoy the Park Service-operated Presidio Visitor Information Center and Presidio Museum, as well as take in various ranger-led interpretive tours. Current leasing by the NPS would be turned over to the Presidio Trust when it is legislatively enacted.

Issue

Within the boundaries of many parks are located privately-owned property interests, ranging from land owned in full-fee title, to leasehold interests, easements and mineral rights. These privately-owned lands are subject to a private owner's use and development, which may or may not conflict with the park's mandate to protect particular natural or cultural resources. Often, when these conflicts cannot be resolved, the only way to protect park resources is to acquire a fee simple interest or scenic easement interest. This can be done on a willing seller basis or through condemnation.

Talking Points

- The word "inholding" specifically refers to privately-owned tracts of land in older NPS units, that is, parks which were authorized before July 1959 or FY 1960. In parks which were authorized after FY 1960, privately-owned tracts are called just that.
- All private property interests within park boundaries constitute legally recognized and protected property rights. The National Park Service, in some situations, may have regulatory authority, giving some control or ability to place conditions on the use of these lands. This authority is given so that the National Park Service can carry out its resource protection mission, as laid out in park enabling legislation. The NPS cannot, however, deny the use or exercise of these interests without due process of law and just compensation to the holder of the right.
- Examples of potentially incompatible uses of private interest include commercial or subdivision development, large-scale agricultural development and mineral exploration or production. Such proposed developments may adversely affect the preservation of cultural, historic or natural resources, or otherwise conflict with the purposes for which the park was created. Often, when conflicts cannot be resolved, the only way to protect park resources is to purchase the property, either on a willing-seller basis or through condemnation.
- The National Park Service has been preparing Land Protection Plans for parks that contain non-federal ownership within their boundaries. These plans evaluate strategies for land protection, identify minimum property interests to be acquired, discuss alternative methods of land protection and establish priorities for NPS work.
- In late 1994, 4,147,897.5 acres of land remained in private ownership within the National Park System. Not all of these lands are identified for purchase. Only about 350,000 acres are identified in Land Protection Plans as the minimum needed to be acquired to protect park resources, but this figure does not include privately-owned

lands in Alaska or in the California Desert park units.

- In many cases, the National Park Service seeks alternatives to acquiring inholdings in order to address concerns of land owners and local governments and to minimize costs. A common misperception is that the National Park Service buys all the private lands within the park; however, if another alternative can be found that balances the needs for private land owners and the park, that alternative will be selected. Alternative land protection measures include cooperative agreements, zoning and easements. The NPS can participate in the local planning process, and by working with the local planning authority may be able to influence the project and protect park resources without having to resort to outright purchase of the property.
- There is a continuing backlog of privately-owned lands the National Park Service would like to acquire. However, these needs are not fully funded. At times the National Park Service has not had sufficient funding to purchase property from willing sellers. The cost to acquire the priority lands identified in the land protection plans for purchase is approximately \$1.4 billion.
- For some of the 96 recently authorized areas and 32 inholding areas included in the backlog, acquisition funds are not available. In some areas, funds available are not sufficient to cover the costs of acquiring even the least expensive tract in the area.

For more information

NPS Management Policies, check index for specific section

Land Protection Plan, Santa Monica Mountains NRA

36 CFR Part 17-0 Conveyance of Freehold and Leasehold Interests on Lands of the National Park System

36 CFR Part 18 - Leases and Exchanges of Historic Properties

Special Directive 82-12, Historic Property Leases and Exchanges (Revised)

Historic Property Leasing Guideline, NPS-38

Issue

The dual purposes of the National Park System are to: 1) preserve natural and cultural resources in national park units and 2) provide for the public's enjoyment of these parks. In balancing these two parts of its mission, the National Park Service provides for appropriate recreation at appropriate levels and in appropriate locations.

Talking Points

- The 1916 Organic Act tells us that the purpose of National Park System areas is to conserve the resources within them and at the same time to provide for their enjoyment by present and future generations. The General Authorities Act of 1970 reaffirmed the 1916 Act, stating that activities shall be allowed within park units only to the extent that they do not lead to derogation of the resources and values for which the parks were established. The early leaders of the National Park Service said that parks were for "appreciation, inspiration, education, and recreation." These basic tenets hold true today.
- Recreational uses are evaluated for their potential impact on the natural and cultural resources protected within the park unit and their effect on other users of the area. Recreational activities that are consistent with applicable legislation promote visitor enjoyment of park resources. Such activities, consistent with the protection of resources and compatible with other visitor uses, are encouraged.
- A tremendous variety of recreational activities occur throughout the National Park System, such as hiking, camping, swimming and picnicking. In 1993, of the 273 million visits to the National Park System, 18 million included an overnight stay within parks. Over 226,000 permits were issued for hiking and backpacking in backcountry areas. In addition, more than 150,000 hiking parties signed in at trailhead registers.
- In addition to these more traditional pursuits, the national parks are used for other activities that range from listening to pop music concerts at Wolf Trap Farm Park to hang gliding in Yosemite National Park. Scuba diving, canoeing and boating, fishing, hunting and driving off-road vehicles also are enjoyed in appropriate units of the system. In 1993, over 50 game species were hunted where hunting is allowed (over 50,000 animals were taken), 98,000 mountaineering days were spent within 10 NPS units; and 257,000 climbing days occurred on over 13,000 separate climbing routes in 22 NPS units.
- The National Park Service also makes itself available to a variety of special uses from serving as a backdrop for weddings to sets for Hollywood movie productions. These

"one-time" events are accommodated with special use permits, which must meet the same criteria as other types of recreation, that is, not damaging to park resources or conflicting with other visitors' enjoyment. In 1993, 29,000 special use permits were issued.

For more information

NPS Management Policies, Chapter 8:2
Visitor Management - Resource Protection Assessment Program Report, 1994

Issue

The National Park Service (NPS) is beset by a financial crisis brought on by increasing levels of visitation, unfunded infrastructure repair, and rising operating costs. In an attempt to offset this financial crisis, the National Park Service has sought legislation to reform fee collection so there will be a greater return of revenue for operation of the national parks.

Talking Points

- Only 133 of the 369 national park areas currently charge admission fees and of these only 25 impose the maximum allowable admission charge of \$5 per vehicle and \$3 per person. (Yellowstone, Grand Teton and Grand Canyon National Parks are allowed to charge \$10 per vehicle or \$4 per person). Areas that do not charge entrance fees either cannot logistically because of numerous entrances, cannot economically because of the possibility of a net loss collection, or are legislatively prohibited from charging an admission fee.
- In addition to admission fees, visitors are asked to pay other recreation user fees while in the parks. These range from campground to boat launching fees.
- Park admission fees accounted for \$51 million in 1994. Recreational user fees provided another \$25 million in revenues. Total recreation fees collected accounted for only five percent of the National Park Service's FY 1994 budget.

Proposed Recreation Fee Reform:

Several bills have been introduced in the 104th Congress which address recreation fee collection in the NPS.

