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**ADMINISTRATIVE POLICIES  
FOR  
HISTORICAL AREAS  
OF THE  
NATIONAL PARK SYSTEM**

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**ADMINISTRATIVE POLICIES  
FOR  
HISTORICAL AREAS  
OF THE  
NATIONAL PARK SYSTEM**

(Revised 1973)

**U.S. DEPARTMENT OF THE INTERIOR**

Rogers C.B. Morton, *Secretary*

**NATIONAL PARK SERVICE**

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# general

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## PURPOSE

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The purpose of this booklet is to state in one document the administrative policies of the National Park Service for the management of the historical areas of the National Park System and the historic resources of other areas of the System. Additionally, at the beginning of each major part of the administrative policies, such as for Resource Management Policy, Master Plan Policy, and Resource and Visitor-use Policy, there is included a discussion of the background and philosophy on which the administrative policies are based.

Separate booklets deal with administrative policies for the management of the natural and recreational areas of the National Park System.

It is hoped that this compilation of administrative policies will contribute to better public understanding of the management programs and plans for historical areas administered by the Service, thereby promoting the knowledgeable use and inspirational benefit of the Nation's cultural heritage.

The category of *historical* areas includes all national historic sites, monuments, and parks established for prehistoric as well as historic values. Today there are more than 178 such units in the System. Their nomenclature, fixed by Congress, is varied: national park, national historical park, national monument, national military park, national memorial park, national battlefield, national battlefield park, national battlefield site, national historic site, and national memorial.

The category of *natural* areas comprises those national parks and national monuments of scientific significance of the National Park System whose purpose is to preserve for all time the superlative examples of our Nation's scenic beauty, wilderness, native wildlife, and indigenous plantlife.

The category of *recreational* areas of the National Park System includes, primarily, those types of areas prescribed in Policy Circular No. 1, dated March 26, 1963, of the Recreation Advisory Council, as follows:

\* \* \* National Seashore, National Lakeshore, National Waterway, National Riverway, National Recreation Demonstration Areas, and similar names which embody either the physical resource base or the functional purpose to be served.

The congressional policies by which the historical areas are managed are found in the Antiquities Act of 1906, the National Park Service Act of 1916, the Historic Sites Act of 1935, the National Historic Preservation Act of 1966, and the acts establishing the individual historical areas of the System. Policies stated by the Congress in these laws control in any situation in which the Congress has acted. It is the purpose of these administrative policies to implement the policies and mandates of Congress and to prescribe guidelines for the day-to-day management of the historical areas of the National Park System.

## CONGRESSIONAL POLICIES

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Specific policies laid down by the Congress for the management of any particular historical area of the National Park System are found in the legislation establishing the area. Of direct relevance, too, is the intent of Congress as disclosed in the hearings and reports on the legislation. In addition, the Congress has made certain pronouncements of broad policy that have special significance for the administrative policies for all historical areas.

The Antiquities Act of 1906 authorizes the President:

To declare by public proclamation, historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments.

The act also authorizes the Secretary of the Interior to accept the donation of private lands of historical value.

In the Act of August 25, 1916, establishing the National Park Service, the Congress provided that:

The Service thus established shall promote and regulate the use of the Federal areas known as national parks, monuments, and reservations hereinafter specified by such means and measures as conform to the fundamental purpose of the said parks, monuments, and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

The Secretary of the Interior \* \* \* may also grant privileges, leases and permits for the use of land for the accommodation of visitors \* \* \*.

The Historic Sites Act of 1935, the keystone of the Federal Government's efforts in historic preservation, declares that "it is a national policy to preserve for public use historic sites, buildings and objects of national significance for the inspiration and benefit of the people of the United States."

The act also authorizes the Secretary of the Interior to carry out wide-ranging historical programs beyond park boundaries and makes him responsible for providing national leadership in the field of historic preservation.

Another provision of the act established the Advisory Board on National Parks, Historic Sites, Buildings and Monuments, which has had strong influence upon the development of the National Park System.

The Wilderness Act of 1964 (P.L. 88-577) requires a study of roadless areas of 5,000 acres, or more, within the "National Park System" to determine which of these lands may be deemed suitable for inclusion by the Congress in the National Wilderness Preservation System. The Wilderness Act, itself, does not include any parklands in the National Wilderness Preservation System. Separate legislation by the Congress is required to accomplish this purpose. It is pertinent to note, however, that in the Wilderness Act the Congress expressed the following policy:

In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas designated by Congress as "wilderness areas," and these shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness \* \* \*.

In making the Wilderness Act applicable to the National Park System, however, the Congress clearly did not intend to change the basic purpose of such areas. For example, Section 4 of the Wilderness Act provides that:

The Purposes of this Act are hereby declared to be \* \* \* *supplemental to the purposes for which \* \* \* units of the national park system are established and administered* \* \* \*. (Emphasis supplied.)

The National Historic Preservation Act of 1966, broadening and strengthening Federal responsibility in historic preservation still further, declared that it is:

\* \* \* necessary and appropriate for the Federal Government to accelerate its historic preservation programs and activities, to give maximum encouragement to agencies and individuals undertaking preservation by private means, and to assist state and local governments and the National Trust for Historic

Preservation in the United States to expand and accelerate their historic preservation programs and activities.

The task of the Service is, in brief:

To manage the historical areas so as to preserve and creatively present and interpret their character and composition—sites (grounds or terrain), structures, and objects;

To provide for appropriate public use, and constantly improve the quality of that use for all park visitors—the child, the family, the foreigner, as well as for the visitor with specialized interests;

To provide the facilities required by the above in a manner harmonizing with the character, preservation, and special values of each area;

To participate actively in the historic preservation movement by providing leadership and technical assistance to and working with foreign nations, State and local governments, private organizations, businesses, and individuals.

## MANAGEMENT PRINCIPLES

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Management principles for the historical areas of the System are set forth by the Secretary of the Interior in his memorandum of July 10, 1964 (full text in *Appendix A-3*), as follows:

*Resource Management:* Management shall be directed toward maintaining and where necessary restoring the historical integrity of structures, sites and objects significant to the commemoration or illustration of the historical story.

*Resource Use:* Visitor uses shall be those which seek fulfillment in authentic presentations of historic structures, objects and sites, and the memorialization of historic individuals or events. Visitor use of significant natural resources should be encouraged when such use can be accommodated without detriment to historical values.

*Physical Developments:* Physical developments shall be those necessary for achieving the management and use objectives.

The administrative policies which follow guide the Service toward the realization of these objectives.



# **part I**

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## **NATIONAL HISTORIC PRESERVATION PROGRAM**

From ancient times, man has perceived the patriotic, inspirational, and educational values of saving relics and monuments of the past. Beginning in the 17th century, European nations came increasingly to view this activity as, in part, a legitimate function of government. By the early 19th century, most of the countries of Europe had enacted laws and established governmental offices to help protect their historic monuments. The sense of governmental responsibility remains strong today throughout the world.

In the United States, public interest in the monuments of the past spread slowly and awakened significantly only in the late 19th century. The State of New York bought George Washington's Newburgh headquarters in 1850. But private effort, exemplified in 1853 by the achievement of the Mount Vernon Ladies Association in saving Washington's home on the Potomac, took the lead over governmental action by this Nation in historic preservation. The centennial observance of American Independence in 1876 stimulated national pride and multiplied private societies dedicated to saving and operating sites and buildings commemorating the formative years of the Republic.

The Federal Government, of course, owned and maintained many historic properties for utilitarian purposes. The White House and the Capitol were recognized as prime monuments of American history throughout the 19th century. The response of Congress to the strong sentiment among Civil War veterans for parks in association with the national cemeteries on the great battlefields of

the war began to move the Federal Government toward preservation for commemorative as well as utilitarian purposes. Administered by the War Department, Antietam (1890), Chickamauga and Chattanooga (1890), Gettysburg (1895), Vicksburg (1899), and other battlefield parks formed the beginnings from which the Nation's historical category of parks evolved.

Public concern over deterioration of the massive prehistoric ruin of Casa Grande, in Arizona, led Congress to recognize its value to the Nation as a vestige of ancient civilization and to accord it Federal protection. A rider to an 1889 appropriation act authorized the President to reserve the ruins and surrounding land from settlement and sale and to devise protective measures. As part of the public domain, the preservation of Casa Grande was entrusted to the Department of the Interior.

The precedents set late in the 19th century led in the 20th to enactment of basic legislation for the preservation of historic sites and buildings. The Antiquities Act of 1906, originating in public alarm over vandalism of prehistoric ruins in the Southwest, empowered the President to set aside national monuments on the public domain. The National Park Service Act of 1916 created a Federal Bureau in the Department of the Interior to administer national parks and monuments. The Government Reorganization Act of 1933 provided the authority for an Executive Order that transferred administration of historical and military parks in the custody of various Federal departments to the National Park Service. A landmark law, the Historic Sites Act of 1935, established a national historic preservation policy and charged the Secretary of the Interior with carrying out a comprehensive national program. The National Historic Preservation Act of 1966 broadened and strengthened the historic preservation policy and authorities of the 1935 Act.

The expanding body of historic preservation legislation expressed a growing public awareness of the value of historic monuments. It also expressed a growing public concern over the rapid sacrifices of landmarks of the past to the demands of the present. Under the broad authority of these laws, and by authorizations in specific enactments, the number of historical areas entrusted to the management of the National Park Service has risen from 26 in 1916 when the Service was created, to 63 in 1935 when the Historic Sites Act enunciated a broad national preservation policy, to more than 178 today.

Evidences of prehistoric peoples are preserved at such places as Chaco Canyon National Monument and Mesa Verde National Park in the Southwest, Ocmulgee National Monument in Georgia, and Mound City Group in Ohio. The era of European exploration and settlement is recaptured at DeSoto and Coronado National Memorials in Florida and Arizona, respectively, and at Cabrillo National Monument in California. The colonial period finds expression at Colonial National Historical Park in Virginia, at Castillo de San Marcos National Monument in Florida, and at Pecos National Monument in New Mexico. The Nation's formative years are portrayed at Independence National Historical Park in Philadelphia, at Minute Man National Historical Park in Massachusetts, and at Saratoga and Yorktown Battlefields in New York and Vir-



ginia, respectively. Almost all the major Civil War battlefields are included in the System. Westward expansion is commemorated at Jefferson National Expansion Memorial in St. Louis, at Custer Battlefield National Monument in Montana, at Golden Spike National Historic Site in Utah, and at forts such as Laramie (Wyoming), Union (New Mexico), and Davis (Texas). The areas representing these and other historical periods and persons offer a panoramic, and at the same time a microscopic, view of the American past.

The historical area category of the National Park System continues to expand. A fundamental requirement, enunciated by the Congress in the Historic Sites Act of 1935 for historical areas included in the System, is the quality of national significance—significance, that is, to the Nation as a whole rather than to a particular region, State, or locality. In considering proposed historical parks, moreover, the National Park Service also studies suitability and feasibility for park purposes. The criteria of national significance and suitability-feasibility are given in Appendix B. It is to be emphasized, however, that these criteria govern administrative recommendations only. Areas are normally added to the System by individual acts of Congress, and the Congress is the ultimate judge of the criteria it shall use in authorizing new parks.

Preservation of individual monuments in Federal ownership is but one facet of the national historic preservation program established by the Congress in the Historic Sites Act of 1935. The act also authorizes the Secretary of the Interior to carry out wide-ranging historical programs, in effect making him responsible for providing national leadership in the field of historic preservation. Aid and encouragement to State and local governments, private organizations, and individual citizens in the preservation of worthy properties is also emphasized as a function of the Federal Government, and programs of support were greatly broadened in the National Historic Preservation Act of 1966.

Furthermore, with the rapid changes wrought in the United States by economic growth and technological advances, the definition of what merits preservation has been broadened to encompass more than the individual monument associated with an important person or event. It now includes all manmade evidences of the past, individually and collectively, that by age or character contribute to the total environment. Thus, an old building or group of buildings, a town commons, or a public square that lends dignity and a sense of permanency to a community should be treasured for its esthetic value and as a link with earlier generations whose contributions undergird and continue to enrich the daily lives of all mankind. As the agency named by the Historic Sites Act and the National Historic Preservation Act to discharge Federal historic preservation responsibilities, the National Park Service for more than 30 years has conducted programs that transcend park boundaries. The National Survey of Historic Sites and Buildings identifies places of national historical significance (see criteria, *Appendix B*) for designation as National Historic Landmarks. To date, more than 1,000 places have been declared eligible for this recognition.

The Historic American Buildings Survey, conducted in cooperation with the American Institute of Architects and the Library of Congress, identifies and

records, by measured drawings and other means, significant examples of American architecture. These records, now embracing 16,000 buildings, are deposited in the Library of Congress and are available for easy reference and study. A parallel program, the Historic American Engineering Record, is conducted in cooperation with the Library of Congress and the American Society of Civil Engineers.

The archeological salvage program, conducted in cooperation with other Federal agencies, the States, and universities and other institutions of learning, recovers archeological evidences threatened by public works such as dams and highways.

Under the National Historic Preservation Act of 1966, the National Park Service, with the aid of State authorities, is expanding the National Register, which is maintained pursuant to the Historic Sites Act, to include properties of State and local significance as well as those of national significance. The law provides certain safeguards for these registered places.

The National Park Service also is charged with administering a program of matching grants-in-aid to the States and the National Trust for Historic Preservation. Grants are for statewide historical surveys and preservation planning, for individual preservation projects, for the benefit of properties owned by the National Trust, and for the educational and technical assistance programs of the Trust.

Finally, the Service provides staff support for the Advisory Board on National Parks, Historic Sites, Buildings and Monuments (established by the Historic Sites Act of 1935) and the Advisory Council on Historic Preservation created by the National Historic Preservation Act of 1966. The Advisory Board, consisting of 11 members appointed by the Secretary, reviews proposals for new parks and for major changes in old ones and the policies and programs relating thereto. The Advisory Council, composed of eight cabinet officers, the Chairman of the Board of Trustees of the National Trust for Historic Preservation, the Secretary of the Smithsonian Institution, and 10 citizen members appointed by the President, recommends to the President and the Congress measures needed to strengthen still further the national preservation effort.

Thus, by cooperative effort with other Federal agencies, with State and local governments, and with private organizations and individuals, the National Park Service complements its stewardship of the Nation's prime monuments with programs aimed at preserving the American heritage in all its manmade elements as a vital meaningful part of modern life.

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# **HISTORIC PRESERVATION POLICY**

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## **DISCUSSION**

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At its historical areas, and at historic properties in natural and recreational areas, the National Park Service is charged with the responsibility of maintaining, as nearly free as possible from non-historic human and natural intrusions, the visible remains of the past—sites, structures, and objects associated with significant aspects of American history. Though views and interpretations of the past change through time, the National Park Service insures that the concrete evidences of the past are perpetuated as nearly as possible in their original form, appearance, and situation, and presented objectively to the public.

The preservation of historic structures, objects, and sites (grounds or terrain) is fundamental to their continued use and benefit. Hence, preservation is a prerequisite to use. In actual practice, the two objectives usually complement rather than conflict with each other. Occasionally, however, use, such as at a historic building, must be regulated and, indeed, limited in order to preserve the resource.

Management of historical areas also encourages appropriate uses of such natural and recreational resources as may be within a historical area when such uses can be accommodated without detriment to the preservation of the historic resources.

Much of the success in preserving and interpreting the historic resources within an area depends upon the quality of the environment surrounding the

area. Management, therefore, is desirous of cooperating with adjoining owners and agencies responsible for planning and managing properties within the vicinity of a historical area which may influence the environment of the area.

In its management of historic properties, the National Park Service uses the term *historic* in a broad sense to include prehistoric as well as historic periods, or a combination of the two. Likewise, for management purposes, historic resources are defined as follows:

### **Historic Resources**

Historic sites (grounds or terrain), structures, and objects are the prime resources within the historical areas of the National Park System. In addition, such historic resources may exist, in varying degree, in those units of the System classified as natural or recreational areas. All historic sites, and historic structures with their settings, are classified as Class VI land (historic and cultural) in the Land Classification Plan of the Master Plan (see p. 46). Regardless of the location of such historic resources in the System, these administrative policies apply to their preservation, management, and use.

Historic resources enrich and illuminate the cultural heritage of our Nation. Accordingly, it is appropriate and desirable that they be made available for public use to the greatest extent practicable. To achieve this objective, however, it is neither necessary nor practicable that each resource, especially structures, be accorded the same detailed study and expensive effort required for a full and exact restoration.

### **Historic Sites (Grounds or Terrain)**

A historic site is a distinguishable piece of ground or area upon which occurred some important historic event, or which is importantly associated with historic events or persons, or which was subjected to sustained activity of man—historic, prehistoric, or both. The topography itself may have been shaped by the activity of man. Examples of historic sites (grounds or terrain) are battlefields, historic campgrounds, historic trails, and historic farms.

### **Historic Objects**

Historic objects are material things of functional, esthetic, cultural, or scientific value that are usually, by nature or design, movable. They are ordinarily regarded as museum specimens. If, however, they are large and not readily portable, they are ordinarily treated as structures (e.g., nautical vessels, statues).

### **Historic Structures**

A historic structure with its historic setting is a work of man, either prehistoric or historic, consciously created to serve some form of human activity. A historic structure is usually, by nature or design, immovable. Besides buildings of various kinds, the term includes engineered works such as dams, canals, bridges, stockades, forts and associated earthworks serving a similar purpose, Indian mounds, gardens, historic roads, millraces, and ponds.



## Historic Scene

The historic scene is the overall appearance of all historic resources (sites, structures, objects) and their surroundings, as they were in the historic period. It is at once the environment in which a historic place reposes and the appearance of that historic place *in its environment*. To the extent that modern developments, exotic or altered vegetation, and topographic changes have intruded upon the environment of a historic place, or that the historic resources themselves have visibly changed, the historic scene has been altered.

## Order of Significance

Consistent with the congressional policy enunciated in the Historic Sites Act of 1935 and the National Historic Preservation Act of 1966, historic resources within the areas of the National Park System are classified according to the following definitions of significance:

*First*, those resources which, in terms of uniqueness, antiquity, or historical, architectural, or cultural associations as assessed against the criteria of national significance applied in evaluating potential National Historic Landmarks, are significant in the presentation and interpretation of the history of the Nation.

*Second*, those resources significant primarily in the presentation and interpretation of the history of a region or State.

*Third*, those resources significant primarily in the presentation and interpretation of the history of a community or locality.

## TREATMENT OF RESOURCES

### Historic Sites

**Preservation.** Application of measures designed to sustain the physical surface and vegetative cover of a site essentially as existing when the National Park Service assumes responsibility. Preservation aims at halting erosion of the landscape and further alteration of the vegetative cover, within the limits of soil conservation practice and sound ecological management, but does not contemplate major restorative measures. Preservation includes:

- (a) Techniques of arresting or slowing the erosion of landscape.
- (b) Arresting the spread of exotic or intrusive vegetation, and protection of the health of vegetation and wildlife.
- (c) Necessary provision for visitor safety.

**Restoration.** The process of accurately recovering the general appearance of a site as it appeared at some period in time, by the removal of non-historic natural or man-caused intrusions and the replacement of vegetative forms and physical features comparable to those existing in the historic past. Restoration includes:

- (a) Elimination of significant alterations in the physical topography of the site to restore the general land surface as it existed at the appropriate period of the historic past.

(b) Removal of non-historic plant forms or groups and encouragement of forms and groups that give the same general appearance as in the historic past, so that the overall vegetative cover matches the appearance of that in the historic past.

(c) Removal of non-historic intrusions from the site, or where necessary shielding or other minimization of unavoidable intrusions.

## **Historic Objects**

*Preservation.* Application of measures designed to sustain the form and extent of an object essentially as existing when the National Park Service assumes responsibility. Preservation aims at halting further deterioration of a historic object, ensuring its indefinite survival. Preservation includes:

(a) Curatorial techniques of cleaning and preserving objects to arrest deterioration.

(b) Proper storage and periodic inspection and application of preservation methods to insure maximum longevity.

*Restoration.* The process of accurately recovering, by the removal of later work and the replacement of original elements, the form and details of an object for display purposes.

*Reconstruction.* The exact reproduction of a historic object, in whole or in part.

## **Historic Structures**

*Preservation.* Application of measures designed to sustain the form and extent of a structure essentially as existing when the National Park Service assumes responsibility. Preservation aims at halting further deterioration and providing structural safety but does not contemplate significant rebuilding. Preservation includes:

(a) Techniques of arresting or slowing the deterioration of a structure;

(b) Improvement of structural conditions to make a structure safe, habitable, or otherwise useful;

(c) Normal maintenance and minor repairs that do not change or adversely affect the fabric or historic appearance of a structure.

*Restoration.* The process of accurately recovering, by the removal of later work and the replacement of missing original work, the form and details of a structure or part of a structure, together with its setting, as it appeared at some period in time. Restoration includes:

(a) Full restoration—both exterior and interior.

(b) Partial restoration—exterior, interior, or any partial combination. Partial restoration is adopted when only parts of a structure—external, internal, or in combination—are important in illustrating cultural values at its level of historic significance, or contribute to the values for which the area was designated.

(c) Adaptive restoration—all or a portion (façade, for example) of the exterior restored, with interior adapted to modern functional use. Adaptive resto-

ration is the treatment for structures that are visually important in the historic scene but do not otherwise qualify for exhibition purposes. In such cases, the façade, or so much of the exterior as is necessary, is authentically restored to achieve the management purpose so that it will be properly understood from the public view. The interior, in these circumstances, is usually converted to a modern, functional use. The restored portion of the exterior should be faithfully preserved in its restored form and detail.

**Reconstruction.** The process of accurately reproducing by new construction the form and details of a vanished structure, or part of it, as it appeared at some period in time. Reconstruction includes:

- (a) Full reconstruction.
- (b) Partial reconstruction.

## **ADMINISTRATIVE POLICIES**

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### **Protection of Historic Resources**

The Federal Antiquities Act of 1906 (34 Stat. 225; 16 U.S.C. 431) makes it a Federal offense for any person to appropriate, excavate, injure, or destroy any historic or prehistoric ruin or monument, or any object of antiquity, situated on lands owned or controlled by the United States. The act, however, does authorize the Secretary of the Interior to issue permits for examination and excavation of ruins to properly qualified institutions subject to prescribed rules and regulations. The collecting of antiquities in historical areas is, therefore, not permitted, except by institutions under permit from the Secretary or by Service employees in the performance of their duties.

The National Historic Preservation Act of 1966 (80 Stat. 915) expanded the National Register of Historic Places, on which all historical areas of the National Park System are listed. Executive Order 11593 of May 13, 1971, furthers the ends of the National Historic Preservation Act by requiring Federal Agencies to survey and nominate to the National Register all historic properties on lands under their jurisdiction. Both documents establish certain measures to ensure the preservation of historic resources. In compliance with these directives, all historic resources in natural and recreational units of the National Park System are to be nominated for inclusion in the National Register and designated as Class VI land. All administrative proposals that will have an effect on properties listed or eligible for listing in the National Register will be submitted to the Advisory Council on Historic Preservation for review and comment in accordance with Section 106 of the National Historic Preservation Act. (See *Appendix I* for documents elaborating these policies. See also *Demolition*, p. 27, under *Historic Structures*, this section.)

### **Historic Sites**

In the preservation and use of historic sites (grounds or terrain), manmade features introduced after the date or period of the event commemorated that

are compatible with the historic scene may be retained, except where they hamper visitor understanding of the event commemorated or are incongruous to the historic scene. Natural accretions of time, such as forest growth, also may be retained unless they hamper visitor understanding of the event commemorated. To the extent necessary for visitor understanding, elements of the historic scene, including manmade features, vegetative growth, and historic land uses may be restored.

**Preservation.** Preservation is the treatment to be considered first. The important consideration is whether a historic site should be retained in essentially the state in which it came under the control of the National Park Service.

Historic sites may be preserved on one of the following bases: (1) Preservation is the most desirable treatment; (2) the significance and interpretive value of the site do not justify the cost of restoration; (3) there are not sufficient data to permit accurate restoration; (4) restoration is indicated, but must, for cost or other reasons, be postponed; (5) the site, upon acquisition, already possesses the integrity and authenticity required; or (6) the work of a higher treatment has been completed, e.g., once restored, a site is then preserved.

*In the preservation of earthworks, a sod covering is desirable to prevent erosion even though the historic condition may have been bare earth.*

**Restoration.** When needed to interpret properly the historical values of the area, historic sites may be restored to the appearance they possessed during the appropriate historic period. Although it is conceivable that there may be situations where exact duplication, in every detail, of the physical surface and vegetative cover of the site is necessary, in most areas the result of restoration will be a recapture of the general appearance of the surface and cover of the site during the historic period. Restoration does not necessarily contemplate the removal of vegetation dating from the historic period merely for the purpose of replacing it with similar vegetation which would match the size of that in the historic period.

## **Historic Objects**

Historic objects related directly to the history of the area may be acquired by gift, loan, exchange, or purchase, in conformance with legal authorizations and existing procedures and preserved in the area for study and interpretive purposes. A reasonable number of specimens not related directly to the history of the area may be included in the collection for purposes of comparative study. The original fabric of historic structures should not be mutilated to secure specimens for museum collections. Where some of the original fabric is removed incidental to structural repair, such portions of the building may be kept in museum collections if they reveal significant facts about the structure. All historic objects for which the Service is responsible should be properly documented and recorded in accordance with prescribed procedures, and receive the curatorial care needed for optimum preservation.

Historic objects that are excess to the management needs of the Service may be disposed of in accordance with applicable laws and procedures.



*Preservation.* All historic objects that come into the possession of the National Park Service shall be accessioned, catalogued, given appropriate preservation treatment, and provided a manner of storage that will insure their continued survival without deterioration. Such storage will include periodic inspection, cleaning, and preservation treatment, when necessary, and shall be performed in such conditions of atmospheric control as are most conducive to the survival of the objects.

*Restoration.* When needed to interpret properly the historical values of the area, historic objects may be fully or partially restored by the removal of non-historic additions and the replacement of missing members. In no case should such a restoration include the removal of elements of the object such as integral parts or original finishes, except where such removal is necessary for the survival of the object as a whole. In such a case, removed elements should not be discarded unless their removal occasioned total destruction.

Restoration may be justified on one of the following bases: (1) Restoration is necessary for the survival of the object as a whole; (2) the subject is necessary for display purposes, but cannot be properly understood without restoration. In such cases, the nonhistoric elements should be distinguishable from the historic.

*Reconstruction.* Reconstruction of a historic object may be authorized when the following conditions are met: (1) the object is essential for public understanding and appreciation of the historical associations for which the park was established, or is an integral part of interpretation of a facet of the park's story; (2) no original exists, or an original that may exist is too delicate or valuable for the display or use intended.

## **Historic Structures**

*Demolition.* Written permission of the Director is required to authorize the demolition of any structure more than 50 years old in any unit of the National Park System. Demolition or major alteration of any structure less than 50 years old must meet the review and concurrence of the Director of the Office of Archeology and Historic Preservation. (See *Appendix I.*)

*List of Classified Structures.* Consistent with the legislation involving a particular area and the primary purpose of the area, all historic structures in areas of the National Park System that may be worthy and practicable of preservation should be retained for public use. All such properties should be recorded on the List of Classified Structures. The List of Classified Structures should reflect the order of significance of the properties recorded, as determined by the appropriate Regional Director, with professional assistance from the Office of Archeology and Historic Preservation.

*Preservation.* Preservation is the treatment to be considered first. It is often better to retain genuine old work of several periods, which may have cultural values in itself, than to restore the whole to its aspect at a single period. An important consideration is whether a historic site or structure should be retained in essentially the state in which it came under the control of the Service.

Structures on the List of Classified Structures of either the first, second, or third orders of significance may be preserved on one of the following bases: (1) Preservation is the most desirable treatment; (2) the significance and interpretive value of the structure do not justify the cost of restoration; (3) there are not sufficient data to permit accurate restoration; (4) restoration is indicated but must, for cost or other reasons, be postponed; (5) the structure upon acquisition already possesses the integrity and authenticity required; or (6) the work of a higher treatment has been completed, e.g., once restored, a structure is then preserved.

Moreover, some historic structures are included within the National Park System incidental to the establishment of an area for another purpose, e.g., nature preservation or commemoration of a significant event with which a building may not be directly associated. Often these structures are already in an advanced state of deterioration. Their preservation or restoration, in these circumstances, may not be warranted by their significance and the cost of preservation or restoration. In such cases, appropriate examples should be recorded by the Historic American Buildings Survey whenever possible. On the other hand, when sound structures of intrinsic artistic merit in themselves or that are valuable in illustrating the history of the Nation, a State, or locality are included in similar circumstances, their retention and use is encouraged. Appropriate examples may be restored to one of the degrees indicated below. (For preservation of earthworks, see also *Preservation*, p. 26, under *Historic Sites*, this section.)

*Restoration.* When needed to interpret properly the historical values of the area, historic structures may be fully and exactly restored when they are of the first order of significance or a vital element of a site or complex of structures of the first order of significance. Fully restored structures will usually be maintained for exhibition purposes only. Once restored, they should be faithfully preserved in form and detail.

When needed to interpret properly the historical values of the area, historic structures of the second and third orders of significance are eligible for lesser degrees of restoration, such as adaptive restoration or partial restoration. Moreover, such historic structures should serve living, utilitarian purposes, consistent with interpretation of the historical values of the area. (See also *Compatible Use of Historic Structures*, p. 30, this section.)

*Reconstruction.* Reconstruction should be authorized only when the following conditions are met:

- (a) All or almost all traces of a structure have disappeared and its recreation is *essential* for public understanding and appreciation of the historical associations for which the park was established.
- (b) Sufficient historical, archeological, and architectural data exist to permit an accurate reproduction.
- (c) The structure can be erected on the original site or in a setting appropriate to the significance of the area, as in a pioneer community or living historical farm, where the exact site of structures may not be identifiable through research.

*Building and Fire Codes.* In the preservation of historic structures, every attempt should be made to comply with local building and fire codes and to cooperate with local officials. However, compliance should not be allowed to destroy or impair the integrity of the structure. Where full compliance is not feasible, occupancy of the structure at any one time should be limited to the capacity of hall, stairways, and exits. (See also *Health and Safety*, p. 60, *Resource and Visitor-use Policy* section.)

*Fire Detection and Suppression.* Where warranted by the significance or value of a historic structure or its contents, adequate fire warning and suppression systems should be installed. Where a manned fire station exists near the structure, a detection system providing a signal directly to the local fire authorities should be installed. Also, fire personnel should be advised of any peculiarities or dangers inherent in the structure and the features and contents whose value warrants the greatest care in the event of fire.

Where local fire equipment and personnel are not readily available, the detection system should trigger a suppression system. A fog or freon system is preferable. Water sprinkler systems should be used only in structures whose fabric and contents are not likely to be irreparably damaged by water. Foam systems should be used only when the structure can be swiftly vacated.

In planning and installing detection or suppression systems, the integrity of the structure and the requirements of its interpretation will be respected.

*Humidity and Temperature Control.* Where warranted by the significance and value of the structure or its contents, e.g., paintings, documents, fabrics, and furniture, an atmospheric control system may be installed to help their preservation by providing constant humidity and temperature.

*Acquisition of Historic Structures.* The purchase or acceptance as gifts of historic structures situated outside historical areas is permitted only when a similar structure would have to be reconstructed for interpretive purposes in the area.

A historic structure that is germane to the interpretive theme of an area and that was formerly located on a site that has been included in an area of the System may be acquired and returned to that site.

*Moving Historic Structures.* Historic structures of the first order of significance bear an important relation to their sites and, therefore, should be preserved *in situ*. If, however, such a structure has been previously moved, it may be returned to its original location if desirable for interpretive purposes.

Historic structures of the second and third orders of significance may be moved when there is no feasible alternative for their preservation, when their importance is other than in direct relation to their location, or when desirable for interpretive purposes.

In moving a historic structure, every effort should be made to reestablish its historic orientation, immediate setting, and general relationship to its environment. If it is necessary to move a number of buildings, they may be arranged in an ensemble appropriate to their historic character.

*Additions to Historic Structures.* Modern additions, such as heating and air-



conditioning equipment, are permitted in historic structures of the first order of significance to the extent they can be concealed within the structure or its setting.

Other modern construction may be added to historic structures of the second or third orders of significance when necessary for their continued use. A modern addition should be readily distinguishable from the older work; however, the new work should be harmonious with the old in scale, proportion, materials, and color. Such additions should be as inconspicuous as possible and should not intrude upon the important historic scene.

*Damaged or Destroyed Historic Structures.* Historic structures that are damaged or destroyed by fire, storm, earthquake, war, or other accident may be restored or reconstructed in accordance with the restoration and reconstruction policies stated herein.

*Ruins.* By definition, ruins are classified as historic structures and will be accorded treatment as indicated herein for the several classes of historic structures.

The preservation techniques designed to arrest further deterioration of ruins are encompassed by the term "ruins stabilization."

Ruins on unexcavated sites should be stabilized only to the extent necessary to preserve them for further investigation. Sites should not be excavated until adequate provisions have been made for the stabilization of ruins as they are exposed. In cases where ruins are too fragile for direct contact, or where deterioration would result from sustained contact, visitor use should be strictly limited or prohibited. The deliberate creation of ruins out of whole structures that come under the care of the National Park Service is prohibited.

*Historic Gardens.* Historic gardens, by definition, are classified as historic structures and will be accorded treatment as indicated herein for the several classes of historic structures. When restored, gardens should be provided intensive maintenance to preserve their correct historic character and prevent overgrowth. (See also *Historically Significant Trees*, p. 31, this section.)

*Compatible Use of Historic Structures.* Use of historic structures for meetings, concerts, and social gatherings helps to deepen the cultural value of the physical structures and gives visitors a more intimate feeling of continuity between the present and the past. Such uses are to be encouraged when compatible with the primary purpose of the area. All traditional and modern communication techniques, including the use of period costumes, living historical farms, and other demonstrations, may be employed to enhance visitor interest, enjoyment, and understanding of the Nation's history.

Historic structures may be used for appropriate meetings, concerts, dances, social gatherings, celebrations, and the like, consistent with the historical values of the park. Except when such activities have a direct interpretive or traditional role, they must be scheduled to avoid the hours of maximum visitor use.

Historic structures may also be utilized for commercial and residential purposes when compatible with the primary purpose of the area.

Reasonable fees may be charged for the use of facilities.

## Historic Scene

*Agricultural Uses.* Agricultural uses, including demonstration farms, are encouraged in historical areas where they conform to those in practice in the historical period of the area.

Agricultural uses, including domestic livestock grazing, that do not conform to those in practice in the historic period of the area are permitted where they contribute to the maintenance of a historic scene, are sanctioned by law, or are incidental to visitor use.

Where grazing has been permitted and its continuation is not specifically covered by the aforesaid conditions, it should be eliminated through orderly and cooperative procedures with the individuals concerned.

Grazing by Service or concessioner pack-and-saddle stock shall be limited to those situations where it contributes to the maintenance of a historic scene. *Historically Significant Trees.* Woodlands, forests, and individual trees extant at the time commemorated or contributing to the historical integrity of the area will be managed intensively for their historical value and to preserve the historic scene. Individual trees of historical value posing a safety hazard or that are diseased beyond recovery will be removed and replaced where practical by trees of the same species on the same site. Every effort will be made to extend the lives of specimen trees dating from the historic period of a historical area. *Visitor Facilities.* Visitor facilities should be planned, designed, and located so as to cause the least possible disturbance to, and intrusion on, the historic features and the historic scene. Where such facilities already exist as intrusions, their removal should be accomplished as soon as feasible. (See also *Physical Developments Policy* section, p. 71.)

*Quality of Environment.* To achieve the purpose of a historical area, i.e., preservation and appropriate public use, planning and management should be related to the total environment in which the area is located. (See also *Master Plan Policy* section, p. 45.) Such planning and management recognizes the need for transportation arteries, utility and communication corridors, consumptive resource uses, and residential, commercial, and recreation land uses in the environs of the park as parts of a systematic plan assuring viability and good health of the park and the surrounding region.

The Service should be alert to peripheral use and development proposals that impinge on the environment of a historical area. Moreover, it should cooperate with and encourage joint and regional planning among public agencies, organizations, and individuals having responsibility for maintaining the quality and esthetics of the environment surrounding historical areas.

*Historic Districts.* The Service will cooperate in the programs and purposes of historic districts, particularly in urban areas, to encourage the preservation of an environment compatible in character, texture, and productive use with the historic resources of the area. (See also *Soil and Moisture Conservation*, p. 42, *Resource Management Policy* section.)

*Planning Commissions, Zoning Boards.* The Service cooperates with municipal planning commissions, zoning boards, and other agencies to the extent compat-

ible with the purposes of a historical area in order to promote a viable, orderly environment of which the area is an integral part. (See also *Master Plan Policy* section, p. 45.)

### **Interpretation**

Interpretation should be so designed that interpretive programs and visitor use pose no threat to the survival of historic resources.

*Living Historical Interpretation.* Living historical interpretation, such as costumed guides, authentic craft demonstrations, firing of small arms and cannon, and use of agricultural and industrial implements and practices, is encouraged where it is appropriate to and benefits the park story. Such programs should not be undertaken where they present a threat to the safety of visitors or historic resources, or where a high degree of accuracy and authenticity is not possible. Large-scale, complex reenactments, especially of battles, should not be permitted.

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## **RESOURCE STUDY POLICY**

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### **DISCUSSION**

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A reliable body of historical, architectural, and archeological data is crucial to the proper preservation and interpretation of the historical areas of the National Park System, as well as to the professional quality of the national historic preservation programs for which the Service is responsible. The Historic Sites Act of 1935 explicitly recognizes the importance of research by placing it first among the authorities granted the Secretary of the Interior to carry out the national historic preservation policy.

Extensive study in history, architecture, and archeology supports the key Service programs that forward the national historic preservation policy—the National Survey of Historic Sites and Buildings, the National Historic Landmarks Program, the Historic American Buildings Survey, the Historic American Engineering Record, and the Archeological Salvage Program. Likewise, an extensive research program in these disciplines supports the preservation, development, interpretation, and management of the historical areas administered by the National Park Service.

The Service should be capable at all times of proving the authenticity of its preservation, restoration, and reconstruction work and the accuracy of its interpretation to the public. It is, therefore, a fundamental principle that study must precede planning and development of a historical area.

Data necessary for park planning, development, and interpretation are pro-



vided by historical study in documentary sources, architectural study in structural fabrics, and archeological study in subsurface artifacts and structural remains. For the purposes of study to be properly served, it must be conducted by professionals working in collaboration with researchers in allied disciplines and with park planners.

## **ADMINISTRATIVE POLICIES**

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### **Historical Studies Plan**

Public use, protection, development, interpretation, and management of the natural and cultural resources of a historical area shall be predicated on documented data obtained through organized professionally conducted study. The status of resource study in each historical area shall be defined in a historical studies plan for the park. The plan will indicate work that has been accomplished and lay out an orderly program for accomplishment of additional study needed to support park development, interpretation, and management.

### **Archival Collections**

The collection of historical materials pertinent to the park resources and interpretive theme and to the administrative history of the park is encouraged. Such material, however, should be confined to printed sources and notes and copies of printed or documentary sources. Except where circumstances warrant, original archival material shall not be acquired unless specifically authorized by the Director.

### **Cooperative Research**

Use of park resources, research files, and collections of artifacts for study by recognized educational and scientific institutions and by scholars is encouraged. To the extent practicable and compatible with visitor-use requirements, facilities and assistance may be made available to such researchers.

### **Research Centers**

The Service may establish research centers, in or out of parks, devoted to the fields of archeology, history, and historic architecture when the following criteria can be met:

1. The research center will provide the best means to satisfy long-range purposes, with reasonable assurance that short-term objectives can also be accomplished.
2. There exists under Service control or there is otherwise available collections of documents, photographs, artifacts, and architectural remains, etc., that can be best studied in a distinct establishment in a particular location.
3. There exists or can be built an adequate facility for the proper care, preservation, cataloging, storage, and study of research materials, including adequate study or laboratory rooms with the necessary scientific equipment.



4. There exists or can be funded a staff adequate to accomplish the research mission of the center.
5. The mission of the research center is oriented toward Service responsibilities for historic preservation, development, and interpretation.

### **Research Stations**

The Service will participate in appropriate ways in the establishment by outside agencies in historical areas of research stations which focus significantly upon studies of park resources. Proposals for a research station within a park should demonstrate that (a) the sponsoring institution is one of stability and competence, (b) the research plan and the development plan are adequate and consistent with the objectives and policies of the park concerned, and (c) the financial plan is sound and promises fruition of the enterprise. The research programs of such stations should include research within the scope of the management-oriented park archeological and historical research plan. The research programs may also embrace basic research independently conceived.

The foregoing does not necessarily exclude research reaching beyond the boundaries of the park. However, research stations sponsoring research programs which are primarily non-park oriented may not be located in historical areas.

The station should be of a nature and in a location that does not impinge upon the historic scene or come into conflict with visitor use.

The research station development should be consistent with the Master Plan, taking into account location, development plan, design, and the like.

An understanding should be reached as to the degree to which the Service will provide utilities, road access, and trails, and provide for maintenance of the same. Service participation will quite likely vary from project to project, depending in part upon the benefits expected to inure to park management from the station.

In the administration of the station, appropriate representation on the governing board should give the Service a voice on matters of research policy, research orientation, and in the operating policy of the station.

Such stations may not be closed institutions restricting participation to associates of the sponsoring institution. Rather, acceptance of applicants for use of the facilities should generally be based upon conformance of the proposed research to the research orientation and program agreed upon for the station.

Modest rather than large research stations are preferred, and limitations should be agreed upon as to the eventual size of the development, the scope of the research contemplated, and upon the number of personnel to be accommodated at the station.

Whenever possible, the Service will provide as liaison with each research station an on-site research archeologist, historian, or architect to facilitate the operation of the research station in the area.



## **part II**

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### **RESOURCE MANAGEMENT POLICY**

#### **DISCUSSION**

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National historical parks and monuments have been established to commemorate specific cultural eras, historical events, or persons representing the outstanding cultural landmarks in the development of the Nation. In each case the commemoration is of a specific time, or span of time, as well as of the event or person involved.

The evolution of the Nation and its indigenous cultures has been determined by the natural resources that it contains, as well as by the ideas and ideals of its citizens. Then, as now, natural resources were integral elements of the historic scene. While the interpretive theme of a historic area may be associated with man, a proper presentation cannot be made out of context with the total environment. This is not to imply, however, that the environments of all historical areas should be treated precisely like natural areas. Although many archeological and other historical areas, such as Theodore Roosevelt National Memorial Park and Fort Jefferson National Monument, contain prime natural values, most historical areas contain such environments as farms, pastures, woodlots, and lawns that require intensive management. These should be restored and maintained when restoration is necessary for proper visitor understanding of the historic scene and is otherwise practicable. It is not acceptable to post an interpretive sign in a mature second growth forest proclaiming "At the time of the battle this was an open field." Nor should interpretation rely on the visitor's

empathy to determine what a cornfield would look like where today stands a carefully mowed lawn. To the extent feasible, the same degree of attention should be given to the historical integrity of the environment as is given to historical structures. Presentation of the parade ground at Morristown, for example, should be as authentic as the presentation of the interior of the Andrew Johnson Home. Naturally, care must be taken to avoid re-creating conditions that lead to severe erosion and other landscape catastrophies.

The maintenance of historic land and water resources at acceptable standards demands the application of interdisciplinary knowledge and skills in order to offset the many complex problems and alterations associated with later activities and works of man and (where deemed inappropriate) the imprint of natural environmental succession.

## ADMINISTRATIVE POLICIES

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### **Historic Resources Management**

Historic resources will be managed to preserve them as nearly as possible or practicable as they appeared at the time or period of the history they commemorate. Park activities and modern conveniences should intrude as little as possible on the historic scene. To assist in achieving these goals, a Historic Resource Management Plan should be prepared to guide management and assure continuity in management.

A Historic Structure Preservation Guide should be prepared for all major historic structures to guide management in their continuing preservation.

### **Natural Resources Management**

Natural resources (forests, fields, fauna, etc.) will be maintained to resemble, as nearly as possible, the natural resource scene that occurred at the time or period of history being commemorated. In so doing, care will be taken to avoid re-creating conditions that lead to severe erosion and other human-caused landscape catastrophies. (See also *Soil and Moisture Conservation*, p. 42, this section; and *Cooperation with States*, p. 54, *Fish and Wildlife Management Policy* section.)

### **Exotic Plants and Animals**

(See *Fish and Wildlife Management Policy* section, p. 51.)

### **Landscape Management**

Programs of landscape management may be carried out at designated zones in historical areas for purposes of enhancing the historic scene generally which may include, but not be limited to:

1. Encouragement of certain species of plants.
2. Increasing the ability of certain areas to absorb public use through vegetative management.
3. Maintaining a certain stage of plant succession.
4. Retention or provision of open areas, meadows, vistas, etc., or planting of open areas to trees or shrubs.
5. Removal of exotic growth from the historic environment and the encouragement of the historic growth.
6. Management of landscape for educational or interpretive purposes.
7. Rearrangement as necessary of land contours, particularly in areas formerly denuded, mined, or excavated, to suggest or be compatible with the historical period of significance.

## Land Acquisition

As funds permit, the Service should acquire such property interests—including scenic controls—in the non-Federal lands within the authorized boundaries of historical areas as may be needed to provide for effective management, visitor use, and the achievement of the primary purpose for which the area was established. Zones of acquisition should be set forth in the Land Use Plan of the Master Plan. All physical improvements or land uses on acquired property that are inimical to or inconsistent with the purpose, management, or visitor use of an area should be removed or discontinued. (See also *Acquisition Zones*, p. 48, *Master Plan Policy* section.)

To implement this administrative policy with a minimum of inconvenience to private owners involved, the following procedures have been developed: I. *In newly authorized areas* (usually those authorized since fiscal year 1960) where federally owned lands are limited and privately owned lands are extensive, the priority of acquisition is as follows:

1. Land needed for preservation or protection of park values.
2. Land needed for development of facilities.
3. Unimproved land needed to prevent threatened development or use which would be incompatible with existing or potential park purposes.

Within each of the foregoing priorities, the Service will give primary consideration to the acquisition of land which the owner needs to dispose of for hardship reasons; and land which the owner, voluntarily, has placed, or intends to place, on the market for sale.

The land acquisition program is carried out in accordance with the specific legislative policies, if any, set forth in the legislation authorizing the area. In the absence of specific legislative directives, the land acquisition program is carried out as follows:

1. Purchases are negotiated on the basis of competent appraisals of fair market value.
2. Less than fee interests (see No. 3 below) may be acquired when they will meet the needs of the Service and are justified on cost.
3. Reserved use and occupancy by the owner for life or for a term of years is



allowed if purchase on this basis will meet the needs of the Service and is justified on cost.

4. Eminent domain proceedings are used only as a last resort when all reasonable efforts of negotiation have failed.

II. *In the older national parks and monuments* (generally those established prior to fiscal year 1960) and where most of the lands included within the areas are now in Federal ownership—usually 90 percent or more of the total acreage in the area—a more liberal acquisition procedure has been established. In these national parks and monuments, the relatively small amount of land in private ownership, for the most part, is devoted to historic uses related to the early settlement of our Nation. Except as a specific property may be needed in rare instances for development of public-use facilities, or where the existing use is adverse to the proposed plans for the management of the area, these historical uses may reasonably be allowed to continue until (a) such time as there is a desire on the part of the owners to dispose of their holdings; or (b) until it is proposed that the present compatible uses of these lands be altered or changed so significantly as to make them incompatible with the primary purpose for which the area was established. Accordingly, in the acquisition of the properties devoted to such compatible uses, the National Park Service shall observe the following procedure:

1. The Service will not seek to acquire private lands without the consent of the owner, so long as the lands continue to be devoted to present uses now being made of them—such as for modest homesites, ranches, limited eating establishments, or lodges. This also applies to any future owners of the property so long as the properties continue to be devoted to present uses.

2. The National Park Service will welcome offers from the owners to sell private properties to the United States, and it is hoped that the owners will give the Service first opportunity to purchase them. If an owner wishes to sell his property outright, the Service would be glad to negotiate on that basis; or in the alternative, on such other basis as may be authorized in the applicable legislation relating to the retention of use and occupancy rights by the owner for a given number of years or for the remainder of his life and that of his spouse. The latter situation will enable people who desire to obtain money in hand today for their property, with occupancy rights for a term of years or for their lifetime, to work out a negotiated contract on this basis.

3. If existing incompatible uses persist or if present compatible uses of properties are to be changed and the properties are to be devoted to new and different uses not compatible with the primary purpose for which the area was established, the Service will attempt to negotiate with the owner for the acquisition of the property in order to eliminate a use, or avoid development of a use, adverse to the management of the area. In the event all reasonable efforts at negotiation fail and the owner persists in his efforts to devote the property to a use deemed by the Service to be adverse to the primary purpose for which the area was established, the United States will institute eminent domain proceedings to acquire the property and eliminate such use or prevent such development.

4. All negotiations by the Federal Government shall be on the basis of competent appraisals of fair market value.

### **Water Rights**

All rights to the use of water diverted to or used on Federal lands in historical areas by the United States, its concessioners, lessees, or permittees shall be perfected in the name of the United States.

Valid existing water rights of concessioners and land-use permittees on Federal lands will be acquired by the United States as funds, legal authority, and overall management objectives permit.

Water rights owned by private landowners within historical areas will be acquired in connection with the acquisition of such private lands insofar as practicable.

Owners of land or interests in land within or adjacent to historical areas may be granted, by special-use permit, the privilege of using water owned by the Service when it is administratively determined that the use of such water facilitates the management program of the Service. An appropriate charge shall be made for the use of such water.

Owners of land or interests in land adjacent to the historical areas may be granted, by special-use permit, the privilege of developing sources of water on Federal lands when it is administratively determined that the use of such water facilitates the management program of the Service. An appropriate charge shall be made for the use of such water.

Development costs, including costs of access between the private lands to be served and the source of water, shall be borne by the permittee. In all of these cases, the Service shall retain the right to use water from such a development. If and when such retained rights are exercised by the Service, it shall share in the costs of the water-rights development on an equitable basis.

Under this policy, as a matter of comity, the Service will notify the States of the amount of water diverted and consumed, and the priority asserted. The notice shall also include a disclaimer as to State jurisdiction.

### **Fire and Fire Control**

Any fire within a historical area that poses any threat to the historical resources or facilities of the area or any resources or facilities outside the area will be controlled and extinguished.

Any fire within a historical area other than one employed in the management of vegetation and/or wildlife habitat of the area will be controlled and extinguished.

The use of natural fire or prescribed burning may be employed in the management of vegetation and/or wildlife habitat consistent with approved resource management plans.

The Service will cooperate in programs to control or extinguish any fire originating on lands adjacent to a historical area and posing a threat to the historical or natural resources or physical facilities of the area. (See also *Fire Detec-*



*tion and Suppression*, p. 29, *Historic Preservation Policy* section; and *Health and Safety*, p. 60, *Resource and Visitor-use Policy* section.)

### **Soil and Moisture Conservation**

Programs will be conducted for the prevention and correction of erosion and soil or vegetation deterioration.

A historical area may participate in the program of a Grasslands Conservation District or Soil Conservation District when the purposes, plans, programs, and operation of the District are consistent with the purpose of the historical area and the policies for its management and use. (See also *Historic Districts*, p. 31, *Historic Preservation Policy* section.)

### **Air Pollution**

The Service will work with others within the regional air shed to reduce air pollution from sources within the area and elsewhere in the air shed. Fumes and smoke from campfires, refuse burning, and other kinds of combustion will be controlled in public-use areas to the extent necessary to maintain clean air.

### **Solid-waste Disposal**

Wastes generated within a historical area may be disposed of within or outside the area so long as disposal does not (1) pollute water or air, (2) result in the defacement of public recreation areas, or (3) result in destruction or impairment of important natural or cultural resources.

### **Aircraft Operation**

Where aircraft operations adversely affect the environment of a historical area, the cooperation of agencies exerting flight control over aircraft will be sought to institute such measures as will minimize or eliminate the disturbance.

The use of aircraft in historical areas is permissible in emergency situations involving the saving of human life or protection of threatened park resources, or when the use of aircraft offers significant advantages to area management and such can be accomplished with minimum disturbance to visitor enjoyment.

### **Forest Management**

Forests that contribute to the preservation of historical integrity of the area will be managed to resemble as nearly as possible the condition that prevailed at the time or period being commemorated.

Forests unrelated to the preservation of historical integrity of the area will be managed in accordance with the best silvicultural principles to achieve the objectives for these forests as stated in the approved natural resource management plan. (See also *Natural Resources Management*, p. 38, this section.)

### **Water Pollution Abatement and Control**

The Service will strive to maintain quality of all waters (1) originating within the boundaries of historical areas through

- (a) provision of adequate sewage treatment and disposal for all public-use facilities, including self-contained boat sewage storage units;

- (b) control of erosion;
- (c) regulation and control, as necessary, of fuel-burning water craft;
- (d) avoidance of contamination by lethal substances, such as certain insecticides;
- (e) regulation of the intensity of use in certain areas and at certain times when determined as being necessary based on water-quality monitoring;

and (2) flowing through or bounding on historical areas

- (a) by applying the methods listed under 1(a) to (e) above; and
- (b) consistent with the purpose of the historical area and the policies for its management and use by entering into cooperative agreements or compacts with other agencies and governing bodies for cooperative measures to avoid water pollution. (See also Recreation Advisory Council Policy Circular No. 3 of April 9, 1964, *Appendix C*, and *Soil and Moisture Conservation*, p. 42, this section.)

### **Mineral Exploration, Mineral Leasing, and Mining**

Except where authorized by law, when carried on pursuant to valid existing rights, or as part of an interpretive program, mineral prospecting, mining, and the extraction of minerals or the removal of soil, sand, gravel, and rock shall not be permitted. (See also *Natural Resources Management*, p. 38, this section, and *Construction Materials*, p. 72, *Physical Developments Policy* section.)

### **Forest Insect and Disease Control**

The basic objective of insect and disease control in forests or in shade, ornamental, or specimen trees is to preserve, maintain, or restore the historical integrity of the area. A concerted effort will be made to prolong the life of any historically significant tree, grove, woodland, or forest extant at or representative of the time of the event commemorated. Control operations may be initiated (1) at any time against any insect or disease posing a threat to the integrity of the area, particularly Class VI sites; (2) when the outbreak poses a threat to trees or forests outside the area; (3) to maintain shade and ornamental trees in developed areas (Class I and II sites); (4) to preserve or maintain rare or scientifically valuable specimens or communities (Class IV sites); (5) to control outbreaks on Class III and V lands to maintain infestations and infections at endemic levels; and (6) in cooperation with other Federal or State agencies when park lands are included within a larger control unit.

No insect or disease control activities may be undertaken in wilderness areas unless approved by the Director. The measure of control will depend on a determination of whether the insects or diseases are causing the complete alteration of an environment which is expected to be preserved. However, controls will generally be limited to disaster conditions that threaten whole ecosystems. Any controls instituted will be those that will be most direct for the target or disease and which will have minimal effect on other components of the ecosystems of which the wilderness is composed.

### **Disposal of Natural Resources**

Natural resource products accumulated as the result of site clearing, vista clearing, resource management activities, or resulting from natural phenomena such as storms and floods, and which cannot be economically or feasibly recycled through the ecosystem, or which pose a potential threat to other natural resources, may be salvaged and disposed of in accordance with Federal laws and procedures.

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## **MASTER PLAN POLICY**

### **DISCUSSION**

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The National Park Service prepares and maintains a Master Plan for the management, development, and use of each historical area. Graphics, inventories, and narrative statements describe and portray the area's resources and specify the objectives of management.

A historical base map and/or archeological base map is a necessary part of the Master Plan for a historical area. Moreover, it is a valuable document in the management of the area. The historical or archeological base map rests on comprehensive research and is thoroughly documented.

Like all parks, historical areas are closely related to their surroundings. For this reason, planning for a historical area must consider the related environment, large or small. Particularly, it takes cognizance of related Federal, State, and local governmental parks and development plans, facilities provided by private enterprise for the transportation and accommodation of visitors, and historic preservation and educational activities of private institutions. The Master Plan analyzes the environment in which the historical area is located and the many factors that may influence its management.

When a historical area adjoins or is close to other resources of a similar nature, a joint effort to analyze the total resource base and visitor needs is desirable. This may lead to cooperative plans that insure complementary and mutually compatible development, management, and interpretation of the areas. Such

cooperative planning is exemplified at Independence National Historical Park in Philadelphia and at the Home of Franklin D. Roosevelt National Historic Site in Hyde Park, N.Y.

Adequate research data is essential to sound planning. Planning teams must have studies accurately identifying and locating historic sites and features, assessing their comparative significance, and summarizing the history of the events and persons that give the area national significance. Without such data, proper boundaries cannot be proposed, and proper development cannot be planned. Moreover, a multi-disciplinary approach is necessary to insure the identification, preservation, interpretation, and highest visitor use of all the area's important resources by means of a plan that is economically, esthetically, and administratively sound.

A sound Master Plan carries out the mandates of Congress and the administrative policies of the Service by providing criteria, controls, and guidance for management, use, and development. This is done in terms of a unified planning concept for each area, consistent with and complementary to other programs of historical use, visitor accommodations, and resource planning in the surrounding district or region. It covers all programs of resource management, resource use, and physical development. It classifies land and water areas for various kinds and intensities of use.

Master Plans are revised from time to time to reflect changing conditions and to utilize the results of resource studies.

## **ADMINISTRATIVE POLICIES**

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### **Master Plan**

A Master Plan will be prepared for each area to cover specifically all Resource Management, Resources and Visitor-use, and Physical Development programs. An approved Master Plan is required before any development program may be executed in an area.

### **Master Plan Teams**

Master Plans should be prepared by teams composed of members having professional backgrounds and experience appropriate to the problems of the historical area under study: history, archeology, historic architecture, landscape architecture, museology, interpretation, engineering, park management, park planning, etc.

Where circumstances and funds permit, study teams should also include as members, or consult with, qualified professionals or other persons with a knowledge of the particular historical area and its environment.

### **Land Classification**

Master planning requires careful classification of the lands in a historical area. This is necessary to insure that the development of public-use facilities is com-



patible with the preservation of the historic resources and in accord with the intent of Congress.

The land classification used is similar to that proposed by the Outdoor Recreation Resources Review Commission and prescribed by the Bureau of Outdoor Recreation for application to Federal lands, as follows:

Class I—high density recreation areas; Class II—general outdoor recreation areas; Class III—natural environment areas; Class IV—outstanding natural areas; Class V—primitive areas; and Class VI—historical and cultural areas.

Class I and Class II identify the land reserved for visitor accommodations, administrative facilities, formal campgrounds, two-way roads, etc. (both existing and proposed), of varying intensities. They are shown on the Land Classification Plan which indicates their relationship to developments located within the historical or cultural zone.

Class III identifies the “natural environment areas” which includes those lands that provide a setting, environment, or atmosphere for the historic features of the area. These lands are important to the proper preservation, interpretation, and management of the nationally significant historic resources within the areas of the National Park System. They also serve to accommodate appropriate visitor uses, of less intensity than those on Class I and Class II lands, by means that preserve the integrity of the historic resources. Limited facilities may be provided on these lands, such as one-way motor roads, foot and horse trails, small overlooks, and informal picnic sites. Such limited facilities must be in complete harmony with the historic values of the area.

Class IV includes lands that encompass outstanding or unique natural features or wonders such as the coral reefs at Fort Jefferson and Sand Cave at Cumberland Gap. Nothing in the way of human use should be permitted on Class IV lands that intrude upon or may in any way damage or alter the scene. The sites and features are irreplaceable.

Class V lands are the primitive lands that have remained pristine and undisturbed as a part of our national inheritance. They include in some instances, moreover, lands which, through National Park Service management, have been restored by the healing processes of nature to a state resembling a primeval condition. Where they exist in sufficient size, they may qualify for study and recommendation to the Congress for designation as wilderness areas. Facilities in Class V lands should be limited to trails, primitive campsites, shelters, and sanitary facilities

Class VI lands are those on which are located the historic resources (structures, sites, or objects) that warranted the establishment of the area as a historical unit of the National Park System. Historic resources worthy of identification and preservation may also be found in natural and recreational areas of the National Park System. Physical developments are limited to those essential to preservation, restoration, if necessary, of the historical values that convey the significance of the area to the public, and such access and on-site development to accommodate appropriate use consistent with preservation. Developments shall not detract from or adversely affect historical or cultural values.



Activities are generally limited to sightseeing and study of the historic or cultural features.

### Acquisition Zones

After the lands for a historical area have been classified for purpose, intensity of development, and capacity of human use, they are zoned for the degree of ownership required to achieve these purposes within legislative authorizations and these administrative policies. (See also *Land Acquisition*, p. 39, *Resource Management Policy* section.) Where the area is of sufficient size to permit private uses to be continued compatible with the purpose of the area, three zones may be prescribed, as follows:

Zone 1 (*Public-use and Development*) includes, as a *minimum*, those lands needed for administrative facilities and Government or concessioner development of public-use facilities of high and moderate intensities (Class I and II lands). This zone also includes the lands of historical or cultural significance (Class VI). This zone may also include any unique natural features (Class IV), and the primitive lands (Class V), within the immediate vicinity of the historic resources that have an association with the historical or cultural resources of the area. Zone 1 also includes those Class III lands adjacent to and essential for the preservation of Class IV, V, and VI lands. The ultimate objective in this zone, usually, is to acquire full fee title to all lands. It may be, however, that in some instances, less than fee title will suffice as determined by management. For example, in this zone may be a historic home owned by a non-Federal organization and open to the public. Even though fee title may not be acquired in such a property, it nevertheless should be included in Zone 1 since it does serve the public and contributes to the public use and enjoyment of the area. Similarly, an individual may own and operate a public facility, such as a restaurant, motel, or campground, the continuing operation of which is desirable. This, too, should be included in Zone 1 for the same reason, unless it exists as a part of a village or community that more properly should be included in Zone 3. A similar situation may occur in connection with an organized group camp.

It is the purpose of Zone 2 (*Preservation-conservation*) to include those lands necessary for the preservation-conservation of the environment of the area. As a rule, these lands fall in Class III. *Minimally*, this zone includes (1) all additional lands considered essential to "buffer" or insure the full protection of all those lands included in Zone 1, and (2) those lands needed to accommodate uses of less intensity than those included in Zone 1. Occasionally, this zone may include lands of historical or cultural significance (Class VI). For example, there may be a historic home, or group of homes, which contributes to the national significance of the area but which is privately owned and occupied and may, consistent with the purpose of the area, remain so. On rare occasions, this zone may contain natural features (Class IV) and primitive lands (Class V). For example, there may be research areas owned and managed by institutions of higher learning or scientific organizations which, consist-

ent with the purpose of the area, may continue in this manner. The Service will seek such title or interest in lands within this zone as is required to achieve the foregoing objectives. In most instances, full fee title should be acquired. Often, such acquisitions may provide for life tenancy or continued occupancy for specified periods. In some instances, access easements, scenic easements, or development restrictions may suffice to accomplish the management objective. Occasionally, appropriate zoning by local authority will achieve management's objectives.