- H.R. 2025 and S. 964 reflect the NPS legislative initiative (entitled The Park Renewal Fund Act) which would assist the Service in meeting growing visitor and resource demands through reforming fee collection. Key elements of this bill include:
 - Eliminating statutory caps on entrance fees charged by national parks;
 - Removing most requirements that entrance fees be paid on a per vehicle basis;
 - Removing restrictions on where admission fees may be collected;
 - Deleting prohibitions against charging fees for non-recreational or commercial uses of park systems, for instance, allowing parks to set user fees for commercial filming companies that utilize NPS resources and facilities;

- Allowing the Secretary of the Interior to review (with an eye to raising the fees where appropriate) the passport program, which provides visitors with annual admission to all national parks.
- Creating the Park Renewal Fund into which new revenue resulting from enactment of the bill will be deposited for infrastructure needs such as facility refurbishment, repair, and replacement; interpretive media and exhibit repair and replacement; and infrastructure projects associated with park resource protection. Funds in the Park Renewal Fund would be available to NPS without further appropriation. (Currently recreation fee revenues are transferred to a special account in the general treasury, less 15% which is retained by the NPS to cover the costs of fee collection.) It is projected that proposed fee increases could generate an additional \$32 million in FY 1996.
- H.R. 2107 (Visitor Services Improvement and Outdoor Legacy Act of 1995) would require the NPS to recover 75% of the agency cost for providing visitor services through the collection of recreation and concession fees.
- S. 1144 (National Park Service Enhancement Act) would put a \$6/individual cap on recreational entrance fees. Establishes a Park Renewal Fund for use by the NPS for systemwide needs.
- As of September 25, 1995, fee reform was an element of the budget reconciliation process. The proposal combines elements of S. 964 and S. 1144. Caps of \$6/person, \$50/Golden Eagle Passport, \$25/annual park pass are specified and retained. A Park Renewal Fund is established into which 80% of new revenue resulting from fee reform is deposited. The remaining 20% is deposited in the current NPS treasury account. NPS units collecting fees will have 75% of their contribution to the Park Renewal Fund returned for use at the unit. The remaining 25% in the Fund will be available to units not collecting fees and for systemwide needs.

The goal of fee reform is to generate additional revenue to assist the National Park Service in the preservation and management of the irreplaceable natural and cultural resources which are our national parks.

For more information

36 CFR Part 71 - Recreational Fees
 Recreational Fee Collections Guidelines, NPS-22

Issue

The National Park Service (NPS) has a major role in providing recreational opportunities in places other than National Park units as envisioned by the Outdoor Recreation Act of 1963. Questions are raised as to what is the appropriate role for the federal government in recreation leadership.

Talking Points

- Recreation, in its broadest sense, is fundamental to national well-being, encompassing not only the physical health of our citizens, but also opportunities to develop our youth, reduce crime, increase tourism, boost local economies and revitalize community spirit. Numerous studies support the importance of recreation in meeting these critical societal needs.
- Travel and tourism, including recreation, is now the number three retail industry in the nation.
- The Park Service supports recreation initiatives in the country at large, primarily by encouraging and assisting state and local government agendas. In January 1995, Interior Secretary Babbitt endorsed the vision of "a network of parks, preserves, open spaces, greenways, and recreation areas stretching across the nation and accessible to all Americans." This involves the Park Service in building and sustaining new partnerships among other federal, state, local and nonprofit partners. The Park Service has a variety of programs, mainly technical and financial assistance, to help communities develop recreation options; these include:
 - Rivers, Trails, and Conservation Assistance
 - Federal Lands-to-Parks
 - Land and Water Conservation Fund
 - Urban Parks And Recreation Recovery program
 - State Comprehensive Outdoor Recreation Planning
 - Publications (Trends magazine, miscellaneous others)
 - Partnerships agreements with national not-for-profit partners
- The NPS Recreation budget for programs outside of parks is \$40 million a year. These funds are specifically appropriated for this purpose and are not a part of ONPS.
- Special NPS recreation resource initiatives include "rails to trails" conversions, wild and scenic river planning, statewide trail planning, transfer of decommissioned military bases and other excess federal lands to state and local park use, the National

Metropolitan Greenspace Initiative, the Urban Resources Partnership Initiative and partnerships with river guides and outfitters.

- The Park Service helps bring other federal agencies to the table as partners in support of recreation initiatives by states and local governments; the Service is the "bridge."
- The National Park Service is the agency successor to Bureau of Outdoor Recreation (BOR) (created under P.L. 88-29, The Outdoor Recreation Act of 1963), in existence until 1977, and Heritage Conservation and Recreation Service (HCRS) (1977-1981). The Park Service, as the successor to BOR and HCRS, has two broad and interrelated mandates under P.L. 88-29, which are unique in the federal government:
 - national policy, coordination, and assistance for the purpose of providing all Americans with recreation opportunity
 - ensuring that all levels of government work together to protect the nation's land and water resources.

Issue

Newer forms of recreation, such as mountain biking, rock climbing and personal water craft (jet skiing), are at times incompatible with traditional recreational pursuits and protection of park resources. The National Park Service (NPS) has sought to accommodate these new pursuits where appropriate and when such recreational activities do not damage resources or interfere with other visitor activities. While some of these activities, such as biking and rock climbing, have a long history in the parks, the technology of the equipment has vastly changed the type of use. Additionally, activities that would cause minimal impacts if engaged in by small numbers of people, can cause serious damage to the park resources or ambiance as vast numbers of people participate in those activities.

Talking Points

- The National Park Service must look carefully at a particular recreational activity in the context of the local situation to determine appropriate ways of managing such recreation.
- Policies addressing these new forms of recreation have been evolving as more is learned about actual impacts on resources and visitors.
- For example, rock climbing has become very popular in some national parks; over 13,000 separate climbing routes are located in 22 units of the National Park System. The bolts used in many of these routes result in permanent scars on rock faces. At Joshua Tree National Park, a highly sought location for rock climbing, consideration is being given to limiting bolting to replacing worn or missing bolts on existing climbing routes for safety considerations, and prohibiting bolting of any kind in wilderness areas to protect rock faces.
- Another popular form of recreation is mountain biking. This can be a permitted use within national parks, but specific guidelines often are needed to help minimize use conflicts. (Special regulations are required to allow bike use outside of developed areas and special use zones.) Hikers, horseback riders and mountain bicyclists often argue over trail rights and find each other's presence intrusive. All three activities can cause resource damage. Visitor conflicts can sometimes be reduced through signage, speed limits, one-way travel and single use trails. Mountain bicycles are prohibited in wilderness areas under the provisions of the Wilderness Act.
- Personal watercraft (jet skis) are the fastest growing form of recreation at Lake Mead National Recreation Area. They currently comprise 30 percent of the boat fleet. The park is attempting to address the problems associated with personal watercraft by

establishing voluntary use zones in order to separate user groups (e.g. separate anglers, water skiers, swimmers and other boaters from one another). The complaints against personal watercraft range from reckless operation (too close to other users) to increased noise levels in remote lakeshore coves.

- Other activities such as windsurfing may not in and of themselves be destructive to resources, but user needs for facilities like parking or restrooms put additional demands on already strapped park infrastructure budgets.
- Not every activity popular with a specific group is appropriate in every national park unit and may not be appropriate in any national park unit. Local decisions are needed to ensure that the recreational pursuit is appropriate to the resources and to other existing recreational activities.

For more information

NPS Management Guidelines, Chapter 6:3

Issue

Resource crimes within the national parks rob the American public of their natural and cultural heritage. The National Park Service (NPS) is trying to put a stop to this through education and crime prevention. However, park staffing and support have not kept up with this growing problem.

Talking Points

- Resource violations can involve almost anything of value in the National Park System--from cutting live trees to the poaching of wildlife, to malicious theft of invaluable American Indian pottery from unexcavated ruins. In 1993, park rangers investigated 16,644 resource violations. In the last five years, resource violations on park lands have increased 123 percent.
- Examples of resource violations include:
 - Twelve endangered or threatened species of wildlife have been poached in 28 national parks.
 - Poachers have been known to pay up to \$15,000 for illegally guided bear hunts in Alaska.
 - Approximately 12 tons of irreplaceable petrified wood are being removed annually from Petrified Forest National Park as souvenirs or to sell.
 - In 1990, almost 100 species of plants were known to have been illegally collected in 37 park units.
 - In 1994, a rare prehistoric American Indian pot from the desert southwest sold for \$85,000 at an art gallery in New York City.
- Items are being taken for their monetary value in commercial markets or by collectors. Examples of the value of some of these resources include:
 - Mushrooms gathered illegally at Crater Lake National Park sell for over \$100 per pound in Japan.
 - A dinosaur fossil is for sale on the open market for \$12 million. (While this item is not believed to have come from an NPS unit, it is indicative of the profit to be made from poaching.)