*Zone 3 (Private-use and Development)* may or may not exist in all historical areas. Its use depends on the overall size of the area and the ownership criteria, if any, specified by the Congress. The lands in Zone 3, normally, have a significant impact—visually or otherwise—on the quality and integrity of the environment of the area. Lands included in this zone, usually, involve subdivisions, villages, and similar developments. In some instances, such developments may provide important supplemental accommodations and recreational pursuits for visitors to the historical area. In these respects, therefore, the lands in this zone are similar to those in Zone 2. The most obvious distinction between the two, however, is that lands in Zone 3 serve primarily a local or community purpose and their contributions to the public use of the historical area are secondary. The reverse situation is true of the lands in Zone 2. Generally, no public-use facilities or developments requiring Government ownership of the land are planned for Zone 3. Thus, except in unusual situations—involving, perhaps, accessways—acquisition in this zone of the full fee title, generally, is not necessary. In fact, acquisition of any portion of the estate may be unnecessary where local zoning is adequate and continuous to insure developments and uses complementary to and compatible with the historical area. For example, if a tract is zoned for single-family residences or low-lying commercial structures and these are compatible with the environment of the historical area, no acquisition may be needed. On the other hand, acquisition of a scenic or development easement may be necessary—in the absence of zoning—to prevent development, as for example, high-rise structures that may impair the environment of the area.

The three zones cannot be applied precisely and rigidly to each and every acre within an area. They are approximations at best. Their use as planning and management tools is designed to achieve the public purpose of historical areas while minimizing costs and reducing as much as possible personal hardships and inconveniences occasioned by land acquisition. In these circumstances, it is to be expected, quite naturally, that there will be examples found of land classifications falling into zones other than in the manner prescribed above. These exceptions should be explained in the Master Plan.

In summary, however, it is to be expected that proportionately *more* of the lands in Zone 1 need to be acquired in fee and that the acquisition of some lesser interests, such as scenic or access easements or development restrictions, will occur *less frequently* than in Zones 2 and 3. In Zone 2, it is to be expected that fee acquisition, proportionately, will be *less* than in Zone 1 and acquisition

of interests less than fee will be proportionately *higher* than in Zone 1 (except where lands are already in public ownership as in the case of State or public domain lands). Zoning control may also suffice in some limited cases in Zone 2. It is to be expected that zoning control will be proportionately *higher* in Zone 3 than in Zone 2 and that the acquisition of fee title and less than fee interests in land in Zone 3 will be proportionately *lower* than in Zone 2.

### **Architectural Theme**

(See *Physical Developments Policy* section, p. 71.)

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# **FISH AND WILDLIFE MANAGEMENT POLICY**

## **DISCUSSION**

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In connection with fishing and hunting on lands administered by certain bureaus of the Department (including the National Park Service), the Secretary of the Interior, on September 10, 1970, issued the following regulations:

The Secretary of the Interior recognizes that fish and wildlife resources must be maintained for their aesthetic, scientific, recreation, and economic importance to the people of the United States, and that because fish and wildlife populations are totally dependent upon their habitat, the several States and the Federal Government must work in harmony for the common objective of developing and utilizing these resources. It is the policy of the Secretary of the Interior further to strengthen and support, to the maximum extent possible, the missions of the States and the Department of the Interior in the attainment of this objective.

The effective husbandry of such resources requires the cooperation of State and Federal governments because:

(a) The several States have the authority to control and regulate the capturing, taking, and possession of fish and resident wildlife by the public within State boundaries;

(b) The Congress, through the Secretary of the Interior, has authorized and directed to various Interior agencies certain responsibilities for the conservation and development of fish and wildlife resources and their habitat.

Accordingly, the following procedures will apply to all areas administered by the Secretary of the Interior through the National Park Service, Bureau of Sport Fisheries and Wildlife, Bureau of Land Management, and Bureau of Reclamation (hereinafter referred to as the Federal agencies). These Federal agencies will:

1. Within their statutory authority, institute fish and wildlife habitat management practices in cooperation with the States which will assist the States in accomplishing their respective, comprehensive, statewide resource plans;

2. Permit public hunting, fishing, and trapping within statutory limitations and in a manner compatible with the primary objectives for which the lands are administered. Such hunting, fishing, and trapping and the possession and disposition of fish, game, and fur animals shall be conducted in all other respects within the framework of applicable State laws, including requirements for the possession of appropriate State licenses or permits. The Federal agencies may, after consultation with the States, close all or any portion of land under their jurisdiction to public hunting, fishing, or trapping in order to protect the public safety, to prevent damage to Federal lands or resources thereon, and may impose such other restrictions as are necessary to comply with management objectives;

3. Consult with the States and comply with State permit requirements in connection with the activities listed below, except in instances where the Secretary of the Interior determines that such compliance would prevent him from carrying out his statutory responsibilities:

- (a) In carrying out research programs involving the capturing, taking, or possession of fish and wildlife or programs involving introduction of fish and wildlife;

- (b) For the planned and orderly removal of surplus or harmful populations of fish and wildlife except where emergency situations requiring immediate action make such consultation and compliance with State permit requirements infeasible;

- (c) In the disposition of fish and wildlife taken under (a) or (b) as provided above.

4. Exempted from this regulation are the following:

- (a) The control and regulation by the United States, in the area in which an international convention or treaty applies, of the taking of those species and families of fish and wildlife expressly named or otherwise covered under any international treaty or convention to which the United States is a party;

- (b) Any species of fish and wildlife control over which has been ceded or granted to the United States by any State;

- (c) Areas over which the States have ceded exclusive jurisdiction to the United States.

5. Nothing contained herein shall be construed as permitting public hunting, fishing, or trapping on national parks, monuments or historic areas of the National Parks System, except where Congress or the Sec-



retary of the Interior has otherwise declared that hunting, fishing, or trapping is permissible.

6. The Federal agencies and States will enter into written cooperative agreements containing the plans, terms, and conditions of each party in carrying out the intent of this regulation when such agreements are desired by the States. Such agreements will be reviewed periodically by both parties and, when appropriate, adjusted to reflect changed conditions.

## ADMINISTRATIVE POLICIES

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### **Fishing**

Sport fishing is encouraged in historical areas when consistent with the restoration and perpetuation of aquatic environments and aquatic life native in the area during the historical period commemorated at the area. Commercial fishing is permitted only when specifically authorized by law.

Where fishing is permitted, such fishing shall be carried out in accordance with applicable State laws and regulations, unless exclusive legislative jurisdiction\* has been ceded within the area, and a State license or permit shall be required for such fishing unless otherwise provided by law.

### **Public Hunting**

Public hunting shall not be permitted in historical areas.

### **Wildlife Populations**

Wildlife populations will be controlled when necessary to maintain the health of the species, the native environment and scenic-historic landscape and to safeguard public health and safety. Ungulate populations will be maintained at the level that the range will carry in good health and without impairment to the soil, the vegetation, or to habitants of the several species in an area.

### **Wildlife Management Program**

Insofar as possible, control through natural predation will be encouraged.

Public hunting outside of the area is recognized as the next most desirable means of controlling wildlife populations. Cooperative studies and management plans with States and other Federal agencies are to be continued to facilitate

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\* The term "exclusive legislative jurisdiction" is applicable to situations wherein the Federal Government has received, by whatever method, all the authority of the State, with no reservation made to the State except the right to serve process resulting from activities which occurred off the land involved. This term is applied notwithstanding that the State may exercise certain authority over the land, as may other States over land similarly situated, in consonance with the several Federal statutes. The term is also sometimes referred to as "partial jurisdiction."



public hunting outside of the areas, especially through extended special seasons established by the States.

Other control measures, as necessary, shall be undertaken as follows:

(1) Live-trapping in the areas for transplanting elsewhere; (2) research specimens for National Park Service and cooperating scientists; and (3) direct reduction by National Park Service personnel. It is recognized that it may be necessary, on occasion, to carry on each phase of this program simultaneously. The National Park Service will adjust the use of these control methods (except natural predation) to meet varying weather and other relevant conditions, giving highest priority to the opportunities for public hunting outside the areas and live-trapping in the areas for transplanting elsewhere. (See also *Natural Resources Management*, p. 38, *Resource Management Policy* section; and *Cooperation with States*, this page.)

### **Exotic Plants and Animals**

Exotic plants and animals may be introduced into historical areas as part of various management programs for purposes of public use and enjoyment except that no species, particularly those new to the country or region, may be introduced unless there are reasonable assurances from the U.S. Department of Agriculture, the Bureau of Sport Fisheries and Wildlife of the U.S. Department of the Interior, and responsible State agencies that the species will not become a pest or disrupt desirable natural plant and animal communities and associations of particular scenic or historic significance. (See also *Natural Resources Management* p. 38, *Resource Management Policy* section.)

### **Cooperation with States**

The Service will consult with the appropriate State fish and game departments in carrying out programs of control of over-abundant or otherwise harmful populations of fish and wildlife or research programs involving the taking of such fish and resident wildlife, including the disposition of carcasses therefrom. In any case where there is a disagreement, such disagreement shall be referred to the Secretary of the Interior who shall provide for a thorough discussion of the problems with representatives of the State fish and game department and the National Park Service for the purpose of resolving the disagreement.

# part III

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## RESOURCE AND VISITOR-USE POLICY

### DISCUSSION

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Except as may be directed otherwise in the specific statute establishing an area, use of historical areas is directed by the congressional mandate "to provide for the enjoyment" of the parks, monuments, and reservations "\* \* \* in such manner and by such means as will leave them unimpaired for the use of future generations" (Act of August 25, 1916) and the congressional policy expressed in the Historic Sites Act of August 21, 1935, as follows:

It is a national policy to preserve for public use historic sites, buildings and objects of national significance for the inspiration and benefit of the people of the United States.

Further, the Historic Sites Act provides that the Secretary of the Interior should:

Operate and manage historic and archaeological sites, buildings, and properties acquired under the provisions of this Act together with lands and subordinate buildings for the benefit of the public, such authority to include the power to charge reasonable visitation fees and grant concessions, leases, or permits for the use of land, building space, roads, or trails when necessary or desirable either to accommodate the public or to facilitate administration

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\* \* \* \* \*

Develop an educational program and service for the purpose of making avail-

able to the public facts and information pertaining to American historic and archaeological sites, buildings, and properties of national significance.

The quality of use of historical areas depends on visitor understanding of the historical resources and their place in American history. The information and interpretive program for each area is, therefore, based upon the primary historical resources and its objective is to help visitors to comprehend intellectually and emotionally the significance of these resources to Americans.

Except for purely memorial structures (Washington Monument and Jefferson National Expansion Memorial), visitor use is usually connected with the presentation and use of tangible physical evidence associated with a historic event, culture, or person. Since the historical significance often transcends the physical remains, the visitor-use program will strive to inspire broader interest and comprehension, using a variety of techniques.

Restoration or reconstruction of the historic environment, the use of period costumes, living historical farms, and other demonstrations heighten the feeling of reality. All traditional and modern communication techniques may be employed to enhance visitor interest, enjoyment, and understanding of the Nation's history.

Historical areas may possess opportunities for visitor and resource uses other than those associated with their primary historical significance. Some, like the Chesapeake and Ohio Canal, possess distinct recreational attributes, others such as Fort Jefferson possess outstanding natural features. Some areas may be used for programs in environmental education, others for research of various kinds, and a few will contain wilderness areas. These uses are to be encouraged to the extent that they do not conflict with, or invalidate, the primary purpose of the park.

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## ADMINISTRATIVE POLICIES

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### **Interpretive Facilities and Services**

Appropriate interpretive facilities and services to provide visitor orientation, understanding, and appreciation of the park and its resources, such as visitor centers, museums, amphitheaters, campfire circles, wayside exhibits, signs and markers, interpretive trails, publications, guides, manned and self-help information desks, maps, and audiovisual devices, as appropriate, should be provided.

### **Visitor Access to Historic Resources**

Visitor entry on a historic resource at any one time or over a period of time should be limited to the safe capacity of the resource in order to prevent unnecessary damage and premature loss of the resource and to assure visitor protection.

### **Living Historical Interpretation**

(See *Living Historical Interpretation*, p. 32, *Historic Preservation Policy* section.)

### **Compatible Use of Historic Structures**

(See *Compatible Use of Historic Structures*, p. 30, *Historic Preservation Policy* section.)

### **Sale of Native Handicraft and Artifacts**

The sale of appropriate handicraft articles associated with or interpretive of an area is encouraged. Such articles shall be clearly labeled as to origin and displayed separately from commercially or mechanically produced souvenirs. Archeological specimens or objects of American Indian origin, such as pottery or arrowheads more than 100 years old, may not be sold regardless of their place of origin. (See also *Protection of Historic Resources*, p. 25, *Historic Preservation Policy* section.)

### **Cooperating Associations**

Formation and operation of cooperating associations or agencies of existing associations to facilitate the education and interpretive programs of an area, as authorized under Public Law 633, August 7, 1946, shall be encouraged where they contribute to the management of the area.

### **Memorials**

Congress has authorized the placing of monuments at certain battlefield sites by the States whose units were involved in the engagements which they commemorate. Monuments or plaques of a memorial nature commemorating individuals or events may be erected in a historical area, or physical features therein may be named for individuals when the association between the area and the individual or event is of transcendent importance. Except for existing memorializations, generally, no individual should be so honored during his lifetime. (See also *National Cemeteries*, p. 61, this section; the statement of policy of U.S. Board of Geographic Names for applying names of persons to natural features, and the guidelines of National Park Service for making recommendations on geographic name proposals, *Appendix D*.)

### **Motion Pictures and Still Photography**

The making of still and motion pictures involving the use of professional casts, settings, and crews may be permitted under conditions which protect and perpetuate the integrity of the area in the end product and minimize the impact on the resources and the public's normal use of the area. (See Title 43, Section 5.1 and Title 36, Section 5.5, Code of Federal Regulations.)

### **Recreational Activities**

Appropriate visitor use includes not only interpretation of an area's historical significance, but appreciation and enjoyment of the historic setting which may



provide appropriate outdoor recreational opportunities. Recreational activities which facilitate visitor enjoyment of the primary resources of the area, or are inspired by its historical character and features, are to be encouraged and facilities provided for them to the extent that they do not adversely affect the integrity of the historical resources of the area or the primary visitor use of the area. Examples of appropriate outdoor recreational uses are sightseeing, hiking, photography, bicycling, picnicking, horseback riding, and fishing. Moreover, some areas offer additional outdoor recreational opportunities not associated with or inspired by the historical significance of the area, such as water-oriented recreation and organized competitive sports, i.e., swimming, baseball, etc. These activities, also, are encouraged and facilities provided for them to the extent they do not adversely affect the integrity of the historical resources of the area or the primary visitor use of the area. Boats used for residential purposes, either permanently or for extended periods, are not permitted. (See also *Residential Facilities*, p. 72, *Physical Developments Policy* section.)

### **Camping and Campgrounds**

*Location.* Camping accommodations, facilities, and services should not be provided within a historical area if they are available in the vicinity or if it is feasible for them to be developed by other Government agencies or private enterprise in the vicinity.

Such camping accommodations, facilities, and services as may be necessary within a historical area for public use and enjoyment of the area will be located and designed with the greatest care for the preservation of the historic scene and the resources of the area.

*Operation.* Each campground shall be operated and maintained within its design capacity. Individual sites or entire loops should be rested and, if necessary, renovated on a rotational basis. Innovative and creative use of modern techniques is encouraged, including periodic restoration of native plant material, reseedling with native grasses, use of fertilizers, portable irrigation systems, and surfacing of heavy-use areas with inert materials.

No overflow or excess use of a campground or individual campsite will be permitted. To accommodate visitors, advance reservation of campsites and limitations on length of continuous use by one camping party may be imposed.

Sites or facilities within campgrounds may not be utilized as permanent or seasonal residences by persons not engaged in on-site public services or protection of property within the area.

### **Campground Size, Design, and Facilities**

Except as may be approved by the Director in specific locations, campgrounds should be limited to 250 sites and designed so as to permit areas of separation between campsites which can be managed to retain as much as possible the natural environment. Play areas for pre-school-age children may be provided. Campground design should make provision for the use of charcoal or other fuels or central cook sheds on those occasions when, and at locations where, it



may be necessary by reason of fire danger, air pollution, or other hazards to limit the use of wood for fires at individual campsites. Where feasible, tent camping should be provided in separate campgrounds or in separately designated areas within campgrounds.

Each campground should have such interpretive facilities as may be required for the camper's appreciation and understanding of park values.

### **Group Camping**

Where space permits, provision should be made for accommodating organized camping groups, particularly youth groups, either in separate campgrounds or in camping sites adjacent to, but separated from, individual sites within formal campgrounds. However, such accommodations should not be assigned to the continuous and exclusive use of any one particular special-interest group. Permanent facilities for group camping should be limited to those necessary for group cooking, sanitation, and interpretive programs.

To accommodate demand, advance reservation of facilities and limitations on length of continuous use by one camping party may be imposed. In allotting camping privileges, preference should be given to public groups over semi-public groups, and semi-public groups over nonprofit groups and nonprofit groups over private groups, as follows:

1. Public groups are those who are supported wholly by public taxation or public contributions and whose membership and programs are open to all. Examples are: schools, park and recreation agency programs, and welfare organizations or similar institutions, such as the Salvation Army.
2. Semi-public groups or associations are those whose membership is not open to the general public, but are organized for general recreation, education, public welfare, religious, or philanthropic purposes and are supported in part by public contributions or some sponsoring agency. Examples are: Boy Scouts, Girl Scouts, Campfire Girls, church groups, YMCA, YWCA, 4-H Clubs, and Future Farmers of America.
3. Nonprofit groups are those societies or associations supported by assessed membership dues but not operated for profit to the organization or its members, and the benefits of the organization are not entirely confined to its membership. Examples are: American Legion, Veterans of Foreign Wars, and service clubs, such as Rotary, Lions, Kiwanis, and the Izaak Walton League.
4. Private groups are those societies or associations with restricted or limited memberships and organized for engaging in enterprises for profit for the benefit of the members only, but confine activities to recreation purposes. Typical examples are: rifle and gun clubs, hunting clubs, boating clubs, fishing clubs, and special organized recreation groups with limited membership.

### **Collecting without Permit**

Collecting, for individual private use, and not for profit or distribution to others, may be permitted for certain renewable resources, such as berries, fruits, mushrooms, and similar edibles for consumption in the area, seashells, and pine cones, in conformance with regulations promulgated for each historical

area. These regulations will specify what items may be collected and under what terms. (See also *Protection of Historic Resources*, p. 25, *Historic Preservation Policy* section.)

### **Collecting by Permit**

Pursuant to regulations established for each particular historical area, students (from the grade school level upward), researchers, and scientific institutions may make collections, for educational or research purposes, of insects, other invertebrates, vertebrates, plants, and other objects upon receiving a permit for this purpose from the superintendent or his authorized representative. (See also *Protection of Historic Resources*, p. 25, *Historic Preservation Policy* section.)

### **Use of Motorized Equipment**

Public use of motor vehicles in historical areas shall be confined to designated park roads or parking areas except that snowmobiles may be permitted on designated off-road routes. Public use of portable power equipment, such as generators, power saws, and the like, may be permitted in specifically designated areas.

The off-road use of motorized equipment for official purposes will be carefully planned and controlled to meet the requirements of area management with due regard for the protection of human life and park resources, and to avoid intrusion on the historic scene.

### **Health and Safety**

Except for historic buildings, the recommended standards for safety and public health prescribed by Federal, State, or local authorities having jurisdiction shall be observed in providing for the health, safety, and well-being of visitors and those employed in historical areas. (See also *Historic Preservation Policy* section, p. 21; and Recreation Advisory Council Circular No. 3, *Policy Governing the Water Pollution and Public Health Aspects of Outdoor Recreation, Appendix C.*)

In historic buildings and districts, safety equipment such as fire hydrants, extinguishers, standpipes, and detection systems must be concealed to prevent the visual impairment of the integrity of the structure or district. Visitor aids, such as handrails, paint strips, etc., will be avoided in historic structures unless they were part of the historic architecture or furnishings. Moreover, facilities such as viewing platforms, outdoor stairs, trails, and railings should be as unobtrusive as possible so as to minimize or eliminate the adverse affect of such installations on the integrity and interpretation of a historic property. (See also *Historic Preservation Policy* section, p. 21.)

It is the policy of the National Park Service to provide for the safety of the public it serves in connection with its operations and when using its facilities and those of its concessioners, to ensure a safe and healthful work environment for its employees and the employees of its concessioners and contractors, and to protect its property from damage through a comprehensive, viable safety management program, thus providing more efficient utilization of

available resources in support of the Service's mission. The safety program shall be an integral part of all operations at all levels within the Service. Sufficient resources shall be provided at each organizational level within the Service to effectively carry out this program.

### **Religious Services**

Where facilities for organized worship are not available in nearby communities, the Service should cooperate with established groups and organizations by permitting the use of Government-owned facilities for worship services, when such use does not interfere with the normal use of such facilities. Concessioners may also cooperate with such groups in similar circumstances. (See also *Concessions and Concessioners*, this page.)

### **National Cemeteries**

Burials in national cemeteries administered by the National Park Service will be permitted, pursuant to applicable regulations, until available space has been utilized. (See also Report of the Bureau of the Budget to the Chairman, Committee on Interior and Insular Affairs, House of Representatives, dated February 12, 1962, *Appendix E*.)

### **Natural Resource Interpretation**

Visitor use and enjoyment of significant scenic or scientific features in historical areas by means of exhibits, nature trails, and other interpretive devices are encouraged when compatible with the primary historical purpose of the area. Wildlife observation is particularly suitable for many historical areas and should be encouraged by appropriate means.

### **Concessions and Concessioners**

Concession and other business operations in historical areas are authorized under the Act of August 25, 1916 (39 Stat. 535), as amended, and the Act of August 21, 1935 (49 Stat. 666). The congressionally approved concession policies (P.L. 89-249, 89th Congress) are set forth in Appendix F. Administrative policies, dealing with subjects in addition to those in the congressionally approved policies, are as follows:

(a) *Establishment of concessions.* Concession services and facilities are authorized within the historical areas only when necessary and appropriate for public use and enjoyment of the areas, consistent with their preservation. Where adequate facilities and services exist or can be developed by private enterprise outside such areas, such shall not be provided within the historical areas.

(b) *Site selection and construction of facilities.* (See *Concession Facilities*, p. 73, *Physical Developments Policy* section.)

(c) *Government development of concession facilities.* When there is no response from a prospectus, and the facilities are necessary for the accommodation of park visitors, such facilities may be provided by the Government with appropriated funds and made available to responsible private parties for oper-

ation. Except in emergency situations, the Government should not engage in the direct operation of concession facilities.

(d) *Maintenance of Government-owned facilities.* Concessioners should be required to maintain all Government-owned facilities used in concession operations. To this end, annual maintenance programs shall be required during the term of the contract. Concessioners should not be granted possessory interest in capital improvements made to Government-owned facilities. Where capital improvements, as distinguished from maintenance, are necessary, they should be made by the Government, and appropriate action should be taken to provide funds on a timely basis for this purpose. If such improvements are made by the concessioner, the cost should be amortized to avoid dual ownership interests. (See also *Maintenance*, p. 73, *Physical Developments Policy* section.)

(e) *Insurance.* Concessioners should carry such insurance against losses by fire or other casualty of Government-owned facilities, public liability, employee liability, and other hazards as is customary among prudent operators of similar businesses under comparable circumstances.

(f) *Employees.* Concessioners should have affirmative action programs to assure equal employment opportunities and adhere to the Department's labor standards and to applicable Federal and State labor laws.

(g) *Nondiscrimination.* Concessioners and their employees may not discriminate against any individual because of race, creed, color, sex, or national origin.

(h) *Advertising facilities and services.* Advertising of facilities and services should be descriptive, accurate, and in good taste. Billboard advertising is discouraged.

(i) *Merchandise.* The merchandise sold in historical areas is to be limited to those items and services appropriate and necessary for public use and enjoyment of the areas. All souvenirs and other merchandise offered for sale to visitors must be in good taste. (See also *Sale of Native Handicraft and Artifacts*, p. 57, this section.)

(j) *Alcoholic beverages.* The sale of alcoholic beverages may be permitted in historical areas, subject to applicable Service regulations and State laws.

(k) *Conventions.* The use of concession facilities for conventions, group meetings, and the like during seasons of heavy vacation travel should be discouraged.

(l) *Overnight accommodations.* Concessioners shall maintain a reasonable proportion of their accommodations as low-priced accommodations.

(m) *Quality of service.* Services offered by concessioners must be satisfactory as judged by recognized standards and the rates for such services must be reasonable as judged by statutory criteria.

## **Public Assembly**

The peaceable use of park areas for public gatherings, meetings, and other forms of expressing viewpoints on social, economic, and political questions is protected by the Constitution of the United States. However, such use is sub-



ject to reasonable regulation designed to protect legitimate Government interests including the protection of basic park and historical values.

In 1970 the Secretary of the Interior expressed the need to balance primary park values with the need to foster the expression of views in such areas in the current statement of Departmental policy found in the prefatory statement to the proposed amendments to 36 CFR 50.19, 35 Fed. Reg. 11485 (July 17, 1970) and quoted in relevant part as follows:

Proper effectuation of the Park Service interest in maintaining this central National Capital Parks area warrants reasonable regulation therein of the various activities which may be carried on by park users.

The Secretary of the Interior is especially cognizant of the need to provide opportunities in the park area of Washington, D.C., including the central park areas, for free expression of ideas by assembly, demonstration and other speech activities. But effectuation of this important public interest must be harmonized with the other legitimate and important public concerns operative in such park areas.

Foremost, proper measures must be taken to protect the public safety and good order of the community against violence from any source. Moreover, it is a basic responsibility of the National Park Service to conserve the historical and national monument park values to which the central park area is primarily dedicated. Further, the National Park Service also has a basic responsibility to protect and conserve use of these same park facilities by people for rest and recreation purposes, to which park areas are also dedicated. Finally there is vitally operative in the White House area the paramount concern to protect the safety and security of the President, others occupying the Executive Mansion, the Presidential offices and personnel, the White House itself, and the White House grounds.

Situated in or near the central park area of the Nation's Capital are the official seats of the legislative and executive branches of our Government. Limited facilities for assembly, demonstration and other speech activities exist in the immediate vicinity of this seat-of-Government area, other than on park lands. Particularly in light of these considerations, the Secretary considers that it is necessary to provide a reasonable opportunity there to accommodate peaceable assemblies by persons who desire to express views and petition the Government. Adequate exercise of the constitutional freedom to hold assemblies, in order to express views and petition the Government in a peaceable and orderly fashion, is essential to proper functioning of our American system of government by consent of the governed.

However, it is constitutionally permissible to regulate such speech activities reasonably, taking into account the indicated competing legitimate values. Proper consideration must be given to ensure preservation of the peace and general good order of the community, to designate the places, to limit the noisiness, to prescribe the hours, and otherwise to keep public assemblies generally within acceptable bounds.

Consistent with the constitutional protection of the free expression of ideas, the Service observes the following administrative policy concerning demonstrations and other forms of peaceable assembly and freedom of speech:



(a) Demonstrations in the exercise of rights guaranteed by the First Amendment of the Constitution to peaceably assemble and to speak on social, economic, and political matters will be permitted in areas administered by the Service that are open to the public.

(b) Demonstrations may include, but need not be limited to, rallies, parades, marches, speeches, or picketing with or without signs.

(c) Historical areas often include historic resources that are of a fragile character, and excessive numbers of people assembled in them could have a detrimental effect on such historical resources. Accordingly, while demonstrations may be permitted as described in paragraphs (a) and (b), the superintendent should limit the group to a number which can be accommodated without destroying the historical resources. Personnel administering areas shall cooperate with the apparent leadership of demonstrating groups regarding their use of the area. An effort may be made to get the groups to voluntarily agree to limit the number of persons involved, in the interest of minimizing public inconvenience and to limit the duration of the demonstration.

(d) Although law enforcement personnel should be available to maintain law and order, representatives of the Service should not initiate any action against demonstrators prior to a breach of the peace, such as overt physical violence against persons or property.

(e) Areas shall not be closed during the hours they are normally scheduled to be open solely to avoid an expected demonstration in the area or to attempt to restrict a demonstration in progress. Demonstrators will not be forcibly removed in the absence of any breach of the peace committed by them, except after consultation with, and approval of, the Director.

(f) Permits for the use of areas for demonstrations shall be granted on a first-come, first-served basis. Use of a permit system will allow those administering an area to be prepared to accommodate the group which may appear. The issuance of a permit would also serve to avoid possible conflict in the desire of more than one group to use a given area at the same time. Permits will not be denied upon the presumption that speeches or public gatherings would result in a breach of the peace, or would interfere with the comfort, convenience, and interest of the general public, or would disrupt the normal use of the area. Generally, the foregoing will provide every individual or group an opportunity to obtain a permit for a demonstration or assembly. Failure to obtain a permit will not in itself be cause for action leading to prosecution, except after consultation with, and approval of, the Director.

In implementing these policy guidelines, superintendents and their key personnel will develop and maintain close and consistent working relationships with other nearby Federal, State, and local officials and the leadership of local human relations councils in the communities in which they exist. Meetings with law enforcement and other civic officials should be directed to cooperative efforts with them—(a) to exchange information concerning anticipated demonstrations or meetings; (b) to develop arrangements with the leadership of any group planning to demonstrate; (c) to provide for the protection of the rights of participants; and (d) to assure that the demonstration will be conducted in a

peaceful and orderly manner. Such contacts will provide an opportunity to explain to community leaders and other officials our policies with respect to demonstrations and meetings.

The Service will be constantly mindful of the responsibility to protect the rights of all visitors and equally alert to provide for the safety of all persons, as well as public and private property, in implementing the assurance of the right of peaceable assembly and free speech. Nothing herein contained shall be construed as preventing the arrest by any peace officer of any individual committing or attempting to commit a criminal act. By the same token, Service personnel on duty at an area in which a demonstration is conducted should not in any way associate themselves either with those conducting the demonstration or with those who may oppose it. (See Title 36, Code of Federal Regulations.)

### **Security and Protection**

Law enforcement actions shall be carried out in consonance with the law enforcement principles that establish the spirit and basic philosophy undergirding the Service's security and protection programs. These principles include the following:

1. Except in cases that are clearly malicious, willful, or deliberate acts, violations of regulations by visitors may be initially assumed to have occurred because of inadvertence, lack of understanding, or misinformation.
2. Enforcement activity shall have education and information as a primary objective as a means of gaining voluntary compliance with the Service's rules and regulations.
3. Law enforcement officers will use physical force only when the exercise of persuasion, advice, and warning are found to be insufficient to obtain cooperation; and with due regard for their own safety and the safety of others, will use only the minimum degree of physical force necessary on any particular occasion.
4. Law enforcement officers of the Service will maintain friendly relations and work cooperatively with local, State, and Federal law enforcement agencies.
5. All law enforcement officers will be instructed and trained in progressive law enforcement procedures and practices to the extent necessary to exercise enforcement authority in accord with Service standards.
6. Law enforcement programs shall provide for analysis of the patterns and trends of law enforcement problems with a view to recommending managerial and administrative alternatives to enforcement action as a means of resolving such problems.

### **Official Records**

In conformance with legal authorization and existing procedures, the Service shall make available, upon request, those official records affecting the public. (See also Title 43, Code of Federal Regulations, issued pursuant to the Public Information Act of June 5, 1967 (P.L. 90-23) and applicable volumes of the National Park Service Handbook Series.)

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# **WILDERNESS USE AND MANAGEMENT POLICY**

## **DISCUSSION**

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To become a unit of the National Wilderness Preservation System, each wilderness area must be designated as such by the Congress. In order to be so designated, each proposed wilderness unit must be clearly identified so that its boundaries may be legally described in the legislation. Thus, the Wilderness Act requires that the Service clearly identify and appropriately describe the boundaries of those lands that are to be recommended to the Congress for wilderness designation. Importantly, however, the Wilderness Act of 1964 does not establish any new standard or criteria for national park wilderness use and management. For example, the Wilderness Act specifically provides that:

Nothing in this Act shall modify the statutory authority under which units of the National Park System are created.

The Wilderness Act recognizes, moreover, that all lands which may be included in the National Wilderness Preservation System are not to be managed alike. For example, the Wilderness Act provides for certain multiple uses in wilderness areas of the national forests designated by the act, such as existing grazing; mineral prospecting until 1984 and mining (with authority to construct transmission lines, waterlines, telephone lines, and utilize timber for such activities); and water conservation and power projects as authorized by the President.

No such lowering of park values is contemplated by the Wilderness Act for wilderness lands designated by the Congress in historical areas, since that act provides, in part, that:

\* \* \* the designation of any area of any park \* \* \* as a wilderness area pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such park \* \* \* in accordance with the Act of August 25, 1916, [and] the statutory authority under which the area was created \* \* \*.

Moreover, the status of those parklands not included by the Congress in the National Wilderness Preservation System remains unique pursuant to previously existing National Park Service legislation, for the Wilderness Act does not contemplate the lowering of park values on these remaining parklands not designated legislatively as "wilderness," nor does the management of such lands compete with any other resource use.

Of course, when Congress designates wilderness units within the historical areas for inclusion in the National Wilderness Preservation System, it may prescribe such standards and criteria for their use and management as it deems advisable.

## ADMINISTRATIVE POLICIES

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### **Management Facilities, Practices, and Uses**

Only those structures, management practices, and uses necessary for management and preservation of the wilderness qualities of an area will be permitted. These would include, but need not be limited to, patrol cabins, limited facilities associated with saddle-and-pack stock control, and structures needed for the protection and preservation of prehistoric ruins.

### **Fire Control**

Wildfire will be controlled as necessary to prevent unacceptable loss of wilderness values, loss of life, damage to property, and the spread of wildfire to lands outside the wilderness. Use of fire lookout towers, fire roads, tool caches, aircraft, motorboats, and motorized fire-fighting equipment would be permitted for such control.

### **Insect and Disease Control**

(See *Forest Insect and Disease Control*, p. 43, *Resource Management Policy* section.)

### **Rescue and Other Emergency Operations**

In emergency situations involving the health and safety of persons and to meet recognized management needs, use of aircraft, motorboats, or other motorized



or mechanical equipment will be permitted. (See also *Aircraft Operation*, p. 42, *Resource Management Policy* section.)

### **Regulation of Excess Wildlife Population**

Population control through natural predation will be encouraged. Trapping and transplanting of excess animals will be practiced by park personnel as necessary. If these prove insufficient, direct reduction by park personnel would be instituted. (See also *Fish and Wildlife Management Policy* section, p. 51.)

### **Non-native Plants and Animals**

Non-native species of plants and animals will be eliminated where it is possible to do so by approved methods which will preserve wilderness qualities.

### **Research**

The Service, recognizing the scientific value of wilderness areas as natural outdoor laboratories, would encourage those kinds of research and data gathering which require such areas for their accomplishment.

The Service may establish reasonable limitations to control the size of the areas which may be used for varying types of research projects within national park wilderness, and projects exceeding those limitations would be subject to approval by the Director.

### **Fishing**

(See *Fish and Wildlife Management Policy* section, p. 51.)

### **Visitor-use Structures and Facilities**

Primitive trails for foot and horse travel are acceptable. Narrow trails which blend into the landscape will be allowed in wilderness with footbridges and horsebridges where they are essential to visitor safety. Stockholding corrals or discreetly placed drift fences will be permissible if needed in the interest of protection of wilderness values. No improvements will be permitted that are primarily for the comfort and convenience of visitors, such as developed campgrounds and picnic facilities. However, trailside shelters may be permitted where they are needed for the protection of wilderness values.

### **Boating**

Boating, except with motorboats and airboats, is an acceptable use of wilderness.

### **Commercial Services**

Saddle and pack stock and guided boat trips in water areas are acceptable uses, but the number, nature, and extent of these services will be carefully controlled through regulations and permits so as to protect the wilderness values. (See also *Concessions and Concessioners*, p. 61, *Resource and Visitor-use Policy* section.)



### **Mining and Prospecting**

(See *Mineral Exploration, Mineral Leasing, and Mining*, p. 43, *Resource Management Policy* section.)

### **Inholdings**

Unless acquisition by the United States is assured, inholdings will be excluded from the area classified as wilderness. It will be the policy to acquire such inholdings as rapidly as possible, and as they are acquired, the lands will be proposed for designation as wilderness if they otherwise meet the criteria for such areas. (See also *Land Acquisition*, p. 39, *Resource Management Policy* section.)

### **Water Development Projects**

Such projects, whether for improvement of navigation, flood control, irrigation, power, or other multiple purposes, are not acceptable in wilderness. Where these activities are authorized by statute, the area in question will be recommended for wilderness only with the proviso that such authorization be discontinued.

### **Grazing**

Except where grazing is conducted under permits which may be expected to expire at a fixed or determinable date in advance of legislative action on the wilderness proposal, lands utilized for that purpose will not be proposed for wilderness designation.

### **Timber Harvesting**

(See *Forest Management*, p. 42, *Resource Management Policy* section.)

### **Hunting**

(See *Fish and Wildlife Management Policy* section, p. 51.)

### **Motorized Equipment**

The use of aircraft for airdrops or for other purposes, and the use of motorized trail vehicles, generators, and similar devices will not be permitted in national park wilderness, except as otherwise provided herein to meet the needs of management.

### **Road and Utility Rights-of-Way**

Road and utility rights-of-way generally impair historic values and are not in most cases consistent with the purposes for which an area was established. Accordingly, right-of-way applications, for both special use permits and other right-of-way documents, will be given stringent consideration in conformance with applicable provisions of the Code of Federal Regulations and may be granted only when the public interest clearly dictates such a decision.



# **part IV**

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## **PHYSICAL DEVELOPMENTS POLICY**

### **DISCUSSION**

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Physical developments are provided in historical areas to fulfill the congressional policy enunciated in the Historic Sites Act of 1935, namely: to "operate and manage historic and archaeologic sites, buildings, and properties \* \* \* together with lands and subordinate buildings for the benefit of the public, such authority to include the power to \* \* \* grant concessions, leases, or permits for the use of land, building space, roads or trails when necessary or desirable either to accommodate the public or to facilitate administration."

These necessary facilities should be provided under carefully controlled safeguards against unregulated and indiscriminate use so that there is the least possible disturbance and intrusion on the historic features of the area. The location, design, and materials, to the highest practicable degree, should be consistent with the preservation of the historical environment.

Such appropriate facilities, if wisely located, designed, and constructed, can serve, moreover, to protect historical values by focusing and directing the use of the area. For example, a road, a trail, or a needed concession facility, can serve to channel use in specific locations, thus preventing indiscriminate use of a large area or intrusions on historic resources which could damage or destroy some of the very values for which the park has been dedicated and set aside.

Physical developments for the foregoing purposes can be made to be compatible with the historical environment; those which are in discord with their

surroundings can be avoided. It is the purpose of the administrative policies which guide the Service in its physical development programs to achieve this objective.

## ADMINISTRATIVE POLICIES

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### **Architectural Theme**

Only those physical facilities needed for management and appropriate public use shall be provided in a historical area and then only at sites designated on the approved Master Plan for the area. An architectural theme (statement of design philosophy) shall be prepared for each historical area or, where desirable, for each major development site within an area. Particular attention shall be devoted to the harmonizing of such developments with their historical environment, consistent with utility and economic construction and maintenance costs. In all cases, maximum creativity in design and materials—preferably those native to the region or locality—shall be used to insure that the man-made facility is subservient to, and not competitive with or dominant to, the historical features of the area. (See also *Construction Materials*, this page.)

New structures erected for visitor or administrative use should be in harmony with the area and the historic resources in proportion, color, and texture. However, no attempt should be made to duplicate a historic design to create a false impression that the structure is historic.

### **Airports**

The Service encourages the location of needful airport facilities and services outside of historical areas and, to the extent permitted by law and funds, will participate in their development. (See also *Aircraft Operation*, p. 42, *Resource Management Policy* section.)

### **Memorials**

(See *Memorials*, p. 57, *Resource and Visitor-use Policy* section.)

### **Construction Materials**

Materials recovered from approved construction sites may be used for construction or maintenance projects within the area. If such materials are not obtainable from a construction site, they may be obtained from other sites in the area only when the recovery of such materials does not impair the historic environment or outstanding natural features that should be preserved for public use and enjoyment. (See also *Architectural Theme*, this page; and *Borrow Pits*, p. 77, *Road and Trail Policy* section.)

### **Residential Facilities**

Except for historic structures, the use of federally owned lands in historical areas for permanent or seasonal residences shall be permitted only when re-

quired to house those persons engaged in on-site public services or protection of property. The provision of housing for Federal employees shall be in accordance with Bureau of the Budget Policy Circular No. 18, October 18, 1957. Historic structures may be made available for permanent or seasonal residences in circumstances other than those mentioned above when such use is compatible with the primary purpose of the area and it will facilitate the management program of the area. (See also *Restoration*, p. 28, and *Compatible Use of Historic Structures*, p. 30, *Historic Preservation Policy* section; and *Recreational Activities*, p. 57, *Resource and Visitor-use Policy* section.)

### **Maintenance**

Physical facilities shall be maintained and operated in the condition or state equivalent to that existing when the facility was completed, or the state to which subsequently modified by alteration or betterment, to the end such physical facilities may be continuously used for their intended purpose.

### **Concession Facilities**

The number of sites and the locations and sizes of the tracts of land assigned for necessary accommodations shall be held to the minimum essential to the proper and satisfactory operation of the accommodations authorized to be installed and operated. Moreover, such developments as are permitted (including use of historic structures when appropriate) shall be constructed so as to be as harmonious as possible with their surroundings. To this end, plans and specifications for buildings and other structures, including renovations and modifications of historic structures to be undertaken by the concessioners, shall be prepared at the expense of the concessioner and submitted to the Service for approval before construction is begun. Such plans, when approved, shall be adhered to by the concessioners in carrying out construction programs. (See also *Compatible Use of Historic Structures*, p. 30, *Historic Preservation Policy* section; and *Concessions and Concessioners*, p. 61, *Resource and Visitor-use Policy* section.)

### **Utilities**

Utility lines should be placed underground except where to do so causes excessive damage to the historic environment or outstanding natural features. When placed above ground, utility lines and appurtenant structures should be carefully planned and located to minimize their impact on historical resources and outstanding natural features and visitor enjoyment and understanding of the historical theme of the area.

### **Non-park Uses and Developments**

Except where they involve existing rights recognized in legislation or agreement prior to the establishment of the area, the installation of electrical power transmission lines, gas and oil pipelines, railroads, and other structures and facilities not directly related to park management and visitor use is not permitted.



Where such non-park uses exist, or where they may be authorized in the foregoing circumstances, they should be eliminated as rapidly as possible through orderly and cooperative procedures with the permittees concerned. (See also *Road and Utility Rights-of-Way*, p. 69, *Wilderness Use and Management Policy* section; *Utilities*, p. 73, this section; and *Non-park Roads and Highways*, p. 78, *Road and Trail Policy* section.)

### **Special Uses of Government-owned Property**

Authorizations for special uses of Government-owned property (lands, structures, or other facilities) administered by the Service shall be reduced to writing, utilizing forms prescribed by the Service for such purposes. (See also *Compatible Use of Historic Structures*, p. 30, *Historic Preservation Policy* section; *Concessions and Concessioners*, p. 61, *Resource and Visitor-use Policy* section; *Non-park Uses and Developments*, p. 73, and *Fees and Cultural Facilities*, this page, this section; *Non-park Roads and Highways*, p. 78, *Road and Trail Policy* section; and *Appendix F*.)

### **Fees**

Except for exclusions specifically authorized, appropriate fees shall be charged for authorizations for special uses of Government-owned property administered by the Service. (See also Bureau of the Budget Circular No. A. 25, September 23, 1959; *Concessions and Concessioners*, p. 61, *Resource and Visitor-use Policy* section; *Appendix F*; and applicable volumes of the National Park Service Handbook Series.)

### **Private-use and Development Zone**

Where a private-use and development zone occurs within historical area boundaries, public use and development will be planned and located so as to minimize conflicts with the private owner's use and enjoyment of his property.

### **Cultural Facilities**

Permanent facilities for cultural events (concerts, plays, etc.) may be provided in historical areas where (1) it is clearly impracticable to use existing historic structures for such purposes (see also *Compatible Use of Historic Structures*, p. 30, *Historic Preservation Policy* section); (2) demountable or temporary facilities are not feasible; and (3) the event or program to be staged is of transcendent importance in the interpretation of the events and persons associated with the area.

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## ROAD AND TRAIL POLICY

### DISCUSSION

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The Director of the National Park Service, on September 8, 1967, asked a committee of distinguished scientists, conservationists, and park planners to undertake a study of the purposes of park roads and standards to which they should be constructed. The committee report is included as Appendix G. The report, approved by the Director and the Secretary of the Interior, deserves careful study by all park planners and managers.

### ADMINISTRATIVE POLICIES

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#### Road System

In each area there should be a "good sensible road system" to serve the needs of management and the reasonable requirements of appropriate park visitor use and enjoyment. Types of roads which may be provided within the road system are: Major park roads, minor park roads, special-purpose roads, interpretive (motor history) roads, administrative roads, and parkways. Two-way roads should be deemphasized and one-way roads should be emphasized. (See also *One-way Roads*, p. 77, and *Interpretive (Motor History) Roads*, p. 78, this section.)

## **Traffic Management**

The aim of traffic management of park roads should be to enhance the quality of a park experience and not to expedite the maximum flow of automobile traffic through an area. To this end, every effort shall be made in cooperation with the States and the Bureau of Public Roads to eliminate designated U.S. highways from the parks and minimize the impact of cross-country through traffic. Where traffic volumes and safety standards indicate the necessity therefore, speed limits should be lowered below design speed to achieve safe travel. Moreover, existing two-way roads may be converted to one-way roads to achieve safe travel. During the short periods when automotive traffic may exceed the safe capacity of the road system, shuttle-bus service should be instituted to relieve the congestion in the places of heavy visitor concentrations. Arrangements for such service shall be made with authorized transportation concessioners. (See also *Concessions and Concessioners*, p. 61, *Resource and Visitor-use Policy* section.) To facilitate traffic movement and to achieve safe travel, special-purpose vehicles may be required by regulations to use park roads during hours other than peak travel hours. Vehicles that cannot safely negotiate park roads—either because of size or length of vehicle—should be prohibited by regulation.

## **Routing of Roads**

In deciding upon road locations, maximum advantage should be taken of interpretive and scenic values. A professional determination must be made that the resulting effects on park values—including such aspects as historic preservation, wildlife habitat and mobility, drainage, stream flow, and the climatic effects of paved areas—will be minimal. A professional determination must be made that the means of transportation, and its location, will provide maximum opportunity for visitor enjoyment and appreciation of park resources. The encouragement of such activities as photography, hiking, and interpretive walks, will be influential in determining actual locations. The routing of all roads and the plans for construction and reconstruction of all roads shall be guided by field determinations of the Chief Scientist, the Director, Office of Archeology and Historic Preservation, and the Manager, Harpers Ferry Center.

## **Alternate Methods of Transportation**

Analysis of all potentially useful modes of transportation should be continued. Feasible alternatives to road transportation should receive experimentation in areas in which serious circulation problems now exist or in which access has not yet been provided. Every opportunity should be taken, also, to encourage the safe use of waterways for access.

## **Road Design**

An esthetically pleasing road is one which lies lightly upon the land utilizing natural support wherever possible. Moreover, heavy cuts and fills must be avoided. In effect, the road is molded to the terrain through which and upon

which it is passing. Monotony is avoided, and maximum advantage taken of park values, by eliminating long tangents, by changes in elevation, by developing viewpoints and overlooks, as well as providing close-range views of local scenes. The road should, in fact, strive to maintain a continuing sense of intimacy with the countryside through which it is passing.

In forested terrain, clearing limits should be carefully controlled and selective cutting should be used to produce variation and indentation in the tree line. Retaining walls can reduce the height and extent of cut-and-fill slopes. In heavy mountainous terrain and under certain other conditions, serious consideration should be given to the use of trestles or bridges, tunnels, and half-viaduct sections to reduce scarring.

Ample turn-outs, scenic overlooks, and trail connections should be provided to facilitate leisurely visitor enjoyment of historic and natural features and to encourage visitors to leave their automobiles to more thoroughly experience the park.

Ditches, slopes, structures, vertical alignment, design speed, and roadway widths shall not exceed the standards set forth in Appendix G.

With respect to design speed standards, curves having a design speed of less than 25 miles per hour are to be encouraged when their use will reduce scarring or enhance visitor enjoyment of scenic or historic resources. Moreover, a design objective for roads (other than non-park roads and highways) in historical areas is to achieve a roadway that restricts speed of passenger automobiles on all sections to not more than 35 miles per hour. Creative use should be made of vertical alignment, curve layout, and other engineering techniques to accomplish this objective. Special-purpose vehicles which cannot safely and conveniently negotiate such park roads may be required by park regulation to travel at other than peak travel hours or they may be prohibited from using such roads. (See also *Road Surfaces and Materials*, this page.)

### **Road Surfaces and Materials**

The color of materials used in road construction will be chosen to harmonize with the general character of the landscape. Chips used for periodic sealing and repair should be selected from appropriate rock material sources. A particular effort should be made to avoid "black top" in sensitive areas, such as in the vicinity of cultural resources and natural features. The above is equally applicable to parking areas.

### **Borrow Pits**

Only when absolutely necessary will borrow pits be created in the parks, or present pits further utilized, unless located in washes or other places where natural factors will eradicate the scar. (See also *Construction Materials*, p. 72, *Physical Developments Policy* section.)

### **One-way Roads**

In general, the philosophy should be followed that the primary park purposes



of preservation, enjoyment, and interpretation are collectively served better by one-way roads than by two-way roads (major and minor park roads and parkways). Accordingly, one-way roads should be constructed in preference to two-way roads wherever practicable. (See also *Road System*, p. 75, this section.)

### **Interpretive (Motor History) Roads**

To increase visitor enjoyment, efforts should be made to convert existing roadbeds—such as abandoned roads and railroads, fire roads, and administrative roads—into interpretive roads, or motor history trails. Their use for this purpose is encouraged. These low-speed, often one-way roads, with ample parking, viewing, and trail opportunities, encourage visitors to explore the scenery and features at a leisurely pace. (See also *Road System*, p. 75, this section.)

### **Signs**

Roadside signing, whether regulatory, informational, or interpretive, is an integral part of the visitor experience, as well as road design. Care should be exercised to insure that the quality and design of all signing enhances the visitor experience.

### **Parking Areas**

The placement of parking areas where they intrude, by sight or sound, on significant features, must be avoided. Moreover, the size of parking areas should be limited to the greatest extent possible for effective operation. Where large parking areas are necessary, they should be broken up with plantings and screenings, if possible. (See also *Road Surfaces and Materials*, p. 77, this section.)

### **Non-park Roads and Highways**

Rights-of-way from public roads across Federal land to private lands within area boundaries may be granted private parties when necessary to provide reasonable access to such private property. On this same right-of-way, where practical, private parties may provide such utility lines as may be reasonably necessary to their use and enjoyment of their property. All construction shall be in accord with plans prepared by or for the permittee at his expense and approved by the Service. Moreover, such permits shall require costs of construction, maintenance, etc., to be borne by the permittee.

Local and State roads and rights-of-way may exist in, and serve visitors to, historical areas. Where this is the case, the Service may enter into cooperative agreements, as legally permitted, regarding the methods, responsibilities, and sharing of costs for maintenance, rehabilitation, and reconstruction of such roads.

Where major through roads in historical areas are required to serve the primary mission of the area, the Service will cooperate with responsible local,



State, and Federal officials in selecting locations and developing design standards consistent with the historic integrity of the area. (See also *Utilities*, p. 73, and *Fees and Special Uses of Government-owned Property*, p. 74, *Physical Developments Policy* section.)

### **Walks and Trails**

A variety of trails—interpretive, bicycle, horse, and motor trails—are desirable. The use of historic trails, walks, and roads by visitors is encouraged when appropriate and compatible with preservation of historical integrity.

Bicycle trails, when the terrain is suitable and the demand is sufficient, may be provided when compatible with the primary purpose of the area.

Normally, bicycle trails will be separate from other trails. However, bicycles may be permitted on park roads when they do not pose a safety hazard or diminish the quality of experience for other visitors. Horse trails may be provided in historic areas when the degree of use justifies them, and they do not threaten deterioration of the historic resource or detract from the enjoyment of history by other visitors. Horseback use will ordinarily be separated from other elements of the circulatory system although horses may be permitted on less used roads and hikers' trails when they will not create a safety hazard or interfere with the enjoyment of other visitors. (See also *Interpretive (Motor History) Roads*, p. 78, this section.)

### **Interpretive Trails**

(See *Walks and Trails*, this page.)

### **Trail Surfaces and Materials**

(See *Road Surfaces and Materials*, p. 77, this section.) Additionally, elevated boardwalks, such as Anhinga Trail, are often effective solutions.

### **Trail Use**

Where volume of use warrants, separate trails should be provided for foot and horse use. Moreover, where intensity of use threatens park values, limitations on size of parties and frequency of trips to specific locations may be imposed. (See also *Camping and Campgrounds*, p. 58, *Resource and Visitor-use Policy* section.)



# appendix A-1

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**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
Washington, D.C.**

May 13, 1918

Mr. Stephen T. Mather  
Director  
National Park Service

Dear Mr. Mather:

The National Park Service has been established as a bureau of this Department just one year. During this period our efforts have been chiefly directed toward the building of an effective organization while engaged in the performance of duties relating to the administration, protection, and improvement of the national parks and monuments, as required by law. This constructive work is now completed. The New Service is fully organized; its personnel has been carefully chosen; it has been conveniently and comfortably situated in the new Interior Department Building; and it has been splendidly equipped for the quick and effective transaction of its business.

For the information of the public, an outline of the administrative policy to which the new Service will adhere may now be announced. This policy is based on three broad principles: First, that the national parks must be maintained in absolutely unimpaired form for the use of future generations as well as those of our own time; second, that they are set apart for the use, observation, health, and pleasure of the people; and third, that the national interest must dictate all decisions affecting public or private enterprise in the parks.

Every activity of the Service is subordinate to the duties imposed upon it to faithfully preserve the parks for posterity in essentially their natural state. The commercial use of these reservations, except as specially authorized by law, or such as may be incidental to the accommodation and entertainment of visitors, will not be permitted under any circumstances.

In all of the national parks except Yellowstone you may permit the grazing of cattle in isolated regions not frequented by visitors, and where no injury to the natural features of the parks may result from such use. The grazing of

sheep, however, must not be permitted in any national park.

In leasing lands for the operation of hotels, camps, transportation facilities, or other public service under strict Government control, concessioners should be confined to tracts no larger than absolutely necessary for the purpose of their enterprises.

You should not permit the leasing of park lands for summer homes. It is conceivable, and even exceedingly probable, that within a few years under a policy of permitting the establishment of summer homes in national parks, these reservations might become so generally settled as to exclude the public from convenient access to their streams, lakes, and other natural features, and thus destroy the very basis upon which this national playground system is being constructed.

You should not permit the cutting of trees except where timber is needed in the construction of buildings or other improvements within the park and can be removed without injury to the forests or disfigurement of the landscape, where the thinning of forests or cutting of vistas will improve the scenic features of the parks, or where their destruction is necessary to eliminate insect infestations or diseases common to forests and shrubs.

In the construction of roads, trails, buildings, and other improvements, particular attention must be devoted always to the harmonizing of these improvements with the landscape. This is a most important item in our program of development and requires the employment of trained engineers who either possess a knowledge of landscape architecture or have a proper appreciation of the esthetic value of park lands. All improvements will be carried out in accordance with a preconceived plan developed with special reference to the preservation of the landscape, and comprehensive plans for future development of the national parks on an adequate scale will be prepared as funds are available for this purpose.

Wherever the Federal Government has exclusive jurisdiction over national parks, it is clear that more effective measures for the protection of the parks can be taken. The Federal Government has exclusive jurisdiction over the national parks in the States of Arkansas, Oklahoma, Wyoming, Montana, Washington, and Oregon, and also in the Territories of Hawaii and Alaska. We should urge the cession of exclusive jurisdiction over the parks in the other States, and particularly in California and Colorado.

There are many private holdings in the national parks, and many of these seriously hamper the administration of these reservations. All of them should be eliminated as far as it is practicable to accomplish this purpose in the course of time, either through Congressional appropriation or by acceptance of donations of these lands. Isolated tracts in important scenic areas should be given first consideration, of course, in the purchase of private property.

Every opportunity should be afforded the public, wherever possible, to enjoy the national parks in the manner that best satisfies the individual taste. Automobiles and motorcycles will be permitted in all of the national parks; in fact, the parks will be kept accessible by any means practicable.

All outdoor sports which may be maintained consistently with the observation of the safeguards thrown around the national parks by law will be heartily endorsed and aided wherever possible. Mountain climbing, horseback riding, walking, motoring, swimming, boating, and fishing will ever be the favorite sports. Winter sports will be developed in the parks that are accessible throughout the year. Hunting will not be permitted in any national park.

The educational, as well as the recreational, use of the national parks should be encouraged in every practicable way. University and high-school classes in science will find special facilities for their vacation period studies. Museums containing specimens of wild flowers, shrubs, and trees and mounted animals, birds, and fish native to the parks, and other exhibits of this character, will be established as authorized.

Low-priced camps operated by concessioners should be maintained, as well as comfortable and even luxurious hotels wherever the volume of travel warrants the establishment of these classes of accommodations. In each reservation, as funds are available, a system of free camp sites will be cleared, and these grounds will be equipped with adequate water and sanitation facilities.

As concessions in the national parks represent in most instances a large investment, and as the obligation to render service satisfactory to the Department at carefully regulated rates is imposed, these enterprises must be given a large measure of protection, and, generally speaking, competitive business should not be authorized where a concession is meeting our requirements, which, of course, will as nearly as possible coincide with the needs of the traveling public.

All concessions should yield revenue to the Federal Government, but the development of the revenues of the parks should not impose a burden upon the visitor.

Automobile fees in the park should be reduced as the volume of motor travel increases.

For assistance in the solution of administrative problems in the parks relating both to their protection and use, the scientific bureaus of the Government offer facilities of the highest worth and authority. In the protection of the public health, for instance, the destruction of insect pests in the forests, the care of wild animals, and the propagation and distribution of fish, you should utilize their hearty cooperation to the utmost.

You should utilize to the fullest extent the opportunity afforded by the Railroad Administration in appointing a committee of western railroads to inform the traveling public how to comfortably reach the national parks; you should diligently extend and use the splendid cooperation developed during the last three years among chambers of commerce, tourist bureaus, and automobile highway associations, for the purpose of spreading information about our national parks and facilitating their use and enjoyment; you should keep informed of park movements and park progress, municipal, county, and State, both at home and abroad, for the purpose of adapting, whenever practicable, the world's best thought to the needs of the national parks. You should encour-



age all movements looking to outdoor living. In particular you should maintain close working relationship with the Dominion Parks Branch of the Canadian Department of the Interior, and assist in the solution of park problems of an international character.

The Department is often requested for reports on pending legislation proposing the establishment of new national parks or the addition of lands to existing parks. Complete data on such park projects should be obtained by the National Park Service and submitted to the Department in tentative form of report to Congress.

In studying new park projects, you should seek to find scenery of supreme and distinctive quality or some national feature so extraordinary or unique as to be of national interest and importance. You should seek distinguished examples of typical forms of world architecture; such, for instance, as the Grand Canyon, as exemplifying the highest accomplishment of stream erosion, and the high, rugged portion of Mount Desert Island as exemplifying the oldest rock forms in America and the luxuriance of deciduous forests.

The national park system as now constituted should not be lowered in standard, dignity, and prestige by the inclusion of areas which express in less than the highest terms the particular class or kind of exhibit which they represent.

It is not necessary that a national park should have a large area. The element of size is of no importance as long as the park is susceptible of effective administration and control.

You should study existing national parks with the idea of improving them by the addition of adjacent areas which will complete their scenic purposes or facilitate administration. The addition of the Teton Mountains to the Yellowstone National Park, for instance, will supply Yellowstone's greatest need, which is an uplift of glacier-bearing peaks; and the addition to the Sequoia National Park of the Sierra summits and slopes to the north and east, as contemplated by pending legislation, will create a reservation unique in the world, because of its gigantic trees, extraordinary canyons, and mountain masses.

In considering projects involving the establishment of new national parks or the extension of existing park areas by delimitation of national forests, you should observe what effect such delimitation would have on the administration of adjacent forest lands, and wherever practicable you should engage in an investigation of such park projects jointly with officers of the Forest Service, in order that questions of national park and national forest policy as they affect the lands involved may be thoroughly understood.

FRANKLIN K. LANE, *Secretary of the Interior.*

# appendix A-2

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**THE SECRETARY OF THE INTERIOR**  
**WASHINGTON**  
**March 11, 1925**

## **STATEMENT OF NATIONAL PARK POLICY**

*Memorandum* for the Director,  
National Park Service.

Owing to changed conditions since the establishment in 1917 of the National Park Service as an independent bureau of the Department of the Interior, I find it advisable to restate the policy governing the administration of the national park system to which the Service will adhere.

This policy is based on three broad, accepted principles:

First, that the national parks and national monuments must be maintained untouched by the inroads of modern civilization in order that unspoiled bits of native America may be preserved to be enjoyed by future generations as well as our own;

Second, that they are set apart for the use, education, health and pleasure of all the people;

Third, that the national interest must take precedence in all decisions affecting public or private enterprise in the parks and monuments.

The duty imposed upon the National Park Service in the organic act creating it to faithfully preserve the parks and monuments for posterity in essentially their natural state is paramount to every other activity.

The commercial use of these reservations, except as specially authorized by law, or such as may be incidental to the accommodation and entertainment of visitors, is not to be permitted.

In national parks where the grazing of cattle has been permitted in isolated regions not frequented by visitors, such grazing is to be gradually eliminated.

Lands leased for the operation of hotels, camps, transportation facilities, or other public service under strict Government control, should be confined to tracts no larger than absolutely necessary for the purposes of their enterprises.

The leasing of park and monument lands for summer homes will not be per-

mitted. Under a policy of permitting the establishment of summer homes, these reservations might become so generally settled as to exclude the public from convenient access to their streams, lakes, or other natural features, and thus destroy the very basis upon which this national playground system is being constructed.

The cutting of trees is not to be permitted except where timber is needed in the construction of buildings or other improvements within a park or monument and only when the trees can be removed without injury to the forests or disfigurement of the landscape; where the thinning of forests or cutting of vistas will reveal the scenic features of a park or monument; or where their destruction is necessary to eliminate insect infestations or diseases common to forests and shrubs.

In the construction of roads, trails, buildings and other improvements, these should be harmonized with the landscape. This important item in our program of development requires the employment of trained engineers who either possess a knowledge of landscape architecture or have a proper appreciation of the esthetic value of parks and monuments. All improvements should be carried out in accordance with a preconceived plan developed with special reference to the preservation of the landscape. The over-development of parks and monuments by the construction of roads should be zealously guarded against.

Exclusive jurisdiction over national parks and monuments is desirable as more effective measures for their protection can be taken. The Federal Government has exclusive jurisdiction over the national parks in the States of Arkansas, Oklahoma, Wyoming, Montana, Washington, and Oregon, and of three of the parks in California; also in the Territories of Hawaii and Alaska. The cession of exclusive jurisdiction over the parks in the other States, and particularly in Arizona and Colorado, is urged, as over all the national monuments.

There still remain many private holdings in the national parks, although through the generosity of public-spirited citizens many of these which seriously hampered their administration have been donated to the Federal Government. All of them should be eliminated as far as it is practicable to accomplish this purpose in the course of time, either through Congressional appropriation or by acceptance of donations of these lands. Isolated tracts in important scenic areas should be given first consideration, of course, in the purchase of private property.