- Confederate belt buckles from the Civil War sell for up to \$10,000 a piece.
- Live Great Gray Banded snakes are being poached from Big Bend National Park and sell for up to \$1,500 apiece for a pregnant female.
- The National Park Service is attempting to address many of these problems. Special task forces on Archeological Resources Protection Act violations specialize in Indian artifacts, paleontology, wildlife poaching and Civil War history.
- The Park Service works closely with local, state, tribal and other federal agencies to fight these problems. However, a lack of rangers and support resources makes combating these crimes increasingly difficult. Since 1979, the acreage of the National Park System has increased 166 percent, while the number of law enforcement commissioned rangers has decreased 17 percent. Additional legislation, such as the Vertebrate Paleontological Resources Act, is needed to provide greater legal protection of these irreplaceable resources.

For more information

Park Protection Fund, Briefing Statement, 1991
Ranger Magazine Vol. XI, #1; Vol. III #2; Vol. X, #2
NPS Wildlife, Protection Needs Assessment Report, 1991
Park Science, Volume 13, Number 2, Spring 1993
Visitor Management-Resource Protection Assessment Program report, 1994
Special Directive 90-1, Policies and Procedures for Handling requests to Search for
Treasure-Trove

Issue

Throughout time and everywhere on earth, human activities have altered ecosystems by changing or eliminating essential components. The restoration of species and systems in our national parks plays an important role in the preservation of biological diversity. The National Park Service (NPS) seeks to keep ecosystems as intact, biologically complete and ecologically viable as possible by engaging in either species, multiple species or ecosystem restoration projects in degraded ecosystems that would benefit from such projects.

Talking Points

- NPS policies concerning restoration:
 - The National Park Service's 1988 Management Policies states that the National Park Service will strive to restore native species to parks wherever all the following criteria can be met:
 - Adequate habitat to support the species either exists or can reasonably be restored in the park and if necessary on adjacent public lands and waters, and once a natural population level is achieved, it can be self-perpetuating;
 - The species does not, based on an effective management plan, pose a serious threat to the safety of park visitors, park resources, or persons or property outside park boundaries;
 - The subspecies used in restoration most nearly approximates the extirpated subspecies or race; and
 - The species disappeared, or was substantially diminished, as direct or indirect result of human-induced change to the species population or to the ecosystem.
 - Natural Resource Management Guidelines (NPS-77) states that the restoration (re-establishment) of native animal species may occur if adequate proof exists that the species occurred in the area, and that its absence is caused by human activity. There must be an adequate source of animals from which to re-populate, and a review must indicate not only that the prospects for natural re-establishment are minimal, but that restoration has a good chance for success.
 - Restoration of a species will be carried out in cooperation with other affected agencies, organizations, and individuals.
- All federal land-managing agencies are increasingly engaged in various forms of restoration of species. Intense public concern over destruction, disturbance and fragmentation of remaining pristine habitats leads to support for many of these projects.

- There are at least three professional national organizations committed to the restoration of species and systems--the Society for Ecological Restoration, The Nature Conservancy, and the Natural Areas Association. These organizations have formed partnerships with the Park Service and are devoted to promoting habitat management and ecological restoration as strategies for conserving biological diversity.
- The NPS Organic Act of 1916 provides the Park Service with general authority to restore extirpated species to NPS system areas. In addition, the Endangered Species Act of 1973, as amended, provides specific legislative authority for the use of restoration as a conservation tool in the recovery process for listed species.
- Restoration of threatened and endangered species can be controversial from both the economic and scientific perspectives. In 1983, economic conflict and concerns prompted Congress to amend the Endangered Species Act to include a special provision for experimental populations. This provision allows federal and state resource agencies and private citizens greater flexibility in managing restored animals, e.g., the recent gray wolf restoration to Yellowstone National Park and central Idaho.
- NPS examples of successful restoration projects:
 - Single species restoration - mountain bighorn sheep (*Ovis canadensis*) in the Rocky Mountain Region are being restored to several NPS units. The sheep are neither threatened nor endangered, but rather impacted by habitat destruction, non-native diseases and human presence.
 - Endangered species restoration - peregrine falcons (*Falco peregrinus*) are making a good recovery with over 3,700 peregrines having been released in 28 states. Shenandoah, Isle Royale and Rocky Mountain National Parks are several of many participating NPS units.
 - Restoration of an endangered plant - the Tennessee purple coneflower (*Echinacea tennesseensis*) has been successfully restored at Stone River National Battlefield and has increased in numbers.
 - Endangered insect - The Spruce-fir Moss Spider (*Microhexura montivaga*) is endangered by habitat degradation. This small arachnid inhabits three locations within Great Smoky Mountains National Park with only one known viable population on private land. This species has not been restored because its habitat has not been restored, so its clock is ticking toward extinction.
 - Habitat restoration - Gateway National Recreation Area is managing disturbed areas to develop salt marshes, fresh water ponds and sand dunes in an attempt to create suitable habitat for species such as piping plover, migratory birds, shorebirds, reptiles and amphibians.

For more information

NPS Management Policies
Natural Resources Management Guidelines NPS-77
See NPS Talking Point "Threatened and Endangered Species"

Issue

The National Park Service (NPS) is restructuring its organization in order to respond to the many changes that have confronted the Service over the past few decades. Personnel and funds are being moved into the field closer to the resources and the customers being served. This move is helping us continue to fulfill our mission of resource protection and public service in spite of declining resources and increasing needs.

Talking Points

- The restructuring of the Park Service responds to the administration's National Performance Review --- a bold attempt to make the federal service more effective, responsive and innovative. In addition, the plan outlined derives from earlier efforts of the Service -- the 21st Century Task Force, the Vail Agenda, and the Strategic Plan -- to make substantive improvements in the organization.
- When fully implemented, the restructured Service will have broadened its base of agency decision-making, enhanced its partnerships and partnership programs, increased emphasis on natural and cultural resource management and scientific research, improved its educational capacity, delivered more support services to park and program managers, and empowered employees to work more efficiently.
- NPS units and partners are now organized into 16 ecological-cultural-geographical based clusters of 10-35 park units each. Each cluster includes a system support office to provide technical, administrative and professional support. Each cluster reports to one of seven Field Directors, who are responsible for an average of 50 park units each. Clusters and NPS partners receive services and support from national program centers.
- The headquarters office in Washington is being significantly flattened organizationally and downsized by removing programmatic functions and leaving policy, leadership and communication functions. Programmatic functions are assigned to parks, system support offices and program centers.
- The regional offices have been eliminated and many technical support functions they performed are now handled by the system support offices, whose superintendents work as peers with park superintendents. Other support services are performed in the parks themselves, as part of the emphasis on park interdependence.
- To minimize disruption in programs and in employees' lives to the extent possible, system support offices are currently located in the ten cities where there is already a National Park Service presence.

For more information

"Restructuring Plan for the National Park Service," November 1994

Issue

In 1866, Congress offered to grant rights-of-ways to construct highways over unreserved public lands. Revised Statutes Section 2477 reads, "The right-of-way for the construction of highways over public lands, not reserved for public uses, is hereby granted." R.S. 2477 was passed when the federal government was promoting settlement of the West. R.S. 2477 was repealed in 1976 by the Federal Land Policy and Management Act (FLPMA), but highways constructed before October 21, 1976, were not terminated.

In recent years, debate and controversy have arisen over whether specific highways were constructed pursuant to R.S. 2477, and, if so, the extent of the rights obtained under the grant. (See sixth talking point for "highway" definition discussion.) Highways were constructed without notice to the federal government and with no documentation in the public land records, so there are few official records documenting the rights-of-way or their specific location. The uncertain nature of the right-of-way, coupled with legal controversy, has made this a difficult issue for land managers. A growing number of rights-of-way assertions are being made, particularly in the states of Utah and Alaska. This controversy prompted the Congress, in the FY 1993 Interior Appropriations Bill, to direct the Department of the Interior (DOI) to study the history, impacts, status and alternatives to R.S. 2477 rights-of-way and to make recommendations for assessing the validity of claims.