The public should be afforded every opportunity to enjoy the national parks and monuments in the manner that best satisfies the individual taste. Automobiles and motorcycles operated for pleasure but not for profit, except automobiles used by transportation companies operating under Government franchise, are permitted in the national parks. The parks and monuments should be kept accessible by any means practicable.

All outdoor sports within the safeguards thrown around the national parks by law, should be heartily endorsed and aided wherever possible. Mountain climbing, horseback riding, walking, motoring, swimming, boating, and fishing

will ever be the favorite sports. Winter sports are being rapidly developed in the parks and this form of recreation promises to become an important recreational use. Hunting is not permitted in any national park or monument except in Mount McKinley National Park, Alaska, in accordance with the provisions of the organic act creating it.

The educational use of the national parks should be encouraged in every practicable way. University and high school classes in science will find special facilities for their vacation period studies. Museums containing specimens of wild flowers, shrubs, and trees, and mounted animals, birds, and fish native to the parks and monuments, and other exhibits of this character, should be established as funds are provided.

Low-priced camps operated under Government franchise are maintained, as well as comfortable and even luxurious hotels. Free camp grounds equipped with adequate water and sanitation facilities are provided in each reservation. These camp grounds should be extended as travel warrants and funds are available.

As franchises for the operation of public utilities in the national parks represent in most instances a large investment, and as the obligation to render service satisfactory to the Department at carefully regulated rates is imposed, these enterprises must be given a large measure of protection, and generally speaking competitive business is not authorized where an operator is meeting service requirements, which coincide as nearly as possible with the needs of the traveling public.

All franchises yield revenues to the Federal Government which, together with automobile license fees collected in the parks where a license fee is charged, are deposited to the credit of miscellaneous receipts in the Treasury of the United States. Due allowance is made by Congress for revenues collected in appropriating funds for the upkeep and improvement of the parks and monuments.

In the solution of administrative problems in the parks and monuments relating both to their protection and use, the scientific bureaus of the Government are called upon for assistance. For instance, in the protection of public health, the Public Health Service of the Treasury Department cooperates; in the destruction of insect pests in the forests, the Bureau of Entomology of the Department of Agriculture is called upon; and in the propagation and distribution of fish, the Bureau of Fisheries of the Department of Commerce gives its hearty cooperation.

In informing the traveling public how to reach the parks and monuments comfortably, the splendid cooperation given by the railroads, automobile highway associations, chambers of commerce and tourist bureaus is acknowledged and should be furthered for the purpose of spreading information about the national parks and monuments and facilitating their use and enjoyment. Every effort should be made to keep informed of park movements and park progress, municipal, county, and State, both at home and abroad, for the purpose of adapting, whenever practicable, the world's best thought to the needs of the na-



tional park system. All movements looking to outdoor living should be encouraged. A close working relationship with the Dominion Parks Branch of the Canadian Department of the Interior should be maintained to assist in the solution of park problems of an international character.

Our existing national park system is unequaled for grandeur. Additional areas when chosen should in every respect measure up to the dignity, prestige, and standard of those already established. Proposed park projects should contain scenery of distinctive quality or some natural features so extraordinary or unique as to be of national interest and importance, such as typical forms of natural architecture as those only found in America. Areas considered for national parks should be extensive and susceptible of development so as to permit millions of visitors annually to enjoy the benefits of outdoor life and contact with nature without confusion from overcrowding.

In considering projects involving the establishment of national parks or the extension of existing park areas by transfer of lands from national forests the effect such change of status would have on the administration of adjacent forest lands should be carefully considered. It might be well to point out the basic difference between national parks and national forests. National forests are created to administer lumbering and grazing interests for the people, the trees being cut in accordance with the principles of scientific forestry, conserving the smaller trees until they grow to a certain size, thus perpetuating the forests. Grazing is permitted in national forests under governmental regulations, while in the national parks grazing is only permitted where not detrimental to the enjoyment and preservation of the scenery and may be entirely prohibited. Hunting is permitted in season in the national forests but never in the national parks, which are permanent game sanctuaries. In short, national parks unlike national forests, are not properties in a commercial sense, but natural preserves for the rest, recreation and education of the people. They remain under Nature's own chosen conditions. Therefore, in an investigation of such park projects the cooperation of officers of the Forest Service should be sought in accordance with the recommendations of the President's Committee on Outdoor Recreation in order that questions of national park and national forest policy as they affect the lands involved may be thoroughly understood.

HUBERT WORK, *Secretary*



# appendix A-3

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**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
Office of the Secretary  
Washington, D.C. 20240**

July 10, 1964

*Memorandum*

To: Director, National Park Service  
From: Secretary of the Interior  
Subject: Management of the National Park System

As the golden anniversary of the National Park Service draws near, and we approach the final years of the MISSION 66 program, it is appropriate to take stock of the events of the past and to plan for the future. The accomplishments of the past are not only a source of pride—they are also a source of guidance for the future.

The accelerating rate of change in our society today poses a major challenge to the National Park Service and its evolving responsibilities for the management of the National Park System. The response to such changes calls for clarity of purpose, increasing knowledge, speedier action and adaptability to changing needs and demands upon our diverse resources.

In recognition of this need, a year ago I approved a comprehensive study of the long-range objectives, organization and management of the National Park Service. Moreover, I was pleased to have had the opportunity to participate in the CONFERENCE OF CHALLENGES at Yosemite National Park, at which this study was discussed by the personnel of the Service.

In looking back at the legislative enactments that have shaped the National Park System, it is clear that the Congress has included within the growing System three different categories of areas—natural, historical, and recreational.

Natural areas are the oldest category, reaching back to the establishment of Yellowstone National Park almost a century ago. A little later historical areas began to be authorized, culminating in the broad charter for historical preservation set forth in the Historic Sites Act of 1935. In recent decades, with ex-

ploding population and diminishing open space, the urgent need for national recreation areas is receiving new emphasis and attention.

The long-range study has brought into sharp focus the fact that a single, broad management concept encompassing these three categories of areas within the System is inadequate either for their proper preservation or for realization of their full potential for public use as embodied in the expressions of Congressional policy. Each of these categories requires a separate management concept and a separate set of management principles coordinated to form one organic management plan for the entire System.

Following the Act of August 25, 1916, establishing the National Park Service, the then Secretary of the Interior Franklin K. Lane, in a letter of May 13, 1918, to the first Director of the National Park Service, Stephen T. Mather, outlined the management principles which were to guide the Service in its management of the areas then included within the System. That letter, sometimes called the Magna Carta of the National Parks, is quoted, in part, as follows:

For the information of the public an outline of the administrative policy to which the new Service will adhere may now be announced. This policy is based on three broad principles: First, that the national parks must be maintained in absolutely unimpaired form for the use of future generations as well as those of our own time; second, that they are set apart for the use, observation, health, and pleasure of the people; and third, that the national interest must dictate all decisions affecting public or private enterprise in the parks.

The principles enunciated in this letter have been fully supported over the years by my predecessors. They are still applicable for us today, and I reaffirm them.

Consistent with specific Congressional enactments, the following principles are approved for your guidance in the management of the three categories of areas now included within the System. Utilizing the results of the new broad program of resource studies, you should proceed promptly to develop such detailed guidelines as may be needed for the operation of each of these categories of areas.

## NATURAL AREAS

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*Resource Management:* The management and use of natural areas shall be guided by the 1918 directive of Secretary Lane. Additionally, management shall be directed toward maintaining, and where necessary reestablishing, indigenous plant and animal life, in keeping with the March 4, 1963, recommendations of the Advisory Board on Wildlife Management.

In those areas having significant historical resources, management shall be patterned after that of the historical areas category to the extent compatible with the primary purpose for which the area was established.

*Resource Use:* Provide for all appropriate use and enjoyment by the people, that can be accommodated without impairment of the natural values. Park

management shall recognize and respect wilderness as a whole environment of living things whose use and enjoyment depend on their continuing interrelationship free of man's spoliation.

*Physical Developments:* They shall be limited to those that are necessary and appropriate, and provided only under carefully controlled safeguards against unregulated and indiscriminate use, so that the least damage to park values will be caused. Location, design, and material, to the highest practicable degree, shall be consistent with the preservation and conservation of the grandeur of the natural environment.

## HISTORICAL AREAS

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*Resource Management:* Management shall be directed toward maintaining and where necessary restoring the historical integrity of structures, sites and objects significant to the commemoration or illustration of the historical story.

*Resource Use:* Visitor uses shall be those which seek fulfillment in authentic presentations of historic structures, objects and sites, and memorialization of historic individuals or events. Visitor use of significant natural resources should be encouraged when such use can be accommodated without detriment to historical values.

*Physical Developments:* Physical developments shall be those necessary for achieving the management and use objectives.

## RECREATIONAL AREAS

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*Resource Management:* Outdoor recreation shall be recognized as the dominant or primary resource management objective. Natural resources within the area may be utilized and managed for additional purposes where such additional uses are compatible with fulfilling the recreation mission of the area. Scenic, historical, scientific, scarce, or disappearing resources within recreational areas shall be managed compatible with the primary recreation mission of the area.

*Resource Use:* Primary emphasis shall be placed on active participation in outdoor recreation in a pleasing environment.

*Physical Developments:* Physical developments shall promote the realization of the management and use objectives. The scope and type of developments, as well as their design, materials, and construction, should enhance and promote the use and enjoyment of the recreational resources of the area.

## LONG-RANGE OBJECTIVES

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While the establishment of management principles to guide the operation of the

three categories of areas within the System is vital, I believe it is of equal consequence that we now identify the long-range objectives of the National Park Service. The objectives developed by the Service have been recommended to me by my Advisory Board on National Parks, Historic Sites, Buildings and Monuments. I am approving these objectives, as follows:

1. To provide the highest quality of use and enjoyment of the National Park System by increased millions of visitors in years to come.
2. To conserve and manage for their highest purpose the Natural, Historical and Recreational resources of the National Park System.
3. To develop the National Park System through inclusion of additional areas of scenic, scientific, historical and recreational value to the Nation.
4. To participate actively with organizations of this and other Nations in conserving, improving and renewing the total environment.
5. To communicate the cultural, inspirational, and recreational significance of the American Heritage as represented in the National Park System.
6. To increase the effectiveness of the National Park Service as a "people serving" organization dedicated to park conservation, historical preservation, and outdoor recreation.

You should develop such goals and procedures as may be necessary to implement these objectives.

In the development of these goals and procedures, I think it is important to emphasize that effective management of the National Park System will not be achieved by programs that look only within the parks without respect to the pressures, the influences, and the needs beyond park boundaries. The report of my Advisory Board on Wildlife Management emphasizes this observation.

The concern of the National Park Service is the wilderness, the wildlife, the history, the recreational opportunities, etc., within the areas of the System and the appropriate uses of these resources. The responsibilities of the Service, however, cannot be achieved solely within the boundaries of the areas it administers.

The Service has an equal obligation to stand as a vital, vigorous, effective force in the cause of preserving the total environment of our Nation. The concept of the total environment includes not only the land, but also the water and the air, the past as well as the present, the useful as well as the beautiful, the wonders of man as well as the wonders of nature, the urban environment as well as the natural landscape. I am pleased that among its contributions, the Service is identifying National Historic and Natural History Landmarks throughout the country and is cooperating in the Historic American Buildings Survey.

It is obvious that the staggering demand for outdoor recreation projected for this country will eventually inundate public park areas unless public and private agencies and individuals join in common effort. National park administrators must seek methods to achieve close cooperation with all land-managing agencies, considering broad regional needs, if lands for public outdoor recrea-



tion sufficient to the future needs of the Nation are to be provided.

The national parklands have a major role in providing superlative opportunities for outdoor recreation, but they have other "people serving" values. They can provide an experience in conservation education for the young people of the country; they can enrich our literary and artistic consciousness; they can help create social values; contribute to our civic consciousness; remind us of our debt to the land of our fathers.

Preserving the scenic and scientific grandeur of our Nation, presenting its history, providing healthful outdoor recreation for the enjoyment of our people, working with others to provide the best possible relationships of human beings to their total environment; this is the theme which binds together the management principles and objectives of the National Park Service—this, for the National Park Service, is the ROAD TO THE FUTURE.

STEWART L. UDALL, *Secretary of the Interior*

GEORGE B. HARTZOG, JR.,  
*Director, National Park Service*





# appendix A-4

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UNITED STATES  
DEPARTMENT OF THE INTERIOR  
Office of the Secretary  
Washington, D.C. 20240

January 15, 1969

*Memorandum*

To: Director, National Park Service  
From: Secretary of the Interior  
Subject: The National Park Service

In my memorandum of July 10, 1964, I set forth management principles, consistent with specified Congressional enactments, for the three categories of areas now included in the National Park System—natural, historical and recreational.

Before establishing these management guides, I restated the “Magna Carta” of the National Parks, enunciated in a letter of May 13, 1918, from Secretary of the Interior Franklin K. Lane to the first Director of the National Park Service, Stephen T. Mather. I would like to quote again the statement of Secretary Lane, and to emphasize my support for the philosophy:

For the information of the public an outline of the administrative policy to which the new Service will adhere may now be announced. This policy is based on three broad principles: First, that the national parks must be maintained in absolutely unimpaired form for the use of future generations as well as those of our own time; second, that they are set apart for the use, observation, health, and pleasure of the people; and third, that the national interest must dictate all decisions affecting public or private enterprise in the parks.

For Natural Areas, in addition to the guidelines in the 1918 directive of Secretary Lane, I stipulated that indigenous plant and animal life should be protected and if need be, reestablished; that where significant historical resources exist in natural areas, management of those resources should be along historical management lines to the extent compatible with the primary purpose of the area; that provisions be made only for those appropriate visitor activities *that can be accommodated without impairment of the natural values*, that park

management recognize and respect wilderness as a total environmental value in itself; and that physical developments be carefully regulated and controlled, to insure the least possible damage to park values will result.

The italics are mine, added four and one-half years later, to underscore the absolute need to seek new solutions in such areas as the search for alternate means of transportation into and through the parks; the establishment of one-way roads where roads are necessary; the development of "carrying capacities" for parks (here the wild river float trips down the Snake River in Grand Teton and the Colorado River in Grand Canyon immediately come to mind)—the determination of visitor loads that can be handled "without impairment of the natural values"—and the limitation of development or organized activities in accordance with these carrying capacities.

Other immensely important and significant steps in natural area management have been taken since the 1964 memorandum, and because they follow logically the guidelines set forth in 1964 and because the pressures dictating their necessity are so profound, I want to review their policy implications with you before I leave office.

We have established the limits of development through master planning; we have eliminated artificial attractions such as the Yosemite Firefall; we have established standards to guide the construction of park roads; we have begun to turn over campground operations to concessioners and set limits on the numbers of campers that can be served; we have established multidisciplinary study teams to conduct master planning; we have made regional planning a part of master planning; and we have instituted alternative studies as a preliminary to master planning of new areas prior to authorization.

In the management of historical and cultural sites of outstanding significance, we have continued to build and strengthen programs of cooperation with the several states and private organizations also interested in restoring and maintaining these values. While the scenic grandeur of our natural park areas gives sweeping breadth to our national landscape, it is the historic structures, sites and objects that provide cultural depth. Management, use and development of the resources that make up this vital dimension of our country must continue to follow the dictates of authenticity and integrity. We are well set on the correct course; we need however to intensify our efforts.

Recreation areas are those in which outdoor recreation is the primary resource management objective. With growing numbers of people, increased mobility, higher income, and longer leisure hours, usage in this category has swelled enormously. You should continue and expand your efforts to provide high-quality diversified recreational programs in these areas.

We have progressed in cooperation with our concessioners to maintain high standards, compatible with the excellence which must be the overriding mandate in all national park operations. I endorse the recent report of the Souvenir Committee which recommended that all souvenirs sold in National Parks should relate to the interpretive and environmental themes of the National Park System. These in-park concessions must serve to upgrade the out-park

competition and further the attainment of a new mission—that of improving the overall national environment.

It is in discharging your interpretive responsibility, where the most dramatic strides have been made in recent years. A maturing concept of the Service's role in interpreting the National Park System has led to the acceptance of a broader, deeper mission—the development of an acute environmental awareness among park visitors. The inspirational and educational resources inherent in our park areas are basic ingredients in the development of our national culture. Consequently, we have given new focus to our environmental responsibilities by looking at all of our park operations and activities through the lens of environmental awareness.

The long-range objectives stated in the memorandum of July 10, 1964, remain essentially the same. The new emphasis on environmental education is simply a critically needed approach to accomplish each of these objectives in the most effective and rational way.

The stimulation among all people of environmental awareness may, in the long run, prove to be the highest function of the National Park System. In effect, it gathers together all the cultural, historic and natural strands of the System to make man aware of his priceless heritage and his own environmental responsibilities to it.

I am particularly pleased over recent moves to establish the National Environmental Education Development program within certain areas of the Park System and to make it available to the Nation's classrooms. The use of certain parklands as Environmental Study Areas for organized environmental study activities is another excellent advance.

What we have added, basically, in the last four and one-half years, is the realization that if we do not inculcate in the American people a determination to preserve and restore a quality environment, then all of the National Park values which are an indivisible part of the total environment, will slowly erode and eventually disappear.

STEWART L. UDALL, *Secretary of the Interior*





# appendix A-5

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**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
Office of the Secretary  
Washington, D.C. 20240**

June 18, 1969

*Memorandum*

To: Director, National Park Service  
From: Secretary of the Interior  
Subject: Management of the National Park System

I have now had the opportunity to review with you the administrative policies, management principles, and long-range objectives for the operation of the National Park System. During this review, I have considered the letter of May 13, 1918, sometimes referred to as the Magna Carta of the National Parks, from former Secretary Franklin K. Lane to Mr. Stephen T. Mather, the first Director of the National Park Service; the memorandum to Mr. Mather of March 11, 1925, from former Secretary Hubert Work; and the memoranda of July 10, 1964, and January 15, 1969, to you from former Secretary Stewart L. Udall.

The broad guidelines established by Secretary Lane still undergird the management philosophy of the Service. Each successive policy statement has reconfirmed this philosophy, adding new guidelines and new program emphasis to reflect the changing role of the National Park System in response to the needs of our society.

For the information of the public and for your guidance in the management of the National Park System, it is appropriate that I should outline my views on this important area of Departmental responsibility.

1. I wish to make it clear that, except in one minor instance, I support the administrative policies, management principles, and long-range objectives of my predecessors. The exception relates to the operation of campgrounds by concessioners. I believe that the camping experience, even though more sophisticated equipment is being used, is still a meaningful part of the Government-operated visitor services program. Therefore, as a general policy, the National

Park Service should operate campgrounds and not lease them to concessioners. Appropriate charges should be made for camping, except for backpack camping. Backpack camping is an historic program of the National Park Service and it should be encouraged.

You should also emphasize a program of providing low-cost and rustic back-country facilities such as the chalets in Glacier National Park and the High Sierra Camps in Yosemite National Park. At these facilities the visitor can obtain a hot meal, a bunk, or throw his sleeping bag on the floor. Such operations are small—usually a man and wife management team—and are accessible only on foot or by horseback. They enable an urban society—growing numbers of which are not prepared to cope with wilderness camping—to enjoy the scenic grandeur and re-creative values of a quality park experience at minimum cost and with minimum intrusion in the physical environment.

I am especially interested in your seeing that, to the greatest extent feasible, camping opportunities are made available to the youth of our Nation. To this end, I wish you to give emphasis in your management to an expanded program of hostels and group camps, especially in those areas near urban centers.

Also, I wish you would explore further the potential that might exist for the development of hostel facilities and organized camping on public and private lands surrounding park areas.

In connection with the camping program of the Service, I suggest that there might be considerable benefit in having the long-range objectives of this program considered by a Joint Task Force of outside citizens and National Park Service personnel.

2. Well before the birth of this Nation's system of National Parks, the belief that parks are vital to the physical and mental health of the people was eloquently expressed by Frederick Law Olmsted. In an 1865 Report to the California Legislature (recommending the policy which should govern the Yosemite Valley and the neighboring Mariposa Big Tree Grove, Olmsted wrote:

It is a scientific fact that the occasional contemplation of natural scenes of an impressive character, particularly if this contemplation occurs in connection with relief from ordinary cares, change of air and change of habits, is favorable to the health and vigor of men; and especially to the health and vigor of their intellect \* \* \* it not only gives pleasure for the time being, but increases the subsequent capacity for happiness and the means of securing happiness.

To secure these values and benefits in our predominantly urban society, we must bring PARKS TO PEOPLE.

I wish you to initiate, in cooperation with the Bureau of Outdoor Recreation, a study of what opportunities exist for an expanded program of Federal acquisition and Federally-assisted-acquisition of park and recreation lands in the large urban centers of our Nation. Specifically, I have in mind such studies as the one now under way by the National Park Service and the Bureau of Outdoor Recreation of the proposed Gateway National Recreation Area in New York and New Jersey. In your study, emphasis should be placed upon the strategic location and quality of the lands involved and not simply on the quantity.

Your study should also include proposals for financing such a program.

Time is of the essence in formulating an action program. Opportunities are being lost daily to acquire such lands. Once lost these opportunities can seldom be retrieved. The environmental health of our Nation and the well being of our society, consequently, will suffer.

3. The National Park Service now manages more significant parklands in and near large urban centers than any other agency of Government at any level. It is imperative that you inaugurate programs that will make these areas a more vital and meaningful part of the total environment of these urban centers.

I have reviewed with you the Living History programs now under way and the Summer-in-the-Parks program initiated for the urban parks in the National Capital Region. I am pleased and encouraged that the Congress has authorized the busing of youngsters from the District of Columbia to participate in educational and recreational programs in our Nation's parklands in this metropolitan area.

Program innovation such as this is a desirable—indeed, an essential—part of making our parks more meaningful to people. Accordingly, I ask you to experiment further with methods and programs of enhancing the educational, inspirational, and recreational values of all parks, especially for our youth.

4. I wish you to develop in cooperation with neighboring school districts a positive program for the use of park facilities, such as visitor centers and museums. You should work closely with school districts to encourage them to use these facilities as a part of their on-going school curriculum. In this connection, I am pleased to learn of your program to designate Environmental Study Areas as “outdoor laboratories” within the National Park System for the use of educational groups. As rapidly as funding permits and public demand exists, you should expand this program. The development of cultural centers to perpetuate native crafts, and artists-in-residence programs, for example, should be encouraged. A vigorous, creative program of environmental education is essential if we are to build environmental awareness into our society.

5. The National Park idea was first articulated in the Yellowstone National Park legislation of 1872. The Congress set aside this national treasure for preservation in perpetuity as a “public park or pleasuring ground.” During the intervening decades it has become clear that the natural areas of the System (National Parks and National Monuments of scientific significance) are valuable to the Nation, additionally, for their inspirational and educational benefits. True, they still offer and should provide special experiences in quality outdoor recreation. However, to protect the fragile resources of these areas, recreational opportunities must be planned with due regard for their natural values and beauty.

It has become increasingly obvious in many parks, especially in Yosemite National Park during the height of the summer season, that the private automobile is impairing the quality of the park experience. As our population continues to increase in the decades ahead, accompanied by the growth in private automobile ownership, this condition will worsen unless we begin to deal with

it now. Mass transportation facilities, such as shuttle buses, tramways, etc., will not only transport more people—they will also better protect the resources of the park. Moreover, mass transportation facilities in many instances will enhance the quality of the park experience.

In this connection, before major park road construction is initiated in the future in any natural area, I wish a thorough study to be made of alternative methods of access and transportation.

I am encouraged by the steps you have taken to plan jointly with other Federal land managing agencies, the States and the private sector to share the recreation load in the vicinity of the areas of the National Park System. I would like to see you, however, increase the emphasis on joint regional planning because in the long run the total environment in which the park is located depends on vigorous and coordinated action. The recent grant by the Department of Housing and Urban Development to the State of Pennsylvania to aid in planning the area related to Gettysburg National Military Park is an example of what can be done. I would hope that you would work closely with HUD to assure that similar grants are made available to help plan communities in the vicinity of other park units.

You should take steps to broaden citizen participation, especially of our youth, in planning for the National Park System.

6. New partnership relations involving Federal, State and local governments and private organizations should be explored and encouraged. For example, the National Landmarks program recognizes those natural areas, historic places, and environmental education sites that possess national significance. They offer incomparable opportunities for research and environmental education. Many, especially the National Historic Landmarks, provide opportunities for communicating the significance of our cultural inheritance. At these places, one can learn of the courage, ingenuity, personal sacrifice and perseverance of hard-working and creative ancestors who built the foundations of our way of life.

Most of these areas are in private ownership and management. In far too many cases, private enterprise is finding it increasingly difficult to maintain these landmarks. In some cases, land values escalate by reason of urban growth or the restoration of historic treasures, resulting in assessment valuation increases and mounting taxes. When private citizens can no longer shoulder the burden, the property is lost to an incompatible development or the whole burden is transferred to the taxpayers.

You should explore programs, including legislation if necessary, that will encourage the continued participation of private citizens, the business community, and organizations involved with natural and historic preservation.

7. While I wish to move rapidly to bring PARKS TO PEOPLE and to innovate programs in parks for people, I am also deeply interested in preserving the wilderness of our National Park System. In this connection, I note that you are behind schedule in your wilderness studies of roadless areas of the National Park System. It is important that we get this program on track.



8. The National Park System should protect and exhibit the best examples of our great national landscapes, riverscapes and shores and undersea environments; the processes which formed them; the life communities that grow and dwell therein; and the important landmarks of our history. There are serious gaps and inadequacies which must be remedied while opportunities still exist if the System is to fulfill the people's need always to see and understand their heritage of history and the natural world.

You should continue your studies to identify gaps in the System and recommend to me areas that would fill them. It is my hope that we can make a significant contribution to rounding out more of the National Park System in these next few years.

9. With accelerating leisure time for recreational pursuits by our highly mobile society, there is a growing shortage of trained park and recreational personnel. As rapidly as funding permits, you should work with colleges and universities to develop joint training opportunities for State and local park and recreation staffs. You should, also, in cooperation with the Bureau of Outdoor Recreation, work with technical and professional institutions to broaden training and educational opportunities to encourage young people to seek careers in park and recreation programs. The training facilities of the National Park Service should be made available for these purposes as opportunities permit.

10. The National Park idea is a unique contribution of this Nation to world culture. More than 90 nations have been inspired by this idea to establish National Parks and similar preserves. You should initiate studies as to ways and means of improving our cooperation and assistance with these Nations.

I would like to see, for example, a park and recreation plan for the North American Continent developed by this country and our neighbors by 1972, the 100th anniversary of the establishment of Yellowstone—the world's first National Park. Also, you should plan for a Second World Conference on National Parks to be held at Yellowstone and Grand Teton National Parks in 1972 and for other appropriate activities to commemorate the centennial of National Parks.

A quality environment knows no national boundary. National Parks will become increasingly important keystones for building environmental awareness into the hearts and minds of the world community.

11. You know of my great interest in improving the economy of the Indians. In this respect, lands on many of the Indian Reservations comprise outstanding recreational outlets for the people of this country as well as potential means of improving the Indian economy in that particular area. Neither the Indian people nor the Bureau of Indian Affairs has sufficient expertise for planning and developing recreation areas and parks. I wish you would take the lead in working cooperatively with the Bureau of Indian Affairs and the Bureau of Outdoor Recreation in developing a joint proposal, including proposed legislation if necessary, for utilizing the expertise of the National Park Service in furthering the economy of the Indian Reservations by developing their recreational and cultural resources.



In summary, the National Park System represents those precious and irreplaceable remnants of our natural world and the landmarks of our cultural inheritance. To understand the strands of our heritage is to have pride in, and love for, our country. Recognition and appreciation of these roots of our society will generate a sense of stability and continuity among our citizens, increasing millions of whom are isolated by asphalt and concrete in our metropolitan centers.

Through program innovation in response to the changing needs of our society and by sensitive management, the National Park System can contribute enormously to our national goals of enhancing the life of every American and supporting the effort to articulate an environmental ethic as a rule of human conduct. Let this be your constant guide as we approach the decade of the seventies.

WALTER J. HICKEL, *Secretary of the Interior*

# appendix A-6

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**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
Office of the Secretary  
Washington, D.C. 20240**

June 17, 1971

*Memorandum*

To: Director, National Park Service  
Through: Assistant Secretary for Fish and Wildlife and  
Parks  
From: Secretary of the Interior  
Subject: A Second Century of National Parks

Next year this country will honor the 100th anniversary of the creation of Yellowstone National Park. When President Grant signed into law the Yellowstone Act, he did more than set aside two million acres of superlative scenery and natural wonders.

He launched an entirely new public land policy of holding significant lands in public ownership, perpetually, for other than material gain.

As we prepare to celebrate the centennial of this pioneer adventure in human culture, it is timely to consider what the national park idea has meant to our country, and indeed, to all the world. For when Congress determined to "dedicate and set apart" the Yellowstone country as a "public park or pleasuring ground for the benefit and enjoyment of the people," it reaffirmed the belief that man cannot live by bread alone—that he has moral and spiritual needs, and that in utilizing the earth's resources, we must preserve sanctuaries where our kinship with all nature can be constantly renewed, and understood.

An important objective of our Centennial planning should be that people come to have a better understanding of the richness and diversity of the resources which have been preserved in the National Park System. That the original national park idea has expanded enormously is suggested by the fact that this year the first national park for the performing arts, Wolf Trap Farm Park, will be presenting its first programs.

As we look to the future of the parks, and review the many problems facing us today, we should not lose sight of the fact that the strength of the national park idea over the years has been its ability to respond to the changing needs of society and to maintain its role as a growing and vital element of the culture of this country. It was a plant that could adapt to new conditions—and flower.

I am therefore asking that during 1972 the National Park Service concern itself with developing a statement of philosophy and a long range plan, to insure that the quality of park resources will be preserved unimpaired while their unique values will continue to play an important role in the lives of all Americans during the second century of national parks. In developing such a program, I ask that you give particular attention to the following areas:

## NATIONAL PARKS CENTENNIAL

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*2nd World Conference.* You will of course give considerable emphasis during 1972 to celebrating the 100th anniversary of the establishment of Yellowstone National Park, and in your support of the work of the National Parks Centennial Commission I am confident that appropriate recognition will be given to this historic milestone. Particularly, you will want to give every possible support to the 2nd World Conference on National Parks, scheduled to be held in Grand Teton and Yellowstone National Parks in September, 1972. We should seek to make this conference the most significant ever held in the history of the international park movement.

*World Heritage Trust.* I believe it increasingly important that we not only profit from the experience of other countries in the field of park conservation, but that we make our own knowledge available. President Nixon has called for the establishment of a World Heritage Trust which would not only recognize the great natural and cultural resources of the world that truly belong to all people, but would establish the machinery to provide assistance where needed to protect and manage such resources. It is expected that this proposal will be presented for discussion at the United Nation's Conference on Man and His Environment, to be held in Stockholm in 1972. You should devote appropriate resources of the Service to implementing this concept.

## THE NATIONAL PARK SYSTEM

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*Marine Parks.* I understand that the National Park Service and the Bureau of Sport Fisheries and Wildlife have discussed the establishment of a system of marine parks and refuges. With the increasing pollution of our marine waters and the buildup of interest on many fronts in exploitation of our marine resources, I hope that you will move aggressively forward in determining whether

a marine park and refuge program might be carried out. It could well be that a proposal of this magnitude would go beyond our present resources, and if so, you should consider whether we might wish to recommend legislation to the Congress.

*Cultural Preservation.* There is throughout the country a growing awareness of the need to cope with the preservation of our culture. This may well require the development of a new category of cultural parks which would join the present categories of natural, historical and recreational areas making up the National Park System. Additionally, the Service should strengthen its programs for the preservation of other elements of our cultural heritage, both the folk and performing arts. Particularly, assistance should be given to ethnic groups, especially the American Indian, in this important field.