Talking Points

- Causing concern are potential claims for rights-of-way across federal lands withdrawn for national parks, national forests, national wildlife refuges and other special management areas, including areas designated or under study for wilderness. In Utah alone, there have been over 5,000 assertions of R.S. 2477 rights-of-way, many of which criss-cross national park units and wilderness study areas.
- Even where legitimate claims exist, land managers retain authority to regulate these rights-of-way just as they regulate other uses of federal lands. The right-of-way claims, however, could frustrate management plans.
- This issue is important to some state and county governments and federal land managers who value rural roads as important to their infrastructure, and essential to economic growth and social well-being. A number of western counties are opposed to DOI attempts to clarify this issue and view it as an attack on access to federal lands.
- In response to the direction of Congress to study R.S. 2477 claims, the Secretary submitted his report to Congress in June 1993. This study included recommendations that new regulations be proposed. On August 1, 1994, the DOI published proposed

regulations in the Federal Register to clarify R.S. 2477 and to provide an orderly process for the three DOI agencies to verify R.S. 2477 highway rights-of-way claimed by state and local governments. The proposed regulations would apply to the Bureau of Land Management, U.S. Fish and Wildlife Service, and the National Park Service. The comment period for the proposed rule closed August 1, 1995.

- The proposed claims process could be a more convenient and less costly process for right-of-way claimants, principally state and local governments. However, the proposed regulation could provide only administrative recognition of a R.S. 2477 rights-of-way; legal recognition would still require court action unless Congress provides for such. Previously the only way in which validity of a R.S. 2477 right-of-way claim could be legally established was by filing a lawsuit in federal court.
- Under the proposed regulation, the definition of "highway" would require that a right-of-way be a public thoroughfare used for the passage of vehicles carrying people or goods from place to place. (This contrasts with a 1988 DOI policy that in some instances does consider foot and animal trails as "highways.") Similarly, the definition of "construction" in the proposed regulation would require evidence of "an intentional physical act" to prepare a "durable, observable, physical modification of land for use by highway traffic." (The 1988 policy does accept a mere use or passage as sufficient to "construct" a "highway.") These regulations would supersede the previous policy.
- Congress has provided numerous other statutes to authorize access across federal lands, including Title V of the Federal Land Policy and Management Act (FLPMA) and Title XI of the Alaska National Interest Lands Conservation Act (ANILCA).

For more information

Report to Congress on R.S. 2477, DOI

DOI news release, July 29, 1994

Memo to Directorate and Field Directorate on "Proposed Regulations for revised Statue 2477 Rights-of-Way"

NPS Management Policies, Chapter 8:11 and 6:9

36 CFR Part 14, Right-of-Ways

Special Directive 91-5, Delegations of Authority for the Approval of Right-of-Ways

Issue

Currently the *Endangered Species Act* (ESA) is in the process of reauthorization. The National Park Service (NPS) strongly supports the reauthorization of the Act as it exemplifies our mission to "...conserve the scenery and the natural and historic objects and the wild life therein...and leave them unimpaired for...future generations". Recognizing that some feel the Act is not working as well as it might, the Administration and the Department have proposed (March 1995) a ten-point plan of administrative and legislative changes. These would give states greater ability to guide species protection and recovery, increase the role of science in decision making and provide more flexibility and less regulation for small landowners. The Administration also wants to show its willingness to work with other federal agencies, states and tribal governments.

Talking Points

- Congress recognized the importance of preserving a diversity of wildlife and plant species, and set the course for a new direction in wildlife conservation with the passage of the Endangered Species Act (16 USC 1531 et seq.) of 1973. The ESA is the most far-reaching law ever enacted by any nation for the preservation of endangered species. It states that endangered and threatened species "are of aesthetic, ecological, educational, historical, recreational, and scientific value to the Nation and its people."
- The purpose of the act is to provide a means whereby the ecosystems upon which endangered species and threatened species depend may be conserved.
- The goal of the Act is to restore all federally listed endangered and threatened species to the point where their numbers again make them viable, self-sustaining members of their ecological communities.
- Like all federal agencies, the National Park Service is required by the ESA to conserve endangered and threatened species and their critical habitats and to avoid any actions that might jeopardize their survival. The Park Service extends this responsibility to protecting federal candidates, state-listed, and state-candidate species.
- The U.S. Fish and Wildlife Service (U.S. FWS) is the lead agency in administering the ESA; among its main responsibilities are coordinating the listing process and the delisting process for species once recovery goals are reached. Note: the National Marine Fisheries Service has similar authority for protecting and conserving most marine life.

- Additionally, the U.S. FWS is charged with the development and administration of recovery plans. A recovery plan identifies, describes and schedules the actions necessary to restore species to a more secure condition. This may include captive propagation and reestablishment, as well as protection and management of habitat. In line with sound ecological management principles, the Park Service participates in the preparation of these plans for any species that resides in, or adjacent to, parks.
- NPS units are among the most secure areas for numerous threatened and endangered species. The NPS Management Policies direct park managers to identify and promote the conservation of all federally listed species, candidate species, and their critical habitat within park boundaries. All management actions for protection and perpetuation of special status species will be determined through the park's resource management plan.
- During 1994, the Park Service signed three national, interagency Memoranda of Understanding (MOU) concerning endangered species. 1) The MOU on Candidate Conservation or Prelisting, states that conservation agreements for candidate species will be developed in lieu of listing under the ESA, 2) the MOU on Plant Conservation establishes the Federal Native Plant Committee to build partnerships for conserving native habitat, and 3) the MOU on Endangered Species Act Implementation prompts agencies to work together to implement the ESA.
- The Office of the Solicitor has advised federal agencies working with the Endangered Species Act that there is a "broad judicial interpretation" of provision (2) of the Freedom of Information Act. The provision suggests that site-specific information of special status species should be withheld if it is reasonably foreseeable that its disclosure would enable location of a protected species or its habitat, and risk the habitat's or the species' destruction in circumvention or violation of legal requirements.
- Over 130 listed species (both plants and animals) occur in 167 units of the Park Service out of a total of 956 listed species in the United States.
- In 1993, the Park Service spent \$3.3 million on 100 federally listed species, which is .003 percent of the total operations budget for 1993. The challenge of protecting the ecosystems upon which these species depend is enormous. For example, there are over 430 unfunded projects pertaining to inventory and monitoring of threatened and endangered species on NPS lands alone. Park Service lands provide habitat for more than 820 populations of federally listed species and more than 1,320 populations of category 1 and 2 candidate species.

For more information

Natural Resource Management Guideline (NPS-77),1991
Endangered Species Act of 1973 as Amended through the 100th Congress, U.S. Fish and
Wildlife, DOI
See NPS Talking Point "Restored Species"

Issue

Increasing numbers of automobiles, low levels of funding to meet roadway improvement needs and demand for more parking areas impact park resources and visitors' experience. Reducing traffic congestion through increased use of alternative modes of transportation has the potential to heighten visitor enjoyment, save gasoline, reduce pollution and bolster resource protection. The NPS is actively pursuing alternative modes of transportation at several units.

Talking Points

- Park road funding has not been sufficient to keep up with needed road improvements. Based on Federal Highway Administration estimates, \$1.6 billion is needed to repair 5,150 miles of paved roads and 1,460 bridges and tunnels open to the public.
- Major impacts caused by roads include altered and/or destroyed vegetation; altered, destroyed and/or fragmented habitat; barriers to wildlife movement; creation of corridors for exotic species invasion; disruption of the life cycles of wildlife; increased erosion and soil disruption; disrupted surface water flow; and reduced groundwater supply. During the construction phase, adverse impacts can include release of toxins and spilled petroleum products.
- Automobiles themselves cause air quality deterioration and noise. Cars collide with wildlife, injuring or killing them. Parks also must have gas stations which release gas fumes each time gas is pumped and contaminate soils and water if gas tanks leak. One study found the impact from automobiles "...may be more significant than the impact of visitors themselves."
- Congress mandated in the Intermodal Surface Transportation Efficiency Act of 1991 that visitor transportation alternatives be studied. In May of 1995, the National Park Service completed the Alternative Transportation Modes Feasibility Study, which was presented to Congress.
- Results of the study included:
 - an overview of transportation conditions in the National Park System;
 - guidelines for identifying the most suitable transportation solutions for recreational transportation needs;
 - recommendation of a project development approach for implementing visitor

transportation systems;

- a discussion of the need for definitive National Park Service policies regarding alternative transportation modes and increased funding levels for both the park roads and visitor transportation systems; and
 - an inventory of transportation technologies that are considered to be appropriate for use in park settings.
- Some parks have begun to use shuttle buses as methods of moving visitors around the park while reducing traffic congestion. For instance, buses are used at Denali National Park and Preserve and Cape Cod National Seashore. Other areas rely on concession operators to move visitors around, such as the Tourmobile in Washington, D.C.

For more information

Briefing Summary on Critical Servicewide Transportation Issues

Alternative Transportation Modes feasibility Study - Visitor Transportation System

Alternatives

NPS Vail Agenda

NPS Guiding Principles of Sustainable Design

NPS Management Policies, see index for multiple listings

36 CFR Part 4 - Vehicles and Traffic Safety

Issue

The words "National Park Service" more often than not remind people of the great scenic parks like Yellowstone and Yosemite, but the National Park Service has been a cultural reservoir in and around America's cities for many years. However, it is not apparent to all sectors of the public what the Service does beyond city park experiences, such as the delivery of cultural programs and guidance to communities throughout the nation. Since 1972, when Congress authorized national recreation areas, members of the public have inquired about the role of the National Park Service in our nation's cities. Today, the Park Service serves as a model for cities through its park units in major urban areas, and through grants and technical assistance available to all communities.

Talking Points

- When the National Park Service assumed responsibility for the parklands and monuments in the District of Columbia in the early 1930s, the Service automatically became engaged in the cultural, scenic and recreational life of a major city. After World War II, with the dramatic swelling and density of cities and metropolitan areas, the demand for national parks close to all urban populations also expanded.
- While many Americans are able to visit the major scenic parks, such as the Grand Canyon and Badlands, they also need cultural, scenic and recreational opportunities closer to home where they may spend weekends and other brief periods. Parks serve to heighten the quality of cultural facilities available to urban populations, as well as recreational opportunities and scenic qualities. All of these attributes help define an urban area's quality of life and ability to maintain and expand its economic base.
- While national parks serve their immediate urban residents, they also function as centers of tourism, which generate revenues for urban coffers. Urban national parks, like Independence National Historical Park, Martin Luther King, Jr. National Historic Site and the monuments along the Washington Mall, attract visitors from around the nation and the world. Many NPS staffers work with mayors, governors, city planners and tourism officials to advance tourism initiatives.
- For urban dwellers, national parks offer special opportunities to learn about their cultural and natural heritage. For examples, at Lowell National Historical Park in Lowell, Massachusetts, the park staff works in partnership with the surrounding school districts to include learning about the city's industrial heritage in the school curriculum. In the District of Columbia, school groups learn about the natural world around them at the Rock Creek Park Nature Center.
- Starting in 1972, with the establishment of National Park Service National Recreation Areas close to major cities, the public had access to unparalleled recreational opportunities. At Golden Gate National Recreation Area in San Francisco, over 10 million visitors a year enjoy the shoreline, wind surf, hike through the tranquility of

Muir Woods and visit military and other sites that represent a portion of the nation's cultural history. At Gateway National Recreation Area, 40 million residents from New York and New Jersey use its beaches, golfing and fishing facilities, walking trails, cultural sites and wildlife refuges, minutes away using public transportation.

- National Park Service programs support the conservation of the unique character of urban communities, in partnership with the states, through listings in the National Register of Historic Places, start-up money through the Historic Preservation Fund, federal preservation tax incentives, and technical assistance. National Register listing conveys official recognition of cultural significance and provides access to historic preservation grants and tax incentive programs, as well as incentives at the state and local level. Whole sections of cities have been revived through a creative combination of NPS programs, other federal assistance, state and local government involvement, and private sector and public participation.
- National Park Service programs, such as the Land and Water Conservation Fund, have financed and leveraged expansion of park and recreation areas accessible to urban residents. Since its inception in 1965, LWCF has made grants of \$3.2 billion to states, over 65% of which was passed through to cities. The Rivers, Trails, and Conservation Assistance program develops recreation and natural protection opportunities in urban areas. In FY94, RTCA assisted on over 100 projects. For example, in southeastern Michigan, the Park Service has joined with 26 local governments and non-profit partners including Detroit and Ann Arbor to plan hundreds of miles of city and intercity greenway trails.
- The U.S. Congress has established several historic areas of the nation as national "heritage areas." Heritage areas are a new form of partnership to conserve settled landscapes--farmland, cities, and industrial areas--that tell the stories of how our country evolved. They are managed locally and the land is not owned by the federal government. The National Park Service provides modest assistance for designated areas. Examples include the Blackstone River Valley National Heritage Corridor and the Illinois and Michigan Canal National Heritage Corridor.
- The National Park Service, with five other federal agencies, initiated the Urban Resources Partnership Program in 1993, to bring badly needed funding and technical assistance to central city, grass roots conservation projects. Chicago, Atlanta, New York, and Seattle were the first recipients of over \$2 million in assistance and small grants. In 1995, the URP expanded to four more cities: Philadelphia, Denver, Los Angeles and East St. Louis.

For more information

"Rivers, Trails, and Conservation Assistance Program: Project Update," April 1994
Urban Park Recreation and Recovery Act

American Heritage Area Partnership Program
(LWCF) "A Secret Program that Changes our World," Courier Sept. 1990
"Held in Trust: Preserving America's Historic Places"

Issue

Despite an increasingly diverse population, visitors to the nation's 369 parks, monuments, historic places and recreation areas consist largely of middle to upper-class European Americans. Innovative programs and activities are needed to attract a broader segment of the American public because all Americans are entitled to share equally in our heritage. To improve visitor diversity, the National Park Service must promote and present a more equitable role and accurate portrayals of minorities and women in American history.

Talking Points

- Many parks in the National Park System recognize the contributions of the diverse American population. These include sites specific to African Americans, women, Pacific Islanders, Native Americans and Hispanic Americans. Examples of these areas are Women's Rights National Historical Park, Booker T. Washington National Monument, Nez Perce National Historical Park and Manzanar National Historic Site.
- The National Park Service seeks to develop interpretation and education programs that accurately reflect the full range of America's cultural history. Working with historians, community groups and the general public, the National Park Service continually evaluates its historical thematic framework to tell a complete story of the nation's past. Efforts are made to ensure that program and facilities design are sensitive to various cultural groups to create a climate of inclusion.
- Special emphasis programs such as Black History Month, Women's History Month, National American Indian Heritage Month and Asian-Pacific American Heritage Week, provide opportunities to attract diverse audiences. These commemorative events can be used as occasions to disseminate information about the contributions of America's various cultural groups tied to the nation's life and culture.
- In cooperation with historically black colleges and universities and other learning institutions, the National Park Service develops educational materials and is engaged in new communication technologies. For example, the Internet and the World Wide Web allows students anywhere to call up on a computer information about the National Park Service.
- Director Kennedy has stated that although some units are accomplishing outreach with video and other media tools, he would like to see the National Park Service education outreach begin using the learning channels as an outlet--so that when people think of the Service, they think "education".