*Alaska Land Use Plan.* In his recent Message on the Environment the President directed me to develop a land use plan for Alaska. You and I have discussed the importance of moving to set aside additional areas of Alaska, as well as enlarging Mount McKinley National Park. I ask also that you support any land use planning effort carried out by the Department of the Interior in that State. I am sure that many studies that the National Park Service has made in Alaska and the experience you have had there in managing some of our great national parks and monuments will be helpful in the planning deliberations.

*Filling Out the System.* As an important element of the President's proposal to develop a national land use policy, I have been asked to give highest priority to carrying out a study which would identify the areas necessary to fill out the National Park System. You should proceed immediately to implement this directive.

## NATIONAL PARK USE

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*Environmental Interpretation.* The National Park Service initiative in this important area, based upon its long tradition in park interpretation has had a significant impact. Both the NEED and Environmental Study Area projects have been innovative and effective. As the National Environmental Education Landmark program is launched, it should further encourage other organizations to support the environmental education concept.

*Camping.* Varying from highly organized group efforts to family affairs, and from the sophistication of the most modern trailer to that of backpacking into the wilderness, camping continues to be one of the most popular uses of our National Park System. We cannot, however, expand facilities endlessly to meet the ever growing demand. You should look carefully at the existing park resources and the management objectives of each park in light of present trends to determine the best long-range objectives for camping. It seems to me we need to pause, and to seek a new perspective of just how camping fits into our



mission of protecting park resources for future generations, while providing to-day's and tomorrow's visitors with a quality experience. I ask that you appoint a special task force to study this matter thoroughly, and I suggest that people from outside the Service be represented on the task force.

*Parks for the Disadvantaged.* Because of travel costs, the more remote areas in the National Park System, many of which are only a once-in-a-lifetime experience, receive little use by those citizens who do not have the financial means to travel to our great national parks. On the other hand Japan has devised a program for its national park system which caters to a broader segment of its population than does ours.

I would like you to set up a special task force effort to look into the question thoroughly to see what method might be devised to enable more of our citizens to visit our more remote national shrines. Perhaps we need to find ways of developing lower cost accommodations for families and organized groups so that we can truly broaden the use of the National Park System to include all social and economic groups. Related to this problem is the possible desirability of expanding the transportation program you are now carrying out in the National Capital Parks. In this context, I also ask that you consider such possibilities in your planning for possible new areas of the National Park System, for example, the Gateway National Recreation Area proposal in which transportation and access become an integral part of planning from the beginning.

*Parks for All Seasons.* The Parks for All Seasons program, including the Summer in the Parks activity, has been extremely well received here in the Washington area. I am encouraged that such programs have been extended to other urban units of the National Park System, such as Richmond and St. Louis. I hope that you will move positively in the next few years to export such ideas so that our parklands may become even more meaningful in the daily lives of our citizens.

*Law Enforcement.* Within recent years the incidence of crimes in the national parks has increased alarmingly, as it has throughout the country. While the education and training received by the ranger force in past years has equipped it well for its traditional duties, critical new problems have arisen. If we are to deal effectively, and justly, with civil protests, drugs and even homicides, new skills and new attitudes will be needed. Special emphasis must be placed upon all phases of ranger recruitment and training. You should also examine the possibility of cooperative arrangements with other Federal law enforcement agencies, utilizing the expertise of the Park Police and even the need for new legislative authority to cope with these challenges.

*Carrying Capacity and Overuse.* Recent actions taken to restrict visitor activities in Yosemite Valley to the Valley's carrying capacity has resulted in a better quality of experience for the park visitor and greater protection for the Valley. The Public Land Law Review Commission Report has recommended that the National Park Service ration the use of certain national parks and wilderness areas in order not to compromise the experience of the visitor. One way of helping determine an effective formula for the carrying capacity of a park



would be to identify certain parks, or portions of parks, in which controls could be used experimentally. I would like to see this attempted, accompanied by sufficient advance notice to the visitor as to what we are trying to do and why. I am convinced that the user of our Nation's parklands will support us in all management efforts to protect such resources for his future use if he understands the reasons which require such actions.

*Wilderness.* The National Park Service must do everything possible to get and keep the wilderness reviews on schedule. Beyond this we need to give increased emphasis to wilderness use and management. Some of the major problems facing the national parks are in the area of just how we can best preserve wilderness while allowing appropriate use. One approach would be to hold a series of public symposiums to discuss wilderness use problems. The Public Land Law Review Commission report suggested that the National Park Service initiate rationing of use of some wilderness areas. Perhaps, as a part of the study of this park carrying capacity, you might identify several existing or potential wilderness areas in which studies could be carried out so that we have more basis for developing wilderness management plans for these areas. Also, I would hope that starting with the summer of 1972 we will be able to experiment with some kind of rationing system for one or two wilderness areas.

## COOPERATIVE PLANNING

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Although for a good part of the public the National Park Service and the National Park System are identical, they are of course quite separate entities. The parks which make up the System have been established by legislation for certain purposes and are, in a special sense, timeless and unchanging.

The National Park Service, as an organization, provides the facilities and services and protection necessary if people are to use the parks. It has an additional responsibility, to be a vital and responsive instrument in meeting the changing needs of society, both by developing new techniques in park management and by supporting the work of other organizations in the cause of environmental quality. I believe the Service should make every effort to provide cooperative assistance, where the opportunity exists.

## COOPERATIVE PROGRAMS

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*Urban and Regional Park Planning.* I look to the day when parks will play an important part in the day-to-day life of all our citizens. Taking care of the recreation needs of our society is an obligation that can only be met by the contributions of local, State and Federal Governments, as well as private organizations and individuals. While the National Park Service has a part to play in this

effort, it can participate only as one of many agencies in the field. As urban areas grow and more Government is involved at one level or another, the importance of regional planning as a means of getting understanding of regional recreational objectives and the roles of the various participants involved in carrying out such programs becomes increasingly obvious. There is no better example of this than here in the National Capital Region where some eleven governmental entities are involved in developing plans for recreational areas and programs for the citizens of this region. Since this is our Nation's Capital, there could be no better place to move towards an integrated regional effort to do the most and best possible for those living in the area.

The proposal for development of a series of community parks on lands in the Anacostia area of Washington administered by the National Park Service is especially valuable for it relates so closely to the pressing needs of our inner city residents. As you implement the Anacostia Plan you will want to work closely with the local communities and their associations. Again, in carrying this effort forward I hope that all of your activities will be coordinated and integrated closely with those of the District Recreation and Education Departments, the National Capital Planning Commission and the Council of Governments.

*Historic Preservation.* The Historic Preservation Act of 1966 was perhaps the most important step yet taken in effectively providing the preservation of historic places throughout the United States. What is needed now is a continued effort to expand the grants-in-aid assistance to the states, and in finding ways to utilize the Act in broadening the protection of historic sites against destruction. A significant program in this field has been the development of the Natural and Historic Landmark program which, with the National Register, has provided increased protection for the nationally significant natural and historic sites throughout the country. I look forward to the launching of the Environmental Education Landmark program as an important element of this overall program.

*Urban Park Criteria.* One of the great social needs of America in the years ahead will be to provide refreshing recreational opportunities to the city dweller. We can no longer accept the premise that parks are where you find them; we must identify—and create—parks where people need them. And we are already experiencing the fact that recreational areas such as Indiana Dunes and Assateague Island, within a few hours drive of major cities, can be regarded as urban parks. Working cooperatively with the appropriate planning authorities, and utilizing the experience of such recent urban proposals as the New York Gateway project, the National Park Service should develop a set of criteria for the establishment of national recreation areas in urban environments.

The Centennial of Yellowstone National Park will be celebrated next year with considerable pride. But our rejoicing should be accompanied by a sense of humility. While we are entitled to take satisfaction because so much of our heritage has been saved, we must recognize that much that could have been saved is now lost for all time. Among our forebears there were men of rare vision

who looked forward to our needs. Upon us rests the responsibility of insuring that our national parks shall survive the next century of our history.

ROGERS C. B. MORTON, *Secretary of the Interior*



# **appendix B**

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## **ADMINISTRATIVE CRITERIA AND THEMES FOR HISTORICAL AREAS**

In considering proposed additions to the National Park System in the historical area category, the National Park Service and the Department of the Interior apply criteria of national significance and suitability and feasibility. Also, the relationship of the proposal to the National Park System Plan (History) is considered. For purposes of this plan, U.S. history is divided into themes and subthemes. Ideally, to present a balanced and complete portrayal of America's historical heritage, these themes and subthemes should be illustrated by areas of the National Park System.

These themes and subthemes are also used as a framework for studying and identifying places eligible for designation by the Secretary of the Interior as National Historic Landmarks. National Historic Landmarks are historic sites and buildings, regardless of ownership, that meet the test of national significance in commemorating the history of the United States.

### **National Significance**

A. National significance is ascribed to buildings, sites, objects, or districts which possess exceptional value or quality in illustrating or interpreting the historical (history and archeology) heritage of our Nation, such as:

1. Structures or sites at which events occurred that have made a significant contribution to, and are identified prominently with, or which outstandingly represent the broad cultural, political, economic, military, or social history of the Nation, and from which an understanding and appreciation of the larger patterns of our American heritage may be gained.



2. Structures or sites associated importantly with the lives of persons nationally significant in the history of the United States.

3. Structures or sites associated significantly with an important event that outstandingly represents some great idea or ideal of the American people.

4. Structures that embody the distinguishing characteristics of an architectural type specimen, exceptionally valuable for a study of a period, style, or method of construction; or a notable structure representing the work of a master builder, designer, or architect.

5. Objects that figured prominently in nationally significant events; or that were prominently associated with nationally significant persons; or that outstandingly represent some great idea or ideal of the American people; or that embody distinguishing characteristics of a type specimen, exceptionally valuable for a study of a period style or method of construction; or that are notable as representations of the work of master workers or designers.

6. Archeological sites that have produced information of major scientific importance by revealing new cultures, or by shedding light upon periods of occupation over large areas of the United States. Such sites are those which have produced, or which may reasonably be expected to produce, data affecting theories, concepts and ideas to a major degree.

7. When preserved or restored as integral parts of the environment, historic buildings not sufficiently significant individually by reason of historical association or architectural merit to warrant recognition may collectively compose a "historic district" that is of historical significance to the Nation in commemorating or illustrating a way of life in its developing culture.

B. To possess national significance, a historic or prehistoric structure, district, site, or object must possess integrity. For a historic or prehistoric site, integrity requires original location and intangible elements of feeling and association. The site of a structure no longer standing may possess national significance if the person or event associated with the structure was of transcendent historical importance in the Nation's history and the association consequential.

For a historic or prehistoric structure, integrity is a composite quality derived from original workmanship, original location and intangible elements of feeling and association. A structure no longer on the original site may possess national significance if the person or event associated with it was of transcendent importance in the Nation's history and the association consequential.

For a historic district, integrity is a composite quality derived from original workmanship, original location, and intangible elements of feeling and association inherent in an ensemble of historic buildings having visual architectural unity.

For a historic object, integrity requires basic original workmanship.

C. Structures or sites which are primarily of significance in the field of religion or to religious bodies but are not of national importance in other fields of the history of the United States, such as political, military, or architectural history, will not be eligible for consideration.

D. Birthplaces, graves, burials, and cemeteries, as a general rule, are not eligible for consideration and recognition except in cases of historical figures of

transcendent importance. Historic sites associated with the actual careers and contributions of outstanding historical personages usually are more important than their birthplaces and burial places.

E. Structures, sites, and objects achieving historical importance within the past 50 years will not as a general rule be considered unless associated with persons or events of transcendent significance.

### **Suitability**

A. Each historical area should contain sufficient land to preserve all the significant historic or prehistoric features associated with this site and such additional lands as may be needed to protect the historic scene and provide unobtrusive sites for necessary developments for management and public use.

B. The site and its authentic historically related environment should lend itself to effective preservation and interpretation.

### **Feasibility**

The test of feasibility involves weighing all of the values and public needs served by the proposal.

### **Themes and Subthemes**

- I. The Original Inhabitants
  - a. The Earliest Americans
  - b. Native Villages and Communities
  - c. Indian Meets European
  - d. Living Remnant
  - e. Native Cultures of the Pacific
  - f. Aboriginal Technology
- II. European Exploration and Settlement
  - a. Spanish
  - b. French
  - c. English
  - d. Other
- III. Development of the English Colonies, 1700–1775
- IV. Major American Wars
  - a. The American Revolution
  - b. The War of 1812
  - c. The Mexican War
  - d. The Civil War
  - e. The Spanish-American War
  - f. World War I
  - g. World War II
- V. Political and Military Affairs
  - a. 1783–1830
  - b. 1830–60
  - c. 1865–1914
  - d. After 1914
  - e. The American Presidency
- VI. Westward Expansion, 1763–1898

- a. Great Explorers of the West
- b. The Fur Trade
- c. Military-Indian Conflicts
- d. Western Trails and Travelers
- e. The Mining Frontier
- f. The Farmers' Frontier
- g. The Cattlemen's Empire
- VII. America at Work
  - a. Agriculture
  - b. Commerce and Industry
  - c. Science and Invention
  - d. Transportation and Communication
  - e. Architecture
  - f. Engineering
- VIII. The Contemplative Society
  - a. Literature, Drama, and Music
  - b. Painting and Sculpture
  - c. Education
  - d. Intellectual Currents
- IX. Society and Social Conscience
  - a. American Ways of Life
  - b. Social and Humanitarian Movements
  - c. Environmental Conservation
  - d. Recreation in the United States

# appendix C

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## RECREATION ADVISORY COUNCIL—POLICY GOVERNING THE WATER POLLUTION AND PUBLIC HEALTH ASPECTS OF OUTDOOR RECREATION, WASHINGTON, D.C.

April 9, 1964, Circular No. 3

### P R E A M B L E

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The conservation, development, and wise use of outdoor recreation resources are of great importance in satisfying the social and health goals of our population. For many people, outdoor recreation involves water; they swim and fish in it, hunt and boat on it, picnic beside it. The demands for water-based recreation are expected to expand materially in the next few years and more and more people will be competing for the privilege of using available water areas.

There is no question that increasing pollution is a major factor making water areas unsuitable for recreation and other uses. Pollution not only drives people away, it also destroys large areas of fish and wildlife habitat. There is also no question that the increasing number of visitors to outdoor recreation areas emphasizes the need for planning and constructing adequate sanitary facilities at public recreation areas, including the need for research which will assist in the solution of sanitary engineering problems peculiar to outdoor recreation activities.

The Recreation Advisory Council, recognizing the demand for water-oriented outdoor recreation and the need for immediate and positive action to protect not only the resource being used, but more importantly, the health and safety of the American people, hereby sets forth the guidelines it believes necessary (1) to prevent and control future water pollution and to restore existing bodies of polluted water to the highest quality practicable, and (2) to govern

the planning, provision, and maintenance of sanitary facilities at outdoor recreation areas.

## **I. WATER POLLUTION**

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### **A Declaration of Policy**

It shall be the Recreation Advisory Council policy that (1) recreation be recognized as a full partner with other beneficial water uses in water quality management policies and programs, (2) the water resources of the Nation be maintained as clean as possible in order to provide maximum recreation opportunities, and (3) all users of public water have a responsibility for keeping these waters clean. This Declaration of Policy recognizes the primary responsibility of the Department of Health, Education, and Welfare for the enforcement of Federal laws relating to the prevention of water pollution.

All Federal agencies having responsibilities in the field of water pollution should coordinate such activities with each other. In turn, these activities should be coordinated wherever possible with State and local agencies having responsibilities in the field of water pollution in order to further a unified and effective effort in the following endeavors:

1. Development of comprehensive river basin water pollution control programs that protect outdoor recreation water uses;
2. Development of a set of principles for water quality standards for outdoor recreation, wildlife, fish, and other aquatic uses which could be applied where appropriate for the particular use involved;
3. Development of water quality monitoring systems for the protection of outdoor water recreation areas;
4. Development of water pollution research programs benefiting outdoor recreation, wildlife, fish, and other aquatic life;
5. Provision of technical services in water pollution prevention and control relating to outdoor recreation, wildlife, fish, and other aquatic life; and
6. Development of a set of principles as guides to the adoption of local standards by the appropriate State agencies to protect outdoor recreation uses and Federal investments for recreation in water resource developments.

### **B. Policy Implementation**

Federal, State and local governments should assume their respective responsibilities for controlling water pollution to conserve and improve water for all uses, including recreation.

Federal agencies shall make every effort to implement the President's policy that "\* \* \* Government should set an example in the abatement of water pollution \* \* \*" by:

1. Demonstrating leadership in adopting pollution control programs to assure that Federal activity, or other activities on federally owned lands, does not pollute waters associated with such areas;



2. Promulgating effective rules and regulations for controlling water pollution on lands under their management;
3. Including adequate safeguards in comprehensive water resource developments to enhance and protect recreation waters and to assure that the recreation benefits assigned to the developments will not be impaired by pollution;
4. Utilizing acceptable principles of water quality standards in programming water pollution control measures and managing water pollution control programs benefiting recreation;
5. Establishing reliable monitoring systems to provide the data needed to make the water quality management decisions required to protect water recreation uses and investments;
6. Informing the public of damages to recreation values resulting from water pollution; and
7. Encouraging and supporting adequate State, interstate, and local water pollution control programs and cooperating fully with the appropriate agency in their implementation and management.

To discharge their responsibilities, State and local governments are encouraged to:

1. Enact and enforce adequate water pollution control legislation;
2. Develop programs to control pollution originating on publicly owned lands under their jurisdiction;
3. Participate in interstate or regional compacts to develop pollution control programs for interstate waters;
4. Cooperate with the responsible Federal water pollution control agency in the adoption and vigorous enforcement of adequate water quality standards for recreation and fish and wildlife; and
5. Develop and sustain a program of public information so that an enlightened public opinion can be brought to bear on the problems of pollution abatement and control.

## II. PUBLIC HEALTH

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### A. Declaration of Policy

It shall be the Recreation Advisory Council policy that it is incumbent upon agencies responsible for the planning, development, and operation of outdoor recreation areas to provide the health and sanitation safeguards required to protect the health, safety, and well-being of the recreation users.

To achieve that objective, agencies responsible for the management of outdoor recreation areas shall utilize the recommended health standards of the Federal, State, or local public health authority having jurisdiction; and they shall maintain close cooperation and consultation with the appropriate public health authority. At the Federal level, the broad responsibility and legislative authority of the Public Health Service, Department of Health, Education, and Welfare, for protecting the public health, is recognized.

## **B. Guidelines**

The following guidelines describe the measures which Federal agencies developing, operating, and maintaining outdoor recreation facilities should adopt to protect the health and safety of the recreation user.

### **1. New Recreation Developments.**

Plans and specifications covering health and sanitation facilities and services in outdoor recreation areas must satisfy the requirements of the health agency having jurisdiction. The plans shall include provisions for the following:

a. Investigating and identifying health information and environmental problems relating to the acquisition, planning, and development of outdoor recreation areas.

b. Developing and providing necessary treatment of all sources of water supply for domestic and culinary purposes to meet Public Health Service Drinking Water Standards or equivalent.

c. Preparing and maintaining grounds and facilities to assure adequate vector control.

d. Proper sewage collection, treatment and disposal facilities to prevent defilement of land and water areas, and to prevent pollution of surface or underground water or other conditions conducive to the transmission of communicable diseases.

e. Proper storage, collection, and disposal of refuse and other wastes accumulated in outdoor recreation areas.

f. Proper buildings, equipment, and facilities for storage, preparation, and serving of food and drink to the public.

g. Plan for and delineate responsibilities for a system of policing and inspecting recreation developments.

h. Facilities which would protect the safety of recreation users.

### **2. Operation and Maintenance of Recreation Areas.**

The agency having administrative responsibility for an area should consult and cooperate with qualified health personnel of the health agency having jurisdiction to:

a. Insure that the operation and maintenance of sanitary facilities are in accordance with applicable requirements or regulations of Federal, State, and local health departments.

b. Certify the quality of all food and drink products served to the visiting public.

c. Control animals and insects harboring disease vectors or capable of transmitting diseases to humans.

d. Control environmental factors relating to communicable diseases.

e. Provide accident prevention services.

f. Prevent air and water pollution arising from recreation facilities.

g. Detect and control all other environmental hazards.

h. Train and periodically inspect personnel responsible for the operation and maintenance of concessioner and sanitary facilities in order to insure compliance with applicable health regulations.

- i. Assure implementation of adequate water safety measures.

There are guides available which list health standards or codes relating to the management of outdoor recreation areas. Several of these are [in the attached list.] Environmental Health Practice in Recreation Areas, reference No. 1 in [the list, contains] information on health problems and guidelines, not currently available in a single publication. The other codes and guides are in general use by Federal, State, and local agencies.

In addition to the internal inspections by the administering agency, sanitary surveys of proposed developments and periodic inspection of existing areas by health authorities having jurisdiction are recommended to detect and eliminate existing or potential environmental health hazards.

Reports, including recommendations covering these activities, should be referred for action to authorities responsible for the administration and operation of the outdoor recreation areas.

### III. ACTIVATION OF POLICY

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Under authority bestowed upon the Council by Executive Order 11017, as amended, the Council commends this policy to all concerned Federal agencies. Upon approval of this statement, the member agencies of the Recreation Advisory Council become responsible for observing the foregoing policy and for giving it force and effect.

Approved by:

STEWART L. UDALL

*Secretary of the Interior, Chairman*

ORVILLE L. FREEMAN

*Secretary of Agriculture*

ANTHONY J. CELEBREZZE

*Secretary of Health, Education, and Welfare*

LUTHER M. HODGES

*Secretary of Commerce*

NORMAN S. PAUL

*Assistant Secretary of Defense*

ROBERT R. WEAVER

*Administrator, Housing and Home Finance Agency*

### LIST OF GUIDES AND REFERENCE MATERIALS ON ENVIRONMENTAL HEALTH ASPECTS OF RECREATION

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. *Environmental Health Practice in Recreational Areas*. [Reprinted 1972].  
HEW publication No. (HSM) 72-1009 (formerly Public Health Service  
Publication No. 1195).

2. *Public Health Service Administrative Guide Covering National Park Service Activities*, 1956. U.S. Department of Health, Education, and Welfare, Public Health Service, Washington, D.C.
3. *Public Health Service Drinking Water Standards*, 1962 [reprinted 1967]. Public Health Service Publication No. 956, formerly U.S. Department of Health, Education, and Welfare, Public Health Service, Washington, D.C. [now EPA].
4. *Manual of Individual Water Supply Systems*, 1962 [reprinted 1963]. Public Health Service Publication No. 24, U.S. Department of Health, Education and Welfare, Public Health Service, Washington, D.C. [out of print].
5. *Manual of Recommended Water Sanitation Practice*, 1958, formerly Public Health Service Publication. No. 525, U.S. Department of Health, Education and Welfare, Public Health Service, Washington, D.C. [now EPA, out of print].
6. *Manual of Septic-Tank Practice*, [revised 1967], formerly Public Health Service Publication No. 526, U. S. Department of Health, Education, and Welfare, Public Health Service, Washington, D.C.
7. *The Sanitary Privy—Construction Plans and Specifications of Earth-P Privy with Concrete Slab and Diagonal Riser*, reprinted 1966. U.S. Department of Health, Education, and Welfare, Public Health Service [out of print].
8. *Refuse Collection and Disposal for the Small Community*, 1953. American Public Works Association, 1313 East 60th Street, Chicago, Ill.

# appendix D

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**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
Board of Geographic Names  
Washington 25, D.C.  
March 5, 1946**

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## **STATEMENT OF POLICY FOR APPLYING NAMES OF PERSONS TO NATURAL FEATURES**

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This statement of policy is for the guidance of the Board in deciding cases and for the guidance of organizations and individuals who propose personal names for natural features. The policy with reference to place names in Antarctica is stated elsewhere.

It should be understood that the various factors involved in the policy outlined below are relative. Peaks which are major features in eastern United States would be secondary features in western United States and minor features in Alaska.

Features which are prominent in the public mind by reason of accessibility, outstanding natural beauty, or other special attribute should be placed in the category next higher than their magnitude alone would warrant.

Features in areas where many features are unnamed should be considered in the category next lower than their magnitude alone would warrant.

An existing name should not be replaced unless it is a duplicate or is inappropriate.

Names of men who qualify for features of one order of magnitude may be applied to features of a lower order if such application is particularly appropriate.



## I. MAJOR FEATURES

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With the following qualifications, the Board will consider applying the name of a deceased person to a natural feature of the first order of magnitude, such as a mountain range or group; a high, massive, or spectacular mountain, summit, peak, or ridge; a large river, a major island; or a prominent cape:

1. Only one major feature of a kind should be named for a particular individual, and few features of first order of magnitude of different kinds should be named for any individual.
2. Only one whose public service, achievements, and fame are likely to be enduring should have his name applied to a feature of first order magnitude.
3. A feature of first order of magnitude, except in an area where few features are named, should be named only for a person whose public service and achievements are likely to be more than regional in effect, though his work and reputation may be only regional in scope.
4. In applying the name of an individual to any feature, and particularly to a first-order feature, a clear distinction should be made between honorable fame and mere notoriety.
5. The importance of the public service or achievements of the person whose name is proposed should be commensurate with the magnitude or grandeur of the feature.
6. In areas where few features are named, a major feature may be named for a person associated with it or with the region in one or more of the following ways:
  - a. Through exploration, survey, or scientific investigation resulting in contributions to the knowledge of the feature in question or of the region that encompasses it.
  - b. Through personal efforts resulting in conservation of the natural heritage of the place or region or in its long-range development.
  - c. Through long association with the feature, such as residence or work in the locality.
  - d. Through outstanding public service to the residents and the region.

## II. SECONDARY FEATURES

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With the following qualifications, the Board will consider applying the name of a deceased person to a natural feature of the second-order of magnitude, such as a mountain other than that of the greatest size, a ridge, a small glacier, a valley, a medium-to-small island, a medium-sized river.

1. The person whose name is proposed should have been associated with the feature or region in one or more of the following ways:
  - a. Through exploration, survey, or scientific investigation resulting in

contributions to the knowledge of the feature in question or of the region that encompasses it.

b. Through personal efforts resulting in conservation of the natural heritage of the place or region or in its long-range development.

c. Through long association with the feature, such as residence or work in the locality.

d. Through outstanding public service to the residents and the region.

2. The name of a deceased member of the armed forces will be considered for application to a feature on or near which he met death in line of duty or engaged in heroic action. The name of a member of the armed forces who died in line of duty anywhere will be considered for application to an unnamed feature with which he was associated.

### **III. MINOR FEATURES**

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With the following qualifications, the Board will consider applying the name of a person, living or deceased, to a relatively small natural feature, such as a hill, watercourse, or cove:

1. If the name is well established in local usage.

2. Name of an early occupant or owner.

3. The name of a member of the armed forces who died in the line of duty anywhere will be considered for application to a feature with which he was associated.

4. The name of a person who died on or near the feature.

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# **GUIDELINES FOR GEOGRAPHICAL NAMES**

**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
National Park Service  
Washington, D.C. 20240**

## **NATIONAL PARK SERVICE GUIDELINES FOR MAKING RECOMMENDATIONS ON GEOGRAPHIC NAME PROPOSALS**

### **Supplementing United States Board on Geographic Names Guidelines of March 5, 1946**

These guidelines are intended to supplement the United States Board on Geographic Names guidelines of March 5, 1946. The Board, cojointly with the Secretary of the Interior, formulates Federal Government principles, policies and procedures related to both domestic and foreign geographic names and determines the choice, spelling and application of these names for official use.

The Service guidelines consist essentially of two sets of criteria and some general principles designed to guide the National Park Service Committee on Geographic Names in formulating its recommendations to the United States Board on Geographic Names on proposals to name geographic features in the areas administered by the Service for individuals, including its former or deceased employees. The two sets of criteria are subdivided for convenience into Classifications A and B. The numbered criteria under Classification A closely relate to those correspondingly numbered under Classification B, differing principally in the higher degree of importance of those in Classification A.

### **CLASSIFICATION A**

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A proposal will, as a general rule, be recommended by the Service Committee for adoption by the Board on Geographic Names if the individual qualifies under *one* or more of the following criteria:

1. His public service, achievements, or fame are of transcendent national importance and are recognized as enduring in character.

2. He contributed in substantial degree to the knowledge of the feature itself, or the general area in which it is located, through discovery, exploration, survey, or scientific investigation.
3. His personal efforts resulted in the conservation of the feature or the area in which it is situated, or both, or contributed to their proper long-range preservation, or development for appropriate public enjoyment and use.
4. He died in the line of duty while performing an act of heroism resulting in the granting of a posthumous Valor Award or for which the Valor Award in all probability would have been granted had provision for it existed at the time the act of heroism was performed.
5. He was an early occupant or owner of recognized historical note himself, particularly in relation to the feature proposed to be named for him.
6. His name is already firmly established by local usage and tradition with respect to the feature.

## CLASSIFICATION B

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If the individual does not qualify under at least *one* of the criteria under Classification A, his name may receive further consideration if it meets *two* or more of the following requirements under classification B:

1. His public service, achievements, or fame are recognized and will likely endure in the locality or region in which the feature proposed to be named for him is located.
2. He donated land, structures, or historical or scientific objects or collections of recognized value to the administration, management, or interpretation of the area in which the feature proposed to bear his name is located.
3. He, as a former or deceased employee of the Service, made lasting contributions for transcending the normal requirements of his position.
4. He died upon, or in proximity to, the feature, or met death in line of duty, including service in the armed forces, through no negligence of his own, and was formerly associated with the feature, or its immediate vicinity.
5. He was an early occupant or owner of, or was associated in some other manner such as through work or residence with, the feature or the immediate area for a considerable period of time.

## GENERAL PRINCIPLES

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Several compelling reasons exist as to why proposals to name features in areas administered by the Service for its former or deceased employees should be critically evaluated. The simple fact that the unnamed geographic features yet available are becoming progressively more scarce is one good reason for this. Another is that a highly sensitive matter of propriety is involved in taking actions which tend to preempt the remaining unnamed features in areas the Service administers for its former or deceased employees at the exclusion of other individuals.

It is also important to recognize that it is not an objective of the program on geographic names proposals to name features in the areas administered by the Service for every individual whose qualifications meet the criteria. Moreover, an individual may already be adequately memorialized in other ways and in other locations. For example, the great naturalist, John Muir, has probably been sufficiently memorialized, though not every area the Service administers with which John Muir was significantly associated contains a feature named for him.

Some additional general principles which will prove helpful to the committee in its deliberations appear in the numbered sections below:

1. *Suggested Five-year Waiting Period.* The Board on Geographic Names adheres to the following quoted policy statement in connection with proposals to name geographic features for individuals:

An existing name of a geographic feature should not be replaced unless it is a duplicate or is inappropriate. Descriptive names or names associated with nearby features are preferred in naming unnamed natural features. These features may be named for individuals when the association between the area or feature and the individual is of transcending importance. The individual should not be so honored during his lifetime, or, except in extremely unusual situations, within the five-year period after the death of the individual.

Observance of a five-year waiting period after the death of an individual before considering proposals to name geographic features for him resolves some of the inherent difficulties. In any event, the waiting period should extend beyond the emotion-charged interval which usually follows an untimely death. A minimum of five years generally allows sufficient time for a sober evaluation of the contribution the individual has made and of the other aspects relating to his overall worthiness for memorialization.

2. *Use of Unnamed Category.* Opportunities exist in some areas to promote an atmosphere of complete naturalness by retaining single natural features, or clusters of such features, in a nameless category. As an illustration, it has been found that the "Unnamed Wilderness Peaks" of the Alaskan Range rival Mount McKinley in visitor interest. The fact that the peaks are unnamed, and that they are so designated, contributes much to the feeling and atmosphere of wilderness associated with them.

3. *Latitude in Naming Manmade Features.* The jurisdiction of the Board on Geographic Names does not cover proposals for the naming of manmade features. Therefore, considerable latitude exists in the choice of names for features such as buildings, bridges, roads, and trails except for those officially named in legislation pertaining to them. The dedication of suitable memorial markers or plaques erected for features in this category can be made the occasion for appropriate ceremonies. Whether it be a proposal to name a manmade or a natural feature, a reasonable degree of consistency should prevail between the significance or magnitude of the feature on the one hand and the qualifications of the person for whom it would be named on the other.

*The Statement of Policy for Applying Names of Persons to Natural Fea-*



tures, issued on March 5, 1946, is used by the United States Board on Geographic Names in considering proposals.

Approved:  
12-12-66

GEORGE B. HARTZOG, JR.,  
*Director*



# appendix E

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## EXECUTIVE OFFICE OF THE PRESIDENT

Bureau of the Budget  
Washington 25, D.C.

February 12, 1962

Honorable Wayne N. Aspinall  
Chairman, Committee on Interior and  
Insular Affairs  
House of Representatives  
Washington 25, D.C.

Dear Mr. Chairman:

Reference is made to your letters of May 2 and subsequent letters concerning various bills \* \* \* which would either establish new, or expand present national cemeteries.

While opposition to specific bills with similar objectives has been expressed heretofore, no overall reexamination of policies respecting national cemeteries had been undertaken by this Administration. Now, however, the letters referred to above requested this Administration to recommend an overall policy statement with respect to a national cemetery program. In response to this request, a thorough review of this subject has been conducted within the executive branch. As a result of this review, the Administration has determined that it is opposed to any further expansion of the present national cemetery system. The only exception to this policy should be the Arlington National Cemetery which, for obvious reasons, should be treated as a special case.

The facts, considerations, and reasons underlying the Administration's position are set out in Enclosure B to this letter. In essence, this position is based on the inherent discrimination against the large numbers of veterans who, under any system, would be living in areas not conveniently accessible to a national cemetery, as well as the enormous cost which would be attendant on the provision of burial facilities for even a fraction of the more than 40 million presently eligible individuals. The Administration firmly believes that burial benefits such as those now payable by the Veterans' Administration and under

the social security system are far preferable to the furnishing of interment facilities by the Government.

In view of the foregoing, the Bureau of the Budget is opposed to any bill which would run counter to the policy outlined above and advises that enactment of such legislation would not be in accord with the program of the President.

Sincerely yours,  
PHILIP S. HUGHES  
*Assistant Director for  
Legislative Reference*

Enclosures

**Enclosure B**

## **NATIONAL CEMETERY POLICY BASIC CONSIDERATIONS**

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The National Cemetery System, consisting of 117 cemeteries and smaller burial plots and monument sites, is administered by the Quartermaster General of the Army. Burial in national cemeteries is provided for those who have served honorably in the Armed Forces, and their spouses and certain dependent children. The Quartermaster General also procures and furnishes headstones and markers free, on request, for the graves of persons buried in national cemeteries and for active duty personnel and veterans who are buried in private cemeteries. These programs were originally established at the time of the Civil War to provide for "soldiers who die in the service of their country." Eligibility has since been widened, and now over 90% of the clientele are veterans and their families.

Over 40,000,000 persons, about  $\frac{1}{4}$  of our total population, are potentially eligible for burial in a national cemetery. Studies show that 83% of the persons buried in a national cemetery lived within a 50-mile radius of the cemetery. This fact working with the haphazard location and limited number of national cemeteries has served to keep the burial rate at a fraction of those eligible. The close relationship between proximity and use of cemeteries is also shown by the fact that 87% of all the burials in the National Cemetery System occur in nine cemeteries located close to large metropolitan areas. Under the present system, the privilege of burial in a national cemetery is effectively available to only a small part of those who are legally eligible; for example, there are 17 national cemeteries in Virginia but none in New England, Michigan or Ohio. Less than 12% of the veterans who died in 1960 were buried in national cemeteries. Even at this rate, available space in the present cemeteries will soon be exhausted. By 1975 the five cemeteries which now account for 53% of the burials will be full. The courses of action open are:

(1) Planned general expansion of the cemetery system. A planned general expansion would be extremely costly and could never make the privilege of burial equally available to all eligibles. It is estimated that, at present prices, expansion of the system which would provide space for less than half of the eligibles would cost about \$3 billion or more for construction, interments and maintenance over the next 40 years, with a maintenance cost of about \$85 million a year thereafter.

(2) Piecemeal expansion through occasional land acquisition for existing cemeteries or the creation of specific new cemeteries by Congress (bills for this purpose have been increasing in recent years although the last new cemetery was established in 1950). Piecemeal expansion will only perpetuate the present inequities where eligibility is governed by the change of cemetery location instead of logical criteria.

(3) No further expansion of the system. Even with the gradual elimination of this burial privilege, there will still be significant death benefits available to veterans. Wartime veterans and those with peacetime disabilities now receive a burial allowance of up to \$250 granted by the Veterans Administration. This allowance would continue if the burial privilege were discontinued. In addition, almost all veterans would be eligible for burial benefits under the social security program. Both of these burial allowance programs are more equitable than the cemetery program, since they are most equally available to all eligibles. This is shown by the fact that the VA burial allowance is requested for practically all eligible veterans.

Since expansion of the national cemetery system would be discriminatory and very expensive, the logical choice among the above courses of action is the third one, no further expansion of the system, except for Arlington National Cemetery which should be excluded from the policy because of its unique characteristics.





# appendix F

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**PUBLIC LAW 89-249**  
**89th CONGRESS, H.R. 2091**  
**OCTOBER 9, 1965**

## AN ACT

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Relating to the establishment of concession policies in the areas administered by National Park Service and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in furtherance of the Act of August 25, 1916 (39 Stat. 535), as amended (16 U.S.C.1), which directs the Secretary of the Interior to administer national park system areas in accordance with the fundamental purpose of conserving their scenery, wildlife, natural and historic objects, and providing for their enjoyment in a manner that will leave them unimpaired for the enjoyment of future generations, the Congress hereby finds that the preservation of park values requires that such public accommodations, facilities, and services as have to be provided within those areas should be provided only under carefully controlled safeguards against unregulated and indiscriminate use, so that the heavy visitation will not unduly impair these values and so that development of such facilities can best be limited to locations where the least damage to park values will be caused. It is the policy of the Congress that such development shall be limited to those that are necessary and appropriate for public use and enjoyment of the national park area in which they are located and that are consistent to the highest practicable degree with the preservation and conservation of the areas.

SEC. 2. Subject to the findings and policy stated in section 1 of this Act, the Secretary of the Interior shall take such action as may be appropriate to en-

courage and enable private persons and corporations (hereinafter referred to as "concessioners") to provide and operate facilities and services which he deems desirable for the accommodation of visitors in areas administered by the National Park Service.

SEC. 3. (a) Without limitation of the foregoing, the Secretary may include in contracts for the providing of facilities and services such terms and conditions as, in his judgment, are required to assure the concessioner of adequate protection against loss of investment in structures, fixtures, improvements, equipment, supplies, and other tangible property provided by him for the purposes of the contract (but not against loss of anticipated profits) resulting from discretionary acts, policies, or decisions of the Secretary occurring after the contract has become effective under which acts, policies, or decisions the concessioner's authority to conduct some or all of his authorized operations under the contract ceases or his structures, fixtures, and improvements, or any of them, are required to be transferred to another party or to be abandoned, removed, or demolished. Such terms and conditions may include an obligation of the United States to compensate the concessioner for loss of investment, as aforesaid.

(b) The Secretary shall exercise his authority in a manner consistent with a reasonable opportunity for the concessioner to realize a profit on his operation as a whole commensurate with the capital invested and the obligations assumed.

(c) The reasonableness of a concessioner's rates and charges to the public shall, unless otherwise provided in the contract, be judged primarily by comparison with those current for facilities and services of comparable character under similar conditions, with due consideration for length of season, provision for peakloads, average percentage of occupancy, accessibility, availability and costs of labor and materials, type of patronage, and other factors deemed significant by the Secretary.

(d) Franchise fees, however stated, shall be determined upon consideration of the probable value to the concessioner of the privileges granted by the particular contract or permit involved. Such value is the opportunity for net profit in relation to both gross receipts and capital invested. Consideration of revenue to the United States shall be subordinate to the objectives of protecting and preserving the areas and of providing adequate and appropriate services for visitors at reasonable rates. Appropriate provisions shall be made for reconsideration of franchise fees at least every five years unless the contract is for a lesser period of time.

SEC. 4. The Secretary may authorize the operation of all accommodations, facilities, and services for visitors, or of all such accommodations, facilities, and services of generally similar character, in each area, or portion thereof, administered by the National Park Service by one responsible concessioner and may grant to such concessioner a preferential right to provide such new or additional accommodations, facilities, or services as the Secretary may consider necessary or desirable for the accommodation and convenience of the public.

The Secretary may, in his discretion, grant extensions, renewals, of new contracts to present concessioners, other than the concessioner holding a preferential right, for operations substantially similar in character and extent to those authorized by their current contracts or permits.

SEC. 5. The Secretary shall encourage continuity of operation and facilities and services by giving preference in the renewal of contracts or permits and in the negotiation of new contracts or permits to the concessioners who have performed their obligations under prior contracts or permits to the satisfaction of the Secretary. To this end, the Secretary, at any time in his discretion, may extend or renew a contract or permit, or may grant a new contract or permit to the same concessioner upon the termination or surrender before expiration of a prior contract or permit. Before doing so, however, and before granting extensions, renewals or new contracts pursuant to the last sentence of section 4 of this Act, the Secretary shall give reasonable public notice of his intention so to do and shall consider and evaluate all proposals received as a result thereof.

SEC. 6. A concessioner who has heretofore acquired or constructed or who hereafter acquires or constructs, pursuant to a contract and with the approval of the Secretary, any structure, fixture, or improvement upon land owned by the United States within an area administered by the National Park Service shall have a possessory interest therein, which shall consist of all incidents of ownership except legal title, and except as hereinafter provided, which title shall be vested in the United States. Such possessory interest shall not be construed to include or imply any authority, privilege, or right to operate or engage in any business or other activity, and the use or enjoyment of any structure, fixture, or improvement in which the concessioner has a possessory interest shall be wholly subject to the applicable provisions of the contract and of laws and regulations relating to the area. The said possessory interest shall not be extinguished by the expiration or other termination of the contract and may not be taken for public use without just compensation. The said possessory interest may be assigned, transferred, encumbered, or relinquished. Unless otherwise provided by agreement of the parties, just compensation shall be an amount equal to the sound value of such structure, fixture, or improvement at the time of taking by the United States determined upon the basis of reconstruction cost less depreciation evidenced by its condition and prospective serviceability in comparison with a new unit of like kind, but not to exceed fair market value. The provisions of this section shall not apply to concessioners whose current contracts do not include recognition of a possessory interest, unless in a particular case the Secretary determines that equitable considerations warrant recognition of such interest.

SEC. 7. The provisions of section 321 of the Act of June 30, 1932 (47 Stat. 412; 40 U.S.C. 303(b) ), relating to the leasing of buildings and properties of the United States, shall not apply to privileges, leases, permits, and contracts granted by the Secretary of the Interior for the use of lands and improvements thereon, in areas administered by the National Park Service, for the

purpose of providing accommodations, facilities, and services for visitors thereto, pursuant to the Act of August 25, 1916 (39 Stat. 535), as amended, or the Act of August 21, 1935, chapter 593 (49 Stat. 666; 16 U.S.C. 461-467), as amended.

SEC. 8. Subsection (h) of section 2 of the Act of August 21, 1935, the Historical Sites, Buildings, and Antiquities Act (49 Stat. 666; 16 U.S.C. 462 (h)), is amended by changing the proviso therein to read as follows: "Provided, That the Secretary may grant such concessions, leases, or permits and enter into contracts relating to the same with responsible persons, firms, or corporations without advertising and without securing competitive bids."

SEC. 9. Each concessioner shall keep such records as the Secretary may prescribe to enable the Secretary to determine that all terms of the concession contract have been and are being faithfully performed, and the Secretary and his duly authorized representatives shall, for the purpose of audit and examination, have access to said records and to other books, documents, and papers of the concessioner pertinent to the contract and all the terms and conditions thereof.

The Comptroller General of the United States or any of his duly authorized representatives shall, until the expiration of five (5) calendar years after the close of the business year of each concessioner or subconcessioner have access to and the right to examine any pertinent books, documents, papers, and records of the concessioner or subconcessioner related to the negotiated contract or contracts involved.

Approved October 9, 1965, 6:35 a.m.

#### LEGISLATIVE HISTORY:

HOUSE REPORT NO. 591 (Comm. on Interior & Insular Affairs).

SENATE REPORT NO. 765 (Comm. on Interior & Insular Affairs).

CONGRESSIONAL RECORD, Vol. 111 (1965):

Sept. 14: Considered and passed House.

Sept. 23: Considered and passed Senate.



# appendix G

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**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
National Park Service  
Washington, D.C. 20240**

April 11, 1968

*Memorandum*

To: Secretary of the Interior  
Through: Assistant Secretary, Fish and Wildlife and Parks  
From: Director, National Park Service  
Subject: Park Road Standards Committee Report

You will recall that on September 8, 1967, I appointed a Committee of distinguished conservationists and members of my immediate staff to review the status of road construction in the National Parks, to define the purposes of such roads and to establish guidelines for their design and construction.

Serving on the Committee were: Joseph Penfold, Conservation Director, Izaak Walton League of America; Ira Gabrielson, President, Wildlife Management Institute; Ansel Adams, Photographer and NPS Collaborator; Charles Krueger, Assistant Director for Design and Construction; Robert Linn, Deputy Chief Scientist; and William C. Everhart, Assistant Director for Interpretation, who served as Chairman.

I believe this report will prove a significant contribution to National Park philosophy, and of enormous value to us at a time when road construction decisions constitute one of our most critical management problems.

If you are in agreement, I would like to make this report available for distribution to interested conservationists and park organizations, and to begin immediately implementation of its recommendations within the National Park Service.

Concurred:  
STANLEY A. CAIN  
*Assistant Secretary, Fish and Wildlife and Parks*

GEORGE B. HARTZOG, JR.

Approved:  
STEWART L. UDALL  
*Secretary of the Interior*

**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
National Park Service  
Washington, D.C. 20240**

April 11, 1968

*Memorandum*

To: Director, National Park Service  
From: Chairman, Park Road Standards Committee  
Subject: Final Report

On September 8, 1967, as a result of your deep concern "that the National Park Service develop standards which will guide and control the construction and use of park roads," you appointed a Committee on Park Road Standards: Joseph Penfold, Conservation Director, Izaak Walton League of America; Ira Gabrielson, President, Wildlife Management Institute; Ansel Adams, Photographer and NPS Collaborator; and from the National Park Service, Charles E. Krueger, Assistant Director, Design and Construction; Robert Linn, Deputy Chief Scientist; and as Chairman, William C. Everhart, Assistant Director, Interpretation.

The Committee was asked to review the status of road construction, to define the purposes of such roads, and to establish guidelines for their design and construction. The report which follows expresses our conviction on the philosophy which should guide those responsible for policy decisions, as well as those who have design and construction responsibility.

In the quest to insure that National Parks remain places to which people go for a special kind of experience, rather than merely places for viewing famous natural wonders, the park road system is an essential key.

It is our hope that this report will be of help to you in a most difficult and complex area of park management. The opportunity to serve on the Committee, we believe, was a distinct honor.

**WILLIAM C. EVERHART,**  
*Assistant Director, Interpretation*

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
National Park Service  
Washington, D.C. 20240

September 8, 1967

*Memorandum*

To: Messrs. Ansel Adams, Ira Gabrielson, Joe Penfold, Deputy Chief  
Scientist Linn, and Assistant Directors Everhart and Krueger  
From: Director, National Park Service  
Subject: Park Roads

I have discussed with each of you my concern that the National Park Service develop standards which will guide and control the construction and use of park roads. I deeply appreciate your willingness to undertake a study of this critical segment of park management.

In most of our parks the essential key to visitor use is the park road system. It is both means and end; it enables one visitor to reach his goal, for another it is the goal.

As in the case of the management of our park resources, we find that park boundaries are not barriers. The expanding network of Federal, state, and interstate highways increasingly designates park roads as connecting links, and demands appropriate standards. Some parks, traversed by a single road, are fated for inevitable strangulation.

I do not wish to restrict your field of inquiry, but I do suggest that most careful consideration be given to the following basic elements of the problem:

1. The basic purpose of park roads.
2. Guidelines for the speed limits, design, location and standards of park roads.
3. Criteria which will define consideration of transportation systems other than park roads.

It is my hope that your study will help provide us with answers to these basic questions: What is a *park* road? When, where, how and *why* do we build a park road? And under what circumstances do we consider adoption of other means of transportation?

I am asking Assistant Director Everhart to serve as Chairman of this group, and Assistant Director Krueger to serve as liaison officer with the Bureau of Public Roads. Mr. Lowell Bridwell, Federal Highway Administration, is being invited to designate a representative to work with you on the study.

I hope that you may be able to complete your work and submit your recommendations to me by December 1.

GEORGE B. HARTZOG, JR.

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# **PARK ROAD STANDARDS**

## **A REPORT TO THE DIRECTOR OF THE NATIONAL PARK SERVICE**

### **THE PURPOSE OF PARK ROADS**

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Among all public preserves, those of the National Park System are distinguished by the quality of their natural, historical, and recreational resources—dedicated and set aside unimpaired for the benefit and enjoyment of the people.

These national parklands—mountains, deserts, seashores, lakes, forests—increasingly have become places of escape from the monotony and frustrations of urban life. And the astounding mobility of vacation travellers has brought the most remote wilderness areas within reach of millions.

Major destination points for this seasonal migration are the well-known National Parks, which are now asked to serve a volume of visitors that seemed inconceivable as recently as 10 years ago.

In 1956, there were 61 million park visits; in 1966, 103 million; in 1977, the total will be more than 300 million.

This flood of park users represents either a profound threat to park values—or an extraordinary opportunity to make those values a more meaningful part of this nation's cultural inheritance.

The single abiding purpose of National Parks is to bring man and his environment into closer harmony. It is thus the *quality* of the park experience—and not the statistics of travel—which must be the primary concern.

Full enjoyment of a National Park visit is remarkably dependent on its being a leisurely experience, whether by automobile or on foot. The distinctive char-

acter of the park road plays a major role in setting this essential unhurried pace.

The design and location of park roads must be in accordance with the philosophy that *how* a person views the park can be as significant as *what* he sees, thereby insuring that National Parks remain places to which people go for a special kind of experience, rather than merely places to view famous scenic wonders.

Since 1915, when the early motorists in Yellowstone were no longer required to chain their cars to logs and turn over their keys to the park superintendent, visitor activities in the parks have been geared to the automobile. Although, by an accident of history, the National Park concept reached its development stage at about the same time as did the automobile, there is no everlasting and indissoluble relationship between the two.

But in some ways, the National Parks stand at the same crossroads as do the American cities—some of which seem on the verge of choking on their automobiles. Just as noise, congestion, and pollution threaten the quality of urban life, they have begun to erode the quality of the park experience.

Many park roads are now congested, particularly around points of great interest; others have a predictably brief grace time.

There is no reason to expect that the construction of a new park road, by itself, will always relieve this congestion.

The effective size and capacity of the parks is diminished or expanded by the means of access. Paul Brooks put it this way:

If you are in a canoe traveling at three miles an hour, the lake on which you are paddling is ten times as long and ten times as broad as it is to the man in a speedboat going thirty—every road that replaces a footpath, every outboard motor that replaces a canoe paddle, shrinks the area of the park.

In many locations it is impossible to construct roads—of whatever standard—without damaging, enduring scars and obstructing the natural movement of wildlife. While many park administrators and conservationists in the past have been unalterably opposed to replacing roads with tramways, funiculars, and other such developments, in many cases these would have done far less permanent damage to the park environment.

The Service is presently conducting extensive research into the capabilities, cost, and possible effects on the terrain and equilibrium of nature, of many different methods of transporting people, including tramways, monorails, rail conveyor systems, buses, helicopters, and hydrofoils. Research on this technology—and the development of pilot programs—should be given high priority.

These forms of transportation are adaptable to park use, and many can be built without damaging resources or even tree cutting. They can also provide experiences for visitors otherwise unobtainable. The intrusiveness of roads—their cuts and fills, traffic noise and the consequent ecological barrier—can often be avoided completely.

When the Service is faced with a choice between creating a severe road scar in order to bring visitors close to a destination point, or requiring visitors to



walk a considerable distance—or considering an alternate transportation system—the decision should be against the road scar.

It is quite possible that, at this point in the history of National Parks, new roads should be considered the last resort in seeking solutions to park access.

In the older parks, the road systems have been established, and solutions to circulation problems must start with this situation. Desirable solutions do exist: speed limits can be reduced; two-way roads may convert into a total or partial one-way system; existing administrative or service roads may provide for leisurely one-way nature roads or other uses; automobiles may be limited to certain portions of a park, and bus, mini-train, or other transportation furnished.

The search for new solutions is imperative, and must not be crippled by those well worn shibboleths dealing with human behavior: “people won’t walk,” “they won’t leave their cars,” “they won’t accept restrictions.” The good humor of those who stood in the long, long lines at EXPO 67, and the acceptance of an advance reservation system for guided tours of the Mesa Verde cliff dwellings in 1967, effectively contradict such assertions.

Inevitably, if the park experience is to maintain its distinctive quality, the number of people and their methods of access and circulation will necessarily have to be more closely controlled.

Park roads cannot accommodate all types of vehicles. While the travel industry continues to develop new kinds of mobile camping vehicles, the Service must not be obligated to construct roads, or to manage traffic in order that modern transportation technology can be accommodated. The development of parking areas for trailers at park entrances and the exclusion of these vehicles from those park roads not capable of handling them are appropriate solutions.

Existing park roads should be analyzed to determine the size and type of vehicles that can be accommodated. Vehicles exceeding these standards must be excluded, rather than reconstructing the roads to ever higher standards.

In this era of enormously increasing vacation traffic, it must be assumed that those who visit the National Parks do so for the purpose of enjoying a unique experience, and are therefore willing to accept necessary restrictions, including those regulating numbers of people and their means of travel. Such regulations, as necessary, may deepen the awareness of visitors that they are truly in places of special importance.

Today the facts are these: unless an open-end road-construction program were to be carried out, the National Parks cannot indefinitely accommodate every person who wants to drive an automobile without restriction through a National Park.

This does not constitute a value judgment that those who seek a hurried trip through a park are less desirable visitors and should be excluded. Obviously, many who first visited a National Park in haste have returned to enjoy leisurely visits.

The Service needs to communicate widely that parks are for leisurely travel and that park roads are purposely designed for low speeds. This information should appear on oil company road maps and in automobile association literature, as well as NPS signs and publications.

People need also to appreciate that the purposes of park roads are completely different from those of the Federal and State systems. Park roads are not continuations of the State and Federal network. They should neither be designed—nor designated—to serve as connecting links. Motorists should not be routed through park roads to reach ultimate destinations.

Within parks, no road or other circulation system should be designed simply as a connecting device to link points of interest. Every segment of every park road should relate to the environment through which it passes in a meaningful way, and should, to the extent possible, constitute an enjoyable and informative experience in itself.

For this reason long tangents which encourage faster speeds—and fleeting views of kinetic “scenery”—should always be avoided. The horizontal and vertical alinement should respect the terrain, so that the road is laid lightly onto the land. In deciding upon road locations, maximum advantage should be taken of interpretive and scenic values.

And, the design and location of the road should constantly encourage people to leave their automobiles to more thoroughly experience the park, by providing pullouts, parking, scenic overlooks, and trail connections.

Every opportunity should be taken also to encourage the safe use of waterways for access to park features. Few resources lend themselves so well to human use, and sustained penetration of natural areas, without serious impairment of natural values. Careful consideration must be given to regulation of motorboats, for sound pollution is as destructive to the values of natural waterways as are water pollution and waterfront buildings.

The purposes of roads differ in the natural, historical, and recreational areas of the National Park System, and design standards must recognize these differences. However, the damaging effects of road construction are generally as disruptive to the historical scene as they are to the natural setting—and the effects of roads on integral values of natural features in recreational areas must be fully considered.

In summary, a road should not be considered until a most thorough and thoughtful determination has been made of the most meaningful way in which people can experience the park.

## **APPROVAL OF DESIGN AND CONSTRUCTION**

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To insure that all National Park roads, or other circulation systems, are in harmony with fundamental park purposes, the following considerations must precede approval of design and construction:

1. A professional ecological determination must be made that the resulting effects on park values—including such aspects as wildlife habitat and mobility, drainage, stream flow, and the climatic effects of paved areas—will be minimal.
2. A professional determination must be made that the means of transporta-

tion, and its location, will provide maximum opportunity for visitor enjoyment and appreciation of park resources. The encouragement of such activities as viewing wildlife, photography, and hiking and nature walks, will be influential in determining actual locations and standards.

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A park road is not one that merely conforms to standards of technical road-building excellence. Preserving the integrity of the landscape, respecting ecological processes, insuring a fully rewarding visitor experience—these are the elements which dictate the means of visitor access and the development of design standards.

## DESIGN STANDARDS

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Five types of park roads exist: major, minor, special-purpose, interpretive (motor nature), administrative, and parkways.

Park roads, of these varying types, are built over terrain and under climatic conditions which approach the infinite in variety: On high mountain ridges in rugged terrain—along seashores and lakeshores—from the permafrost of Alaska to the deserts of the Southwest and the Everglades of Florida—over lava fields and through rain forests. Each road problem must be influenced by the specific local conditions of climate and topography, as well as ecological and interpretive factors.

This requires maximum flexibility in working out design features, which does not permit the establishment of arbitrary standards. Instead, the following guidelines are provided, within which necessary flexibility can be reached.

### Design

An esthetically pleasing road is one which lies lightly upon the land utilizing natural support wherever possible. Moreover, heavy cuts and fills must be avoided. In effect, the road is molded to the terrain through which and upon which it is passing. Monotony is avoided, and maximum advantage taken of park values, by eliminating long tangents, by changes in elevation, by developing viewpoints and overlooks, as well as providing close-range views of local scenes. The road should, in fact, strive to maintain a continuing sense of intimacy with the countryside through which it is passing.

In forested terrain, clearing limits should be carefully controlled and selected cutting should be used to produce variation and indentation in the tree line. Retaining walls can reduce the height and extent of cut-and-fill slopes. In heavy mountainous terrain and under certain other conditions, serious consideration should be given to the use of trestles or bridges, tunnels and half-viaduct sections to reduce scarring and permit movement of wildlife.

### Ditches and Slopes

The immediate roadside setting must exemplify the highest design quality in terms of blending ditches and shoulders and related tree and other vegetative

cover. The objective should be a natural and attractive setting. To minimize maintenance problems, cut-and-fill slopes should be rounded, warped at the ends for transition, and properly seeded, fertilized, and mulched for early recovery and to control erosion.

### **Roadway Structures**

The design of all structures—bridges, tunnel portals, grade-separation structures, and retaining walls—should be esthetically pleasing as well as functional and easily maintained.

### **Engineering**

Working within the guidelines established by scientific, interpretive, and esthetic considerations, the engineer is responsible for providing expert engineering advice in road planning, and for constructing a road which is safe, has adequate foundation and drainage, and will require a minimum of maintenance. Engineering also includes thorough soils analysis by borings and other necessary geological determinations to assure roadbed stability.

### **Vertical Alinement**

On parkways, major and minor park roads, and administrative two-way roads, grades of 7 percent are normally a desirable maximum, but grades of 8, 9, or even 10 percent should be considered for relatively short distances to avoid excessive cuts and fills or to reach desirable points of interest. On one-way roads where vertical sight distance is not a problem, these requirements can be further relaxed and a more undulating gradeline used to reduce cuts and fills to a minimum and to provide for leisurely driving.

### **Design Speed**

The maximum degree of curvature permitted on a road is generally expressed in terms of "design speed" which represents the maximum speed at which a curve can be safely driven. Thus a road with a 25-mile-per-hour design speed has no curves which cannot be safely negotiated at 25 miles per hour.

Except in special cases approved by the Director, major and minor roads in natural and historical areas should have a design speed not to exceed 25 miles per hour, parkways and major roads in recreation areas, 45 miles per hour, and special-purpose or interpretive roads, 15 miles per hour.

Rigidity in laying out horizontal alinement to a uniform design speed should be avoided, by reducing the design speed to fit the terrain, with the proviso that drastic reductions in design speed should be properly signed for the safety of the driver.

### **Roadway Widths**

Roadway width constitutes the width of the final completed roadway extending from edge of shoulder to edge of shoulder. A road having 22 feet of pavement and 3-foot shoulders would have a roadway width of 28 feet.



Selection of the proper roadway width is made on the basis of numerous factors including existing and anticipated traffic volumes, safety, type of terrain, engineering requirements, design speed—and the purpose for which the road is being built. Pavement widths that are too narrow can defeat their own function.

The extreme outer edge of the pavement, the weakest point, carries the wheel load and tends to break down and create a raveled edge which requires constant patching and maintenance.

The width of shoulders is equally important. Shoulders which are too narrow do not provide good support for the edge of the pavement nor adequate space for pull-off in case of emergency.

Except as may be approved by the Director, roadway widths in natural areas shall be as follows:

1. Major two-way park roads should have a pavement not to exceed 22 feet plus shoulders not to exceed 3 feet.
2. Minor two-way park roads should have a pavement width not to exceed 20 feet with shoulders not to exceed 3 feet.
3. Major, minor, and special-purpose one-way park roads should have a pavement width not to exceed 12 feet with shoulders not to exceed 2 feet.
4. Interpretive (motor nature) roads should have an overall width not in excess of 14 feet.
5. Administrative roads should be of the minimum width necessary to serve the purpose of the road. In no event may they exceed the guidelines for minor park roads.
6. Where guardrails or guideposts are required for reasons of safety, two additional feet of shoulder will be permitted.

The foregoing standards will not permit certain oversize vehicles to use such roads safely, and such vehicles should be prohibited by regulation.

### **Recreation Areas**

As a rule, two-way parkways and two-way major roads in recreation areas serve functions broader than roads in natural areas, such as driving for pleasure and providing access for recreational vehicles and boats. Accordingly, where necessary to accommodate such use, roadway widths for two-way roads in recreation areas may be 24 feet of pavement and shoulders not to exceed 4 feet. Roadway widths in excess of the foregoing should be approved by the Director. In those recreation areas where the road is part of a through highway, no higher standard should be approved within the area than exists for the roadway outside the area.

Other type roads (minor two-way roads, interpretive and administrative roads) in recreation areas should be of widths specified for similar roads in natural areas.

### **Parking**

Parking areas, either within the system or at terminal points, are an integral part of the circulation system. The placement of parking areas where they in-



trude, by sight or sound, on significant features, must be avoided. Moreover, the size of parking areas should be limited to the greatest extent possible for effective operation. Where large parking areas are necessary they should be broken up with plantings and screenings, if possible.

## **Signs**

Roadside signing, whether regulatory, informational, or interpretive, is an integral part of the visitor experience, as well as road design. Care should be exercised to insure that the quality and design of all signing enhances the visitor experience.

## **Road Surfaces and Materials**

Wherever appropriate, the color of materials used in road construction will be chosen to harmonize with the general character of the landscape. Chips used for periodic sealing and repair should be selected from appropriate rock material sources. The above is equally applicable to parking areas.

## **Trail Surfaces and Materials**

A particular effort shall be made to avoid the construction of black top trails in sensitive areas such as Indian ruins and natural features, and the above guidelines for road materials will apply to trails. Elevated boardwalks, such as the Anhinga Trail, are often effective solutions, and methods of stabilizing soils should be investigated.

## **Borrow Pits**

Only when economic factors make it greatly impractical will borrow pits be created in the parks, or present pits further utilized, unless located in washes or other places where natural factors will eradicate the scar.