- Today's park education programs attempt to reach a broad section of the American public. Through the Parks as Classrooms program and other means, education programs use a variety of techniques both in the parks and in communities to share the National Park idea with a wider public.

Issue

The increasing popularity and visitation to national parks is creating many challenges for the National Park Service as it strives to fulfill its mandate both to protect park natural and cultural resources and to provide a quality visitor experience.

Talking Points

- To address visitor use management and carrying capacity, the National Park Service developed the Visitor Experience and Resource Protection (VERP) Program. VERP enables park managers to set defensible objectives for acceptable impacts on resources, appropriate types and levels of visitor use, and the locations and capacities of visitor facilities (including parking areas). This program builds on concepts used by the United States Forest Service, specifically "Limits of Acceptable Change" and "Recreation Opportunity Spectrum."
- Anticipated results of VERP include a more proactive approach to zoning and to management of visitors; better documentation supporting decision-making; better evaluation and justification of needs and locations for park infrastructure and development; better understanding of needed social research and applications of such research; identification of short-term and long-term management actions; and a "win-win" integration of resource protection and visitor use.
- VERP also identifies indicators that can be used to monitor visitor experiences and resource conditions and to set standards that trigger management action ensuring parks meet their objectives. These resource and social indicators serve in essence as a park's early warning system alerting managers of the need to address specific problems.
- In 1992, the Park Service began a Visitor Experience and Resource Protection program at Arches National Park. This was intended to serve as a pilot approach for other park units facing similar problems with increasing numbers of visitors. The park begun extensive monitoring in the summer 1995 and will test its indicators and standards.
- The Yellowstone/Grand Teton Winter Use Management Plan is another example of a VERP-type project. It requires the Park Service to implement a Visitor Use Management Program responsive to certain winter visitation levels. Those levels, originally estimated to be reached 10 years in the future, were surpassed in only two years. A visitor use management program is currently under development for these two parks together with the surrounding lands managed by the United States Forest Service. Indicators and standards are being developed and some preliminary monitoring will be conducted.

For more information

NPS Management Policies, Chapter 8, see index for multiple listings

Issue

Water quality impairment has been documented as one of the gravest threats to National Park resources. These water problems stem from activities within parks (visitation, concessions operations, active and abandoned mines, park maintenance) as well as from activities outside the parks. Water quality issues are pervasive throughout the system and need to be addressed by the National Park Service (NPS).

Talking Points

- A 1994 General Accounting Office (GAO) report identified water quality impairment as one of the most significant external threats to the integrity of the national parks. In addition to the GAO report, recent reports by the National Parks and Conservation Association and the NPS Concessionaire Environmental Task Force identified the need to substantially increase NPS efforts to monitor water quality in national parks.
- External water quality threats vary widely and include non-point runoff from upstream agricultural lands and urban areas, industrial and municipal waste discharges, leachate from landfills, underground storage tanks and active and abandoned mines. Examples include Everglades National Park (nutrient runoff from agricultural lands), Mammoth Cave National Park (sediment and pesticide runoff into cave waters), Valley Forge National Historic Park (toxic runoff from urban areas), Wilson's Creek National Battlefield (industrial and municipal wastes and toxics), Indiana Dunes National Lakeshore (industrial and municipal wastes and toxics), Cuyahoga Valley National Recreation Area (toxics, bacteria, municipal and industrial wastes), Biscayne National Park (ammonia leachate from South Dade County Landfill) and Grant-Kohrs Ranch National Historic Site (a mining Superfund site surrounds the park).
- Landfills, underground storage tanks, and both active and abandoned mines within park boundaries also pose threats to park water quality. For example, Yosemite National Park has leaking underground storage tanks within the park, New River Gorge National River has numerous unreclaimed coal strip-mined lands that leach into park streams, and Big South Fork National River and Recreation Area receives acid mine drainage from over 100 abandoned coal mines.
- Currently, several proposed developments threaten park waters. For instance, at Yellowstone National Park the abandoned McClaren Mine and the proposed New World Mine threaten to leach acid water and toxics into park streams. At Amistad National Recreation Area in Texas, a hazardous waste landfill is proposed upstream from the park.
- Accidental spills, especially in coastal and river parks, have created lasting impacts or threaten to impact park coastal resources. Examples include Padre Island National Seashore where past oil spills have contaminated park groundwater and wetlands and Katmai National Park and Preserve where shoreline resources were impacted by the Exxon Valdez oil spill. Currently, as part of the natural resource damage assessment

program, the Park Service is inventorying resources threatened by accidental spills at Point Reyes National Seashore in California.

- Contaminated runoff and sediment from grazed and timbered watersheds affect park waters. Livestock grazing impacts water resources at Channel Islands National Park, Fossil Butte National Monument and Point Reyes National Seashore. Forestry practices impact Redwood National Park.
- Dams and dam operations influence the water quality of both reservoirs and downstream rivers managed by the National Park Service. Examples include Glen Canyon National Recreation Area and Grand Canyon National Park (cold downstream water temperatures, and altered sediment regimes resulting from the Glen Canyon Dam) and Olympic National Park (altered sediment regimes have impacted water quality and obstructions to fish migration have eliminated salmon spawning habitat).
- Use of park waters by recreationists can impact water quality. Examples include Glen Canyon National Recreation Area (grey- and black-water discharges from marinas, houseboats, and motorboats), Grand Canyon National Park (bathing in tributaries associated with main-river raft trips), and Yosemite National Park (visitor activity along Merced River streambanks, causing excessive erosion and sedimentation).
- Location, maintenance and operation of park facilities can impact water quality. Examples include Sequoia and Kings Canyon National Parks (downstream nutrient enrichment from sewer plant operations), Mammoth Cave National Park (untreated parking lot runoff contributing hydrocarbons to subterranean streams), and Great Smoky Mountains National Park (road construction through acidic geological strata, producing acid drainage).
- Expansion of NPS water quality inventory and analysis capabilities is necessary to protect and upgrade water resources and to restore damaged aquatic resources. Parks often lack adequate water quality data that can help provide the identification of potential threats, the accurate assessment of impacts, and the resolution of problems. Also, most parks are not appropriately staffed or funded to deal with complex water quality management and compliance issues.
- Mitigation of water quality impacts and restoration of affected aquatic resources need more attention. Participation in interagency water quality projects should continue. Closer ties to external land managers and local governments would help parks negotiate and develop strategies for termination of polluting activities. Within parks, managers must assess ongoing management activities that affect water quality and develop remedial actions. Funding and trained staff are necessary to carry out remediation activities within parks and for cost-share projects outside parks.

For more information

General Accounting Office, 1994, External Threats to National Park Resources, Report
#GAO/RCED-94-59

National Parks and Conservation Association, 1993, Parks in Peril, Library of Congress catalog
#92-61454

NPS Management Policies, check index for multiple listings

Issue

Water (both quantity and timing) is a major determinant of park resource condition. In addition to its importance in defining site characteristics and uses, water serves as an important transportation mechanism connecting park ecosystems within the surrounding area. The proliferation of proposals for water development near National Park Service (NPS) units significantly threatens park water rights and associated water-related resources.

Talking Points

- In the western states, and increasingly in the East, the right to use water is administered under state law. Conflicts among water users are resolved through administrative means or, if necessary, litigation. States are moving rapidly to settle conflicts with federal water users by initiating and advancing water rights "adjudications."
- The Park Service has been sued, and is therefore participating, in 40 water rights adjudications in seven states, involving 49 NPS units.
- The Park Service derives its authority to participate in water rights adjudications through the McCarran Amendment which admits the federal government to state water law suits.
- The Park Service must participate in adjudications if it wishes to avoid either the loss of water rights and water-dependent resources or the need to purchase expensive water rights.
- The Park Service is also opposing, in state administrative proceedings, water development upstream/upgradient from parks that is likely to injure water-related resource attributes (e.g., loss of desert springs, diminished or altered stream flow).
- The Park Service and the State of Montana developed a water rights compact for Big Hole National Battlefield, Glacier National Park and Yellowstone National Park. It was submitted to the Montana Water Court in the fall of 1994. The compact, now being implemented, protects water rights for NPS consumptive use (e.g., drinking water), instream flows and the hydrothermal system within Yellowstone National Park.
- A second compact for consumptive uses and instream flows for Little Bighorn Battlefield National Monument and Bighorn Canyon National Recreation Area was approved in June 1995. Approval of the two compacts settles all NPS reserved water rights in Montana and avoids millions of dollars in litigation costs while protecting NPS resources.
- Reserved water rights, including instream flows, have been claimed for Zion National

Park in the Virgin River adjudication. The Department of Justice and the Park Service are negotiating with the state of Utah to settle Zion's claimed federal reserved water rights.

- The Las Vegas Valley Water District (LVVWD) has filed applications to appropriate about 800,000 acre-feet of ground water in eastern and southern Nevada and 190,000 acre-feet of surface water in the Virgin River. The Park Service, Bureau of Land Management, Fish and Wildlife Service and Bureau of Indian Affairs protested the applications and are working together to prepare evidence for state hearings. A settlement on the Virgin River applications has been reached and the permits were approved by the state engineer subject to the terms of settlement. The remaining Las Vegas applications were put on hold while LVVWD pursues other options.
- Applications for groundwater in southern Nevada near Death Valley National Park and Lake Mead National Recreation Area are on the increase. After NPS protests, the state engineer has on several occasions conditioned application approval upon monitoring programs to identify and avoid potential impacts to NPS units and the special resources dependent upon groundwater (e.g., desert pupfish and frogs long thought to be extinct).
- Settlement Agreements for Craters of the Moon National Monument and Yellowstone National Park for protection of reserved water rights for consumptive use and instream flows were negotiated in 1992 with the State of Idaho and submitted to the court. Hydrothermal issues at Yellowstone were not resolved by the Idaho settlement. State law-based claims for water rights at Nez Perce National Historical Park and Hagerman Fossil Beds National Monument also were submitted to the court.
- The Park Service is concerned that increasing groundwater withdrawals threaten to injure fragile park ecosystems in the East. For example, proposed expansion of groundwater pumping has prompted a series of studies at Cape Cod and Cape Hatteras National Seashores that will provide information on water withdrawal effects on wetlands and maritime forests to determine levels of acceptable water withdrawal.
- The Park Service is concerned that a proposal for a housing project on the periphery of Grand Canyon National Park, which includes the development and use of a substantial amount of groundwater, could reduce water flows at springs along the South Rim, thereby impacting the NPS water rights. NPS began a spring-monitoring program in September, 1994 to detect changes in spring flow.
- In conjunction with the Department of Justice, the Park Service has developed reasonable claims in each of the many adjudications in which claims were submitted. Protection for water rights and water-related resource attributes was negotiated in several instances to avoid costly litigation. Science-based studies and analytical techniques were applied in developing the evidence used to support the claims.

For more information

1994 NPS Report on Improving Wilderness Mgmt. in the NPS by Wilderness Task Force
NPS Management Policies, Chapter 4:17
Special Directive 78-2, Sale or Lease of Services, Resources or Water Available Within An
Area of the NPS

Issue

The Wild and Scenic Rivers Act has protected many nationally significant streams but has been seen by some as a threat to the local community's tax base and a means for the federal government to regulate or condemn private lands. A second issue is whether rivers within the National Park System would benefit from Wild and Scenic designation.

Talking Points

- Since 1968, 150 rivers have been designated as Wild and Scenic; of these, the Park Service directly administers just 19, with 75 managed by the Forest Service, 14 by the Bureau of Land Management, six by the Fish and Wildlife Service, and 36 managed by a combination of federal and/or state agencies.
- The Park Service also manages many other rivers (Buffalo, New, Big South Fork, etc.) which are not part of the Wild and Scenic System and are not covered in this paper.
- For rivers designated by the Secretary of the Interior pursuant to Section 2 (a)(ii) of the Act (16 segments), states provide the primary management, with the National Park Service (NPS) assuring that federal activities related to hydropower licensing and water resource development do not affect adversely the natural and cultural values associated with the river.
- The perceived value of Wild and Scenic designation has changed since the Act was passed in 1968. Once primarily an anti-dam-building tool, Wild and Scenic designation is increasingly seen by local supporters as a way to preserve permanently important landscapes, provide a magnet for tourists and protect ecologically sensitive riparian areas.
- Communities near designated rivers have benefited economically from the increased visibility that Wild and Scenic designation brings, while fears of being overrun by unwelcome users have not materialized.
- In the East, a number of rivers that flow predominantly or entirely through private land have recently been added to the Wild and Scenic Rivers System with strong community support. These include the Wildcat in New Hampshire, the Westfield in Massachusetts, the Big and Little Darby in Ohio, the Farmington in Connecticut and the Maurice and Great Egg Harbor rivers in New Jersey.
- Eminent domain has been used sparingly by the Park Service for land protection along Wild and Scenic rivers. Most eminent domain cases involve differences over price, or clearing of title. In a few instances, threats to resources have led to the use of condemnation along the St. Croix river in Minnesota and Wisconsin and Obed River in Tennessee.

- While NPS use of eminent domain has been infrequent, NPS has in some cases been incorrectly identified with the condemnation actions of other federal agencies.
- In practice, no Wild and Scenic River designations have moved forward in the 1980s and 1990s without strong local support.
- Wild and Scenic River designation does not give federal agencies zoning or regulatory authority over private or state lands.
- Wild and Scenic designation has increased the level of protection requiring federal land managers to give special management attention to river segments.
- Only a few of the eligible rivers within national park units have been designated. While 130 potential new rivers have been identified by parks thus far, the number could be much higher.
- NPS managers should know that Wild and Scenic designation of rivers within parks can offer substantial benefit in resource protection, including a prohibition on federally licensed dams, denial of federal assistance to any water projects (including those outside park boundaries) that would have a direct and adverse impact on a designated river's values, and support for claims of water rights. While in some cases this would not appear to increase resource protection, for most park units the specific mandates of the act provide a much stronger basis for any judicial interpretation of NPS resource management authorities.
- The Park Service has joined with other federal agencies in establishing an Interagency Wild and Scenic Rivers Act Coordinating Council. To begin work in 1995, this council will recommend actions to resolve many apparent policy inconsistencies, and exemplifies the kind of intergovernmental coordination called for in the National Performance Review.
- In addition to designation authorities, the act contains provisions for Park Service to provide technical and financial assistance to states and local governments in their river conservation efforts. It also authorizes a list of all rivers that are potentially eligible for designation: the Nationwide Rivers Inventory. Formulation of the inventory currently lists over 2,600 segments totaling almost 70,000 miles.

For more information

NPS Management Policies, Chapter 4.4
 Special directive 90-4, Determination of Rivers on National Park Surplus Lands Which are Eligible for National Wild and Scenic Rivers System Designation

Issue

Wilderness within the National Park System is Congressionally-designated land the Service is mandated to conserve with minimal alteration. Although this land is preserved because of its relative lack of human alteration, it is affected by air quality, natural processes and impacts of human visitation. Conservation of the natural and cultural resources within NPS wilderness, in the context of heavy human use and natural events such as wildfire, volcanic activity, earthquakes, hurricanes and floods, requires committed, affirmative and professional management.