## **One-way Roads**

In general, the philosophy should be followed that the primary park purposes of preservation, enjoyment, and interpretation are collectively served better by one-way roads than by two-way roads (major and minor park roads and parkways). Accordingly, one-way roads should be constructed in preference to two-way roads wherever practicable, when in keeping with the purpose of the road and these guidelines.

## **Interpretive (Motor Nature) Roads**

An often overlooked opportunity to disperse the traffic load and to increase visitor enjoyment is to convert existing roadbeds—such as abandoned roads and railroads, fire roads, and administrative roads—into interpretive roads or motor nature trails. Their use for this purpose is encouraged. These low-speed, often one-way roads, with ample parking, viewing, and trail opportunities, encourage visitors to explore the scenery and features at a leisurely pace.

### **Alternate Methods of Transportation**

The Service must avail itself of an up-to-date, continuing analysis of all potentially useful modes of transportation. Feasible alternatives to road transportation should receive experimentation in parks or recreation areas in which serious circulation problems now exist or in which access has not yet been provided.

# appendix H

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UNITED STATES  
DEPARTMENT OF THE INTERIOR  
National Park Service  
Washington, D.C. 20240

October 28, 1969

## PROCEDURES FOR PUBLIC REVIEW OF DRAFT MASTER PLANS

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### General

A public meeting will be held for the purpose of soliciting comments on drafts of master plans prepared for all existing areas of the National Park System. This procedure does not preclude the holding of meetings to obtain public reaction at an earlier stage in planning studies.

### Purpose of Meeting

The meeting will provide opportunities for local residents, representatives of private organizations, and other Governmental agencies to participate in the park planning process. Such participation should result in helpful suggestions for park management and should contribute to an approved master plan which has a broad base of public understanding and support. Also, the meeting will focus more attention on the interrelationships between the park and its surrounding region.

### Scope and Type of Meeting

The meeting will be "informal" and will not require a formal notice, such as publication in the "Federal Register" and recorded transcript, although an official transcript may be taken if the Director of the Region determines that the size of the area or scope of the planning problems warrant.

The scope of the meeting is to discuss the proposed master plan—not wilderness proposals. Wilderness proposals will be presented later at a *formal public hearing in conformance with the requirements of the Wilderness Act*.

### **Scheduling and Notification**

Master plans are ready for consideration at a public meeting or public meetings when the Director of the Region has determined that they satisfactorily reflect the approved management objectives, the administrative policies of the Service, and the mandates of Congress. The Director of the Region is responsible for preparing press releases and notifying all interested organizations and other Federal, State, and local agencies of the public meeting. The public will be given 60 days before and 15 days after the date of the last public meeting, if a series of meetings are held, to review and comment on the working draft master plans. Copies of the draft plan will be available in the affected parks, the Regional Office, and the State Coordinator's Office, and in the Washington Office of the National Park Service.

The Superintendent will review the master plan with the local area Advisory Committee, where such exists, prior to the public meeting.

### **Conduct of the Public Meeting**

The Superintendent, in consultation with the Director of the Region and Chief, Office of Resource Planning, will make local arrangements for the meeting. The meeting will be held in the immediate vicinity of the area under consideration. A suitable meetingplace will be secured which is large enough to accommodate the number of persons expected to attend.

The Director of the Region or his designee will conduct the public meeting. He will explain the ground rules of the meeting and make other appropriate remarks regarding the purpose of the meeting and the planning procedures of the National Park Service.

The Team Captain, who was responsible for field studies and preparation of the master plan, will make a succinct, informative presentation and provide technical backup assistance. His presentation will be an objective explanation of the rationale of the master plan. The reaction of the public will be sincerely sought and questions and answers will be encouraged.

### **Follow Up**

Following each meeting (including the 15-day post-meeting period), a résumé will be prepared by the Superintendent which indicates the number in attendance, the names and affiliations of those who actively participated, a summary of major suggestions presented at the meeting, as well as correspondence received before and after, and other pertinent factors. In cases where a transcript or tape recording is made, it must be summarized.

An evaluation of the public meeting and all related materials will be made by the Director of the Region, Superintendent, Team Captain, local area Advisory Committee (if one exists), and Regional Advisory Committee to deter-

mine what changes, if any, should be made to the proposed master plan before approval by the Director of the Region.

The Director of the Region will notify by appropriate means, organizations, agencies, and other interested parties of the approval of the master plan and the location where copies will be available for examination.





# appendix I

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UNITED STATES  
DEPARTMENT OF THE INTERIOR  
National Park Service  
Washington, D.C. 20240

August 16, 1972

*Memorandum*

To: All Field Directors  
From: Director, National Park Service  
Subject: Reclassification of Class VI Lands

Drafts of some recent master plans for units of the National Park System have contained proposals to reclassify Class VI lands to other classifications, usually for the purpose of constructing park developments. Such proposals record an intent to cease managing such lands as historic properties and present the possibility of action that may impair the historic integrity of the resources. For reasons explained below, such actions constitute Federal undertakings in terms of Section 106 of the National Historic Preservation Act of 1966 or in terms of Section 2(c) of Executive Order 11593 and require the review and comment of the Advisory Council on Historic Preservation.

In considering proposals that will affect historic resources on lands administered by the National Park Service, the following definitions and determinations should be kept in mind:

**Historical areas of the National Park System**

Under the provisions of the National Historic Preservation Act of 1966 (80 Stat. 915), all historical areas of the National Park System are listed in the National Register of Historic Places. Section 106 of the act provides that Federal (National Park Service or other agency) undertakings affecting these National Register properties are subject to review and comment by the Advisory Council on Historic Preservation. The meaning of "effect" and the review and commenting process are set forth and explained in the Advisory Council "Procedures for Compliance with Section 106," published in the Federal Register, July 15, 1972.

In making impact judgments, the administrator of a historical area should consider any proposal to change the boundary of Class VI lands or any project that will occur within or adjacent or near to Class VI lands as having an effect and requiring Section 106 consultation. It is conceivable, although not likely

in most historical areas, that proposed development within park boundaries on other than Class VI lands may not affect historical resources. In such cases, the park administrator shall proceed with caution and be able to demonstrate conclusively that the project will have no effect. The Advisory Council on Historic Preservation has the authority to comment upon such projects or proposals if it does not agree with the finding of no effect, and private parties may question the finding of no effect through court action.

### **National Register Properties within Natural or Recreational Areas**

A number of properties within natural and recreational areas have been placed on the National Register, through studies conducted by the National Park Service. In the park master plan, the boundary of the National Register property will appear as Class VI lands. Because the National Register property boundary and the Class VI boundary are the same, the administrator of such property within a natural or recreational area shall consider a proposal to change the boundary of the property or a project that will occur within it or adjacent to it as having an effect and requiring a Section 106 consultation.

### **Class VI lands within Natural or Recreational areas not yet placed on the National Register**

Under Executive Order 11593 of May 13, 1971, all historic properties in Federal ownership are to be nominated to the National Register by the agency having custody. Section 2(b) of the Executive Order provides that, pending nomination, any property that *might* qualify cannot be sold, transferred, demolished, or altered without review and comment by the Advisory Council on Historic Preservation. For purposes of carrying out the Executive Order, it may be assumed that all Class VI lands not in the National Register are potential additions to it and will ultimately be entered. Several memoranda from this Office, most recently Mr. Freeman's memorandum of August 6, 1971, establish the identity between Class VI lands and National Register eligibility. Therefore, the administrator of Class VI lands within a natural or recreational area should consider a proposal to change the boundary of the property an alteration of a historic resource which might qualify for nomination to the National Register.

If the National Park Service is to live up to its responsibilities as custodian of the Nation's historic and cultural heritage and fulfill its role as a leader in historic preservation, its own practices must be sound and above reproach. It is therefore vital that Field Directors carefully evaluate all proposals affecting the integrity of historic resources.

GEORGE B. HARTZOG, JR.

**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
National Park Service  
Washington, D.C. 20240**

August 16, 1972

*Memorandum*

To: All Field Directors  
From: Director, National Park Service  
Subject: Historic buildings

In a recent staff meeting I expressed my belief that too many requests are being received from field directors for authority to demolish buildings of historical or architectural value. The National Historic Preservation Act of 1966 and Executive Order 11593 of May 13, 1971, establish national policy, and my memorandum of October 10, 1968, states Service policy and procedure. Too often, I feel, the spirit if not the letter of these policies and guidelines has been evaded.

Executive Order 11593 states that it is the policy of the Federal Government to provide leadership in preserving, restoring, and maintaining the historic and cultural environment of the Nation. I am enclosing a copy so that you may review it. The National Park Service, acting for the Secretary of the Interior, has a Government-wide mandate to provide technical advice and assistance on preservation problems throughout the United States. We cannot function in this critical capacity unless our own performance is above reproach. Therefore, it is incumbent upon us to set an example for proper preservation and use of the historical and cultural resources in our custody.

The contents of E.O. 11593 and my memorandum of October 10, 1968 (copy enclosed) should be reiterated to the field managers under your direction. No structure 50 years or older shall be razed or substantially modified without my personal approval, nor shall any structure less than 50 years old be razed or substantially modified without the review and concurrence of the Director, Office of Archeology and Historic Preservation.

Our administrative policies encourage the retention and use of our cultural resources. The treatment of historic structures is not limited to restoration for exhibition purposes; adaptive restoration is also a valid and proper treatment and is to be encouraged. Certainly the exercise of ingenuity and creative thought in the examination of your inventory of old buildings will result in appropriate adaptive uses.

Thank you very much.

GEORGE B. HARTZOG, JR.

**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
National Park Service  
Washington, D.C. 20240**

October 10, 1968

*Memorandum*

To: Regional Directors, Midwest, Northeast, Southeast, Southwest,  
Western, and National Capital Regions  
From: Director, National Park Service  
Subject: Historic Buildings

It has recently come to my attention that the Service is still demolishing historic structures within some of the older National Parks for the reason that the structure has deteriorated. From my personal observation this deterioration results, in most instances, from a lack of any creative effort on the part of the Service to maintain the structure in the first place.

The Service stands as perhaps the single most vital force in promoting historic preservation throughout the country. It, thus, is incongruous for us to be dismantling structures in National Parks which were they outside of National Parks we would be in the forefront of those opposing demolition.

Accordingly, hereafter no structure 50 years or older shall be razed or modified without my personal approval. Moreover, any structure less than 50 years old that is significant in interpreting the cultural heritage of a location or region shall not be razed or modified without review and concurrence of the Chief, Office of Archeology and Historic Preservation.

Your attention to this matter, and follow up with the Superintendents, will be much appreciated. Thank you very much.

GEORGE B. HARTZOG, JR.



## EXECUTIVE ORDER 11593

### Protection and Enhancement of the Cultural Environment

By virtue of the authority vested in me as President of the United States and in furtherance of the purposes and policies of the National Environmental Policy Act of 1969 (83 Stat. 852, 42 U.S.C. 4321 et seq.), the National Historic Preservation Act of 1966 (80 Stat. 915, 16 U.S.C. 470 et seq.), the Historic Sites Act of 1935 (49 Stat. 666, 16 U.S.C. 461 et seq.), and the Antiquities Act of 1906 (34 Stat. 225, 16 U.S.C. 431 et seq.), it is ordered as follows:

**SECTION 1. *Policy.*** The Federal Government shall provide leadership in preserving, restoring and maintaining the historic and cultural environment of the Nation. Agencies of the executive branch of the Government (hereinafter referred to as "Federal agencies") shall (1) administer the cultural properties under their control in a spirit of stewardship and trusteeship for future generations, (2) initiate measures necessary to direct their policies, plans and programs in such a way that federally owned sites, structures, and objects of historical, architectural or archaeological significance are preserved, restored and maintained for the inspiration and benefit of the people, and (3), in consultation with the Advisory Council on Historic Preservation (16 U.S.C. 470i), institute procedures to assure that Federal plans and programs contribute to the preservation and enhancement of non-federally owned sites, structures and objects of historical, architectural or archaeological significance.

**SEC. 2. *Responsibilities of Federal agencies.*** Consonant with the provisions of the acts cited in the first paragraph of this order, the heads of Federal agencies shall:

(a) no later than July 1, 1973, with the advice of the Secretary of the Interior, and in cooperation with the liaison officer for historic preservation for the State or territory involved, locate, inventory, and nominate to the Secretary of the Interior all sites, buildings, districts, and objects under their jurisdiction or control that appear to qualify for listing on the National Register of Historic Places.

(b) exercise caution during the interim period until inventories and evaluations required by subsection (a) are completed to assure that any federally owned property that might qualify for nomination is not inadvertently transferred, sold, demolished or substantially altered. The agency head shall refer any questionable actions to the Secretary of the Interior for an opinion respecting the property's eligibility for inclusion on the National Register of Historic Places. The Secretary shall consult with the liaison officer for historic preservation for the State or territory involved in arriving at his opinion. Where, after a reasonable period in which to review and evaluate the property, the Secretary determines that the property is likely to meet the criteria prescribed for listing on the National Register of Historic Places, the Federal agency head shall reconsider the proposal in light of national environmental and preservation policy. Where, after such reconsideration, the Federal agency head proposes to transfer, sell, demolish or substantial-

ly alter the property he shall not act with respect to the property until the Advisory Council on Historic Preservation shall have been provided an opportunity to comment on the proposal.

(c) initiate measures to assure that where as a result of Federal action or assistance a property listed on the National Register of Historic Places is to be substantially altered or demolished, timely steps be taken to make or have made records, including measured drawings, photographs and maps, of the property, and that copy of such records then be deposited in the Library of Congress as part of the Historic American Buildings Survey or Historic American Engineering Record for future use and reference. Agencies may call on the Department of the Interior for advice and technical assistance in the completion of the above records.

(d) initiate measures and procedures to provide for the maintenance, through preservation, rehabilitation, or restoration, of federally owned and registered sites at professional standards prescribed by the Secretary of the Interior.

(e) submit procedures required pursuant to subsection (d) to the Secretary of the Interior and to the Advisory Council on Historic Preservation no later than January 1, 1972, and annually thereafter, for review and comment.

(f) cooperate with purchasers and transferees of a property listed on the National Register of Historic Places in the development of viable plans to use such property in a manner compatible with preservation objectives and which does not result in an unreasonable economic burden to public or private interests.

SEC. 3. *Responsibilities of the Secretary of the Interior.* The Secretary of the Interior shall:

(a) encourage State and local historic preservation officials to evaluate and survey federally owned historic properties and, where appropriate, to nominate such properties for listing on the National Register of Historic Places.

(b) develop criteria and procedures to be applied by Federal agencies in the reviews and nominations required by section 2(a). Such criteria and procedures shall be developed in consultation with the affected agencies.

(c) expedite action upon nominations to the National Register of Historic Places concerning federally owned properties proposed for sale, transfer, demolition or substantial alteration.

(d) encourage State and Territorial liaison officers for historic preservation to furnish information upon request to Federal agencies regarding their properties which have been evaluated with respect to historic, architectural or archaeological significance and which as a result of such evaluations have not been found suitable for listing on the National Register of Historic Places.

(e) develop and make available to Federal agencies and State and local governments information concerning professional methods and

techniques for preserving, improving, restoring and maintaining historic properties.

(f) advise Federal agencies in the evaluation, identification, preservation, improvement, restoration and maintainance of historic properties.

(g) review and evaluate the plans of transferees of surplus Federal properties transferred for historic monument purposes to assure that the historic character of such properties is preserved in rehabilitation, restoration, improvement, maintenance and repair of such properties.

(h) review and comment upon Federal agency procedures submitted pursuant to section 2(e) of this order.

RICHARD NIXON

THE WHITE HOUSE,  
*May 13, 1971.*

## ADVISORY COUNCIL ON HISTORIC PRESERVATION

### National Register of Historic Places

#### PROTECTION OF PROPERTIES; PROCEDURES FOR COMPLIANCE

Pursuant to the National Historic Preservation Act of 1966 (80 Stat. 915, 16 U.S.C. 470), the Advisory Council on Historic Preservation has undertaken steps to implement the purposes of that Act through the publication of procedures for compliance with section 106 of the Act and information to define the role and function of the Advisory Council. It is the purpose of this notice, through publication of the following procedures and information, to apprise the public, as well as governmental agencies, associations, and all other organizations and individuals interested in historic preservation, of the implementing actions that have been taken in order that the historic preservation responsibilities of Federal agencies and the Advisory Council may be met. Inquiries regarding the substance of, and compliance with, the procedures and information set forth in this notice should be directed to the Executive Secretary, Advisory Council on Historic Preservation, Suite 430, 1522 K Street, NW, Washington, DC 20005.

THOMAS FLYNN,  
*Executive Director, Advisory Council  
on Historic Preservation.*

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## **PROTECTION OF PROPERTIES IN THE NATIONAL REGISTER OF HISTORIC PLACES**

The National Historic Preservation Act of 1966 created the Advisory Council on Historic Preservation, an independent agency of the Executive branch of the Federal Government, to advise the President and Congress on matters involving historic preservation. Its members are the Secretary of the Interior, the Secretary of Housing and Urban Development, the Secretary of the Treasury, the Secretary of Commerce, the Attorney General, the Secretary of Transportation, the Secretary of Agriculture, the Administrator of the General Services Administration, the Secretary of the Smithsonian Institution, the Chairman of the National Trust for Historic Preservation, and 10 citizen members selected on the basis of their outstanding service in the field of historic preservation.

The Council is authorized to review and comment upon undertakings carried out, licensed, or financially assisted by the Federal Government which have an effect upon properties listed on the National Register; to recommend measures to coordinate activities of Federal, State, and local agencies and private institutions and individuals relating to historic preservation; and to secure from the appropriate Federal agencies certain information necessary to the performance of these duties.

### **I. PROCEDURES FOR COMPLIANCE WITH SECTION 106**

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The Council exercises an important function by reviewing and commenting upon undertakings carried out, licensed, or financially assisted by the Federal Government when the undertaking will affect a property listed on the National Register. This authority derives from section 106 of the National Historic Preservation Act, which provides that:

The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking shall, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, as the case may be, take into account the effect of the undertaking on any district, site, building, structure, or object that is included in the National Register. The head of any such Federal agency shall afford the Advisory Council on Historic Preservation established under Title II of this Act a reasonable opportunity to comment with regard to such undertaking.

The Advisory Council desires to provide maximum assistance to Federal agencies in connection with section 106. Normally the Council anticipates that



its comments will be required in only the most complex situations, and it requests that Federal agencies fulfill their obligations under section 106 by the use of the following procedures:

### **Procedures for Compliance With Section 106 National Historic Preservation Act of 1966**

The Advisory Council on Historic Preservation hereby establishes the following procedures for agencies of the Federal Government having direct or indirect jurisdiction or authority over a Federal or federally financed or licensed undertaking for compliance with section 106 of the National Historic Preservation Act of 1966.

#### **A. *Definitions.*** As used in these procedures:

1. "National Historic Preservation Act" means Public Law 89-665, approved October 15, 1966, an "Act to establish a program for the preservation of additional historic properties throughout the Nation and for other purposes," 80 Stat. 915, 16 U.S.C. 470, hereinafter referred to as "the Act."
2. "Undertaking" means any Federal action, activity, or program, or the approval, sanction, assistance, or support of any other action, activity, or program, such as the issuance of a license or permit, the granting of funds, or the development or funding of master or regional plans.
3. "National Register" means the National Register of Historic Places, which is a register of districts, sites, buildings, structures, and objects, significant in American history, architecture, archeology, and culture, maintained by the Secretary of the Interior under authority of section 2(b) of the Historic Sites Act of 1935 (49 Stat. 666, 16 U.S.C. 461) and section 101(a)(1) of the National Historic Preservation Act. The National Register is published in its entirety in the FEDERAL REGISTER each year in February. Addenda are published monthly.
4. "National Register Property" means a district, site, building, structure, or object, listed in the National Register.
5. "National Register Criteria" means the following criteria established by the Secretary of the Interior for use in evaluating and determining the eligibility of properties for listing in the National Register:

The quality of significance in American history, architecture, archeology, and culture, is present in districts, sites, buildings, structures, and objects of State and local importance that possess integrity of location, design, setting, materials, workmanship, feeling and association and:

- a. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- b. That are associated with the lives of persons significant in our past; or
- c. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- d. That have yielded, or may be likely to yield, information important in prehistory or history.

Criteria considerations. Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

(1) A religious property deriving primary significance from architectural or artistic distinction or historical importance.

(2) A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event.

(3) A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his productive life.

(4) A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events.

(5) A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived.

(6) A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance.

(7) A property achieving significance within the past 50 years if it is of exceptional importance.

6. "Criteria for Effect" means the following criteria established by the Advisory Council on Historic Preservation for use in determining the effect of an undertaking upon a National Register property:

A federally financed or licensed undertaking shall be considered to have an effect on a National Register listing (districts, sites, buildings, structures, and objects, including their settings) when any condition of the undertaking causes or may cause any change in the quality of the historical, architectural, archeological, or cultural character that qualified the property under the National Register criteria for listing in the National Register.

Generally, adverse effects occur under conditions which include but are not limited to:

- a. Destruction or alteration of all or part of a property;
- b. Isolation from or alteration of its surrounding environment;
- c. Introduction of visual, audible, or atmospheric elements that are out of character with the property and its setting.

7. "Agency Official" means the head of the Federal Agency having responsibility for the undertaking or a subordinate employee of the Federal Agency to whom authority with respect to the evaluation of the effect of the proposed undertaking has been delegated.

8. "Executive Director" means the Executive Director of the Advisory Council on Historic Preservation established by Section 205 of the Act, or his designated representative.

9. "State Liaison Officer" means the official within each State, authorized by the State at the request of the Secretary of the Interior, to act as liaison for purposes of implementing the Act, or his designated representative.

**B. *Agency procedures.***

1. *Consideration of effect.* At the earliest stage of planning or consideration of a proposed undertaking, including master and regional planning, the Agency Official shall: (a) Consult the National Register to determine if a National Register property is involved in the undertaking; and (b) upon finding involvement, apply the "Criteria for Effect." Upon applying the criteria and finding no effect, the undertaking may proceed.

2. *Effect established.* Upon finding that the undertaking will have an effect upon a National Register property, the Agency Official shall: (a) Notify the State Liaison Officer and the Executive Director; and (b) in joint consultation with them, determine whether or not the effect will be adverse.

3. *Finding of no adversity.* Upon finding the effect not to be adverse, the Agency Official, the State Liaison Officer and the Executive Director shall execute a joint memorandum acknowledging no adversity and forward the document to the Chairman of the Advisory Council for review pursuant to section C(1).

4. *Finding of adversity.* If any of the consulting parties find the effect to be adverse, the Agency Official shall consult further with the State Liaison officer and the Executive Director to determine whether there is a feasible and prudent alternative to remove or satisfactorily mitigate the adverse effect.

5. *Removal of adversity.* If the Agency Official, the State Liaison Officer, and the Executive Director select and unanimously agree upon a feasible and prudent alternative to remove the adverse effect of the undertaking, they shall execute a joint memorandum acknowledging no adversity. This document shall be forwarded to the Chairman of the Advisory Council for review pursuant to section C(1).

6. *Mitigation of adversity.* If the consulting parties are unable to unanimously agree upon a feasible and prudent alternative to remove the adversity, the Agency Official shall consult with the State Liaison Officer and the Executive Director to determine whether there is a feasible and prudent alternative to satisfactorily mitigate the adverse effect of the undertaking. Upon finding and unanimously agreeing to such an alternative, they shall execute a joint memorandum acknowledging satisfactory mitigation of effect. This document shall be forwarded to the Chairman of the Advisory Council for review pursuant to section C(1).

7. *Failure to remove or mitigate adversity.* Upon the failure of the con-

sulting parties to find and unanimously agree upon a feasible and prudent alternative to remove or satisfactorily mitigate the adverse effect, the Agency Official shall delay further processing of the undertaking and provide written notice affording the Advisory Council an opportunity to comment upon the proposed undertaking. Such notice shall include a record of the status of the proposal in the planning and funding sequence and an account of actions taken in accordance with the Procedures for Compliance. Upon request, the Agency Official shall submit a report of the undertaking to the Advisory Council.

### C. *Council procedures.*

1. *Review of joint memorandum.* Upon receipt from the Agency Official of a joint memorandum acknowledging either no adversity or satisfactory mitigation of effect, the Chairman of the Council shall review the content of the document. Unless the Chairman, or in his absence a citizen member of the Council appointed by the membership for this purpose, shall notify the Agency Official that the matter has been placed on the agenda of the Council for final review and comment, the joint memorandum shall become final in 30 days and the undertaking may proceed.

The Chairman, or in his absence the Council's appointee, may waive all or part of the 30-day review period by notice to the Agency Official, at which time the joint memorandum shall become final and the undertaking may proceed.

2. *Preliminary action on notice affording opportunity for comment.* Upon receipt of a written notice from an agency affording the Advisory Council an opportunity to comment pursuant to section B(7) of these procedures, the notice shall be acknowledged and a 30-day review period instituted during which:

a. It shall be determined whether the Procedures for Compliance have been observed;

b. The Federal Agency, the State Liaison Officer and the Executive Director shall provide such information as may be requested by the Council; and

c. The Chairman, or in his absence the Council's appointee under section C(1), shall determine whether or not the Council will comment. If the Council decides not to comment, the undertaking may proceed.

3. *Decision to comment.* Upon determination to comment upon an undertaking, the Council shall:

a. Schedule the matter for consideration at a regular meeting no less than 60 days from the date the notice was received, or in exceptional cases, schedule the matter for consideration in an unassembled or special meeting;

b. Notify the Federal Agency of the date on which comments will be considered; and

c. Authorize preparation of a section 106 report.

4. *Content of section 106 report.* For purposes of arriving at comments under section 106 of the Act, the Advisory Council prescribes that certain reports be made available to it and accepts reports and statements from other



interested parties. Specific informational requirements are enumerated below. Generally, the requirements represent an explication or elaboration of principles contained in the "Criteria for Effect." The Council notes, however, the Act recognizes that historical and cultural resources should be preserved "as a living part of our community life and development." Consequently, in arriving at final comments, the Council considers those elements in an undertaking that have relevance beyond historical and cultural concerns. To assist it in weighing the public interest, the Council welcomes information not only bearing upon physical, sensory, or esthetic effects but information concerning economic, social, and other benefits or detriments that will result from the undertaking.

5. *Elements of the section 106 report.* The report on which the Council relies for comment shall consist of:

- a. A report from the Executive Director to include a verification of the legal and historical status of the National Register property; an assessment of the historical, architectural, archeological, or cultural significance of the National Register property; a statement indicating the special value of features to be most affected by the undertaking; an evaluation of the total effect of the undertaking upon the National Register property; and a critical review of any known feasible and prudent alternatives.
- b. A report from the Federal Agency requesting comment to include a general discussion of the proposed undertaking; when appropriate, an account of the steps taken to comply with section 102(2)(A) of the National Environmental Policy Act of 1969 (83 Stat. 852, 42 U.S.C. 4332); an evaluation of the effect of the undertaking upon the National Register property, with particular reference to the impact on the historic scene; steps taken or proposed by the agency to take into account or minimize the effect of the undertaking; a discussion of alternatives, and, if applicable and available, a copy of the draft of the preliminary environmental impact statement prepared in compliance with section 102(2)(C) of the National Environmental Policy Act of 1969.
- c. A report from any other Federal Agency having under consideration a plan or undertaking that will concurrently or ultimately affect the National Register property, including a general description of the plan or undertaking and a discussion of the effect the undertaking under consideration by the Council will have upon such proposals.
- d. A report from the State Liaison Officer to include an assessment of the significance of the National Register property; and identification of features of special value; an evaluation of the effect of the undertaking upon the National Register property and its specific components; a consideration of known alternatives; a discussion of present or proposed participation of State and local agencies or organizations in preserving or assisting in preserving the National Register property; an indication of the support or opposition of units of government and public and private agencies and organizations within the State; and the recommendations of his office.



- e. Other pertinent reports, statements, correspondence, transcripts, minutes, and documents, received by the Council from any and all parties, public or private.
6. *Report by recipient or potential recipient.* When the Federal Agency requests comment upon an application for funds, a grant, or license or some other form of Federal approval, sanction, assistance, or support, the Council will welcome the submission and presentation of a report by the applicant or potential recipient. Arrangements for the submission and presentation of reports by applicants or potential recipients should be made through the Federal Agency having jurisdiction in the matter.
7. *Coordination of section 106 reports and statements.*
- a. In considerations involving, either directly or indirectly, more than one Federal department, the agency requesting comment shall act as a coordinator in arranging for a full assessment and discussion of all inter-departmental facets of the problem and prepare a record of such coordination to be made available to the Council.
- b. The Council may request the State Liaison Officer or other State officials to accept the responsibility for notifying appropriate governmental units and public and private organizations within the State of the pending comments of the Council, and to coordinate the presentation of written statements to the Council.
8. *Council meetings.* The Council will not hold formal hearings on section 106 matters. All meetings will be open except as otherwise ordered by the Chairman. Reports and statements will be presented to the Council in open session in accordance with a prearranged agenda and considered by the Council in executive session for the purpose of preparing comments. Regular meetings of the Council occur on the first Wednesday and Thursday of February, May, August, and November.
9. *Oral statements to the Council.* A schedule shall provide for oral statements from the Executive Director; the referring Federal Agency presently or potentially involved; the recipient or potential recipient; the State Liaison Officer; and representatives of national, State, or local units of government and public and private organizations. The Council requests that parties wishing to make oral remarks submit written statements of position in advance to the Council staff.
10. *Comments by the Council.* The comments of the Council shall take the form of a three-part statement, including an introduction, findings, and a conclusion. The statement shall include notice to the Federal Agency of the report required under section C(11) of these procedures. Comments shall be made to the head of the Federal Agency requesting comment or having responsibility in the matter. Immediately thereafter, the comments of the Council will be forwarded to the President and the Congress as a special report under authority of section 202(b) of the Act and published as soon as possible in the FEDERAL REGISTER.
11. *Report of agency action in response to Council comments.* When a final decision on the undertaking is reached by the Federal Agency, the Agency Official shall submit a written report to the Council containing: (a) A description of actions taken by the Federal Agency subsequent to the

Council's comments; (b) a description of actions taken by other parties pursuant to the actions of the Federal Agency; and (c) the ultimate effect of such actions, on the National Register property involved. The Council may request supplementary reports if the nature of the undertaking requires them.

12. *Records of the Council.* The records of the Council shall consist of an oral transcript of the proceedings at each meeting, the section 106 report prepared by the Executive Director, and all other reports, statements, transcripts, correspondence, and documents received. Records shall be maintained in the Office of the Council.

13. *Continuing review jurisdiction.* When the Council has formally commented pursuant to sections C(2) through C(10) or has approved a joint memorandum pursuant to section C(1) concerning an undertaking, such as a master plan, which by its nature requires subsequent action by the Federal Agency, the Council will consider its comments or approval to extend only to the undertaking as reviewed. The Agency Official shall insure that subsequent action related to the undertaking is submitted to the Council for review in accordance with these procedures when that action is found to have an effect on a National Register property.

## II. OTHER POWERS OF THE COUNCIL

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A. *Comment or report upon non-Federal undertaking.* The Council will exercise the broader advisory powers, vested by section 202(a)(1) of the Act, to comment or report upon a non-Federal undertaking that will adversely affect a National Register property or any other property determined by the Secretary of the Interior to meet the National Register criteria: (1) Upon request from the President of the United States, the President of the U.S. Senate, or the Speaker of the House of Representatives, or (2) when agreed upon by a unanimous vote of the members of the Council.

B. *Comment or report upon Federal undertaking in special circumstances.* The Council will exercise its broader advisory powers by commenting to Federal agencies in certain special situations even though written notice that an undertaking will have an effect has not been received. For example, the Council may choose to comment in situations where an objection is made to a Federal Agency finding of "no effect."

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# DATE DUE

DEC 17 1990	
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**U.S. DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE**



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