Talking Points

- Over half of the land within the National Park System is part of the National Wilderness System. This includes 43.1 million acres in 44 NPS units and another 7 million acres in Wilderness Study Areas. Each wilderness area must be recommended by the President and established by an Act of Congress.
- Wilderness areas are lands set aside for the use and enjoyment of the American people. They are legally required to be managed in a manner that will leave them unimpaired for future generations. The values may be ecological, geological, scientific, educational, scenic or historical in nature. A wilderness designation is a statutory designation which overlays a preexisting land designation.
- Wilderness is a major recreational resource for the American public, one of the features that makes national parks so popular. Maintenance of the wilderness experience in the face of often heavy visitor pressure is a difficult task.
- Many wilderness areas have spiritual importance to a variety of people, from American Indian sacred sites to other Americans' sense of place and connection. Protection of wilderness requires providing a means to individual solitude in those places and isolation from unnatural sights, sounds and smells.
- These areas are often important natural and cultural research realms because of the relative lack of human alteration. Research activities in wilderness areas may require special management.
- Management of natural and cultural resources, and research in wilderness also require professional expertise that should be recognized as distinctive, if not unique.
- National park units with wilderness work with a National Wilderness Steering Committee and the NPS Wilderness Coordinator. In addition, an interagency wilderness research institute and a wilderness training center address issues and problems related to wilderness management. Communicating wilderness areas' special attributes, special uses and management requirements to the visiting public and the public at large is important for national park units.

For more information

NPS Management Policies, Chapter 6; see index for multiple listings

Issue

Many National Park Service (NPS) employees and long-time friends of the National Park Service agree that the size of the bureau's workforce is not keeping pace with growing work demands. These demands have resulted from increased visitation to park areas, accelerating resource degradation in the parks, which in turn creates the need for more intensive management, and a rising number of requests from other agencies, organizations, and individuals for National Park Service assistance.

Talking Points

- Although annual visitation figures do not show an explosive upward trend, the "off seasons" (summer in the southern parks, winter in the northern parks) and "shoulder seasons" (spring and fall) are experiencing a greater percentage of the total visitor count. Where the bureau once could expend most of its Full Time Equivalency (FTE) allocation on the busiest vacation season in any given park, now these FTEs still must be expended on this exceptionally busy time, yet also be distributed across an entire 12-month period to accommodate the growing number of visitors arriving at other times of the year.
- Concerned over the state of some of the natural resources in the nation's parks, the National Park Service natural resources staff recently evaluated their own staffing needs. This evaluation was based directly on the resources themselves and included an analysis of resource types and diversity, inventory and monitoring requirements, mitigation and restoration activity, and other resource protection and management needs. This analysis revealed that current staffing for natural resource management is at 25 percent of what is needed.
- National Park Service technical assistance programs are very popular. For example, the Rivers, Trails, and Conservation Assistance Program--a program that helps local governments and citizen groups engaged in local conservation efforts--consistently receives three times as many requests for help as the staff can accommodate. The National Register for Historic Places distributed over 110,000 publications in response to requests from the public during 1994--another indication of a high demand for services. In addition, other agencies such as the Federal Emergency Management Agency, the Department of Transportation and the Department of Housing and Urban Development have turned to the National Park Service for help in carrying out their own responsibilities. Although these agencies pay for this work, it places an enormous strain on our severely limited staffing.

- The National Park Service is striving to meet ever increasing demands on its workforce and budget allocations through a restructuring process that will redistribute personnel from central offices to the field and allow the Service to meet increased demands with a smaller workforce.
- Another current effort to improve the FTE limitation under which NPS currently operates is to secure approval from OMB to allow personnel whose salaries and benefits are paid from non-federal sources to not count against FTE ceilings.

Issue

Since the 1930s, the National Park Service (NPS) has provided young Americans with an opportunity to earn an income while they learn occupational skills related to conservation and the environment, build self-esteem and provide a valuable community service. The Park Service has partners to support the youth programs and, as federal funds decline, the partnership funded programs become more important. Continued Park Service support for these programs is vital to the interests of the Service itself and the nation at large: the programs are an efficient means to bolster our own park maintenance, education and resource management programs, to foster civic responsibility in participants, to build NPS employee diversity, and to develop future constituents to support the NPS mission.

Talking Points

- The NPS Restructuring Plan has consolidated all youth-serving programs (except Boy Scouts) in the Washington Office under the Associate Director, Park Operations and Education. The Boy Scouts program remains under the management of the Associate Director, Administration. Youth programs that are presently operated by the National Park Service are described below.
- The NPS Youth Programs Unit and the Interpretation/Education Division currently coordinate the following programs:
 - **Job Corps** [funded by the Department of Labor] - Under an Interagency Agreement the Park Service manages four Job Corps Civilian Conservation Centers, which provide vocational skill training and education for approximately 800 young men and women. Residential centers are situated at Gateway National Recreation Area, Mammoth Cave National Park (Great Onyx Center), Harpers Ferry National Historic Site and Great Smoky Mountains National Park (Oconaluftee Center). Appraised value of the work projects completed in 1994 is approximately \$2 million.
 - **Youth Conservation Corps (YCC)** [NPS base-funded] - In 1994, 700 young people between the ages of 15 and 18 performed needed conservation work in 92 national park areas. Appraised value of the work they completed was \$2,651,585. While working with NPS staff people, the YCC youngsters not only contributed to park maintenance but developed an understanding and appreciation of the nation's natural environment and cultural heritage.
 - **Student Conservation Association (SCA)** [partnership funded] - Under an annual contract with SCA, the Service places both high school and college students in

NPS sites to perform 12 weeks of valuable community service. The National Park Service maintains a strong partnership program with SCA in such programs as the Resource Assistant, High School, and the Conservation Career Development. The Resource Assistant program is one in which a participant (college age or older) works individually in a professional capacity, completing a variety of resource management duties as an equal member of a resource staff over 12- to 16-week periods. The High School program offers volunteers ages 16-18 opportunities to work for a month or more in a magnificent outdoor setting while living in a backcountry camp and working on conservation projects. The Conservation Career Development Corps program is an initiative to attract and prepare minority and female high school and college students for career opportunities in the National Park Service. This program is designed to increase the diversity of employees in the National Park Service to reflect fully the composition of the total population.

- **AmeriCorps** [partnership funded] - The Park Service provides two-year work periods for young Americans, ages 16 to 25, to participate in environmental projects (in the South Florida and the Rio Grande ecosystems in 1994-95) such as restoration and protection of living resources and their habitat, wetlands restoration, hydrology studies, contaminant monitoring, etc. The students receive an education in ecosystem functioning while performing needed community services.
 - **Girl Scouts of USA (GSUSA)** - Cooperative efforts between the NPS and scout leaders enable them to work together to promote an understanding and cooperation between NPS's natural resources professionals and Girl Scout volunteers, enhance ability of NPS staff and Girl Scouts to design and deliver outdoor programs, and increase knowledge of ways a variety of outdoor activities can teach recreation ethics, valuing and conserving natural resources, service, and career exploration.
 - **Parks as Classroom** [partnership funded] - The National Park Service in cooperation with the National Park Foundation launched an educational initiative called "Parks as Classrooms" as called for in the National Park Service Educational Task Force Report approved by the Director in 1991. The NPS has always been involved in providing educational opportunities to school children as well as the general public. The goal of the Parks as Classroom program is to help the NPS become a national leader in education. The program is designed to utilize the abundant natural, cultural, historical and human resources of the parks for teaching and hands-on learning purposes -- in the process, assisting today's under funded schools in motivating their students, and training the up-and-coming generations.
- Other programs coordinated by NPS areas and offices are:

- **Youth Environmental Service (YES)** [partnership funded] - In Big Cypress Preserve, the Park Service operates a non-institutional residential facility for alternative rehabilitative placement of juveniles 15 to 18 years old in lieu of secure institutional placement. The program's main components are counseling, education and work experience.
- **Cooperative Education Program (Co-op)** [NPS base-funded and managed by WASO personnel] - This program provides paid, career-related work experience to students from high school through graduate programs. The program helps students get work experience and provides the opportunity of conversions to full-time positions.
- **Boy Scouts of America (BSA)** - Cooperative efforts between parks units and local scout leaders/units enable scouts to work on NPS projects in pursuit of their public service program requirements. The Park Service also provides space for various scout organizations to conduct traditional outdoor events.