

APPENDIX B

SERVICEWIDE MANDATES AND POLICIES PERTAINING TO FORT RALEIGH  
NATIONAL HISTORIC SITE

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## **APPENDIX B: LIST OF RELEVANT LEGISLATION, REGULATORY MANDATES, AND POLICIES**

This section provides an overview of selected laws and policies that are applicable to the management of Fort Raleigh National Historic Site. The information provided is not comprehensive and is meant to identify major relevant legislation, regulatory mandates, and policies.

### **LEGISLATION**

Fort Raleigh National Historic Site specific legislation is provided in Appendix A.

### **SERVICEWIDE LAWS AND POLICIES**

This section summarizes the major appropriate legal and administrative mandates that apply to managing all units of the NPS. These are measures that the NPS must strive to meet, regardless of the alternative selected for the long-term management of the park. The body of laws and executive orders that guide park management, with their legal citations, are identified.

#### **The National Park Service Organic Act and the Redwood Act Amendment to the National Park Service General Authorities Act**

One of the most important statutory directives for the National Park Service (NPS) is provided by the interrelations of the NPS Organic Act of 1916 and the Redwood Act Amendment to the NPS General Authorities Act of 1970. The Organic Act mandates that the National Park Service “shall promote and regulate the use of Federal areas known as national parks, monuments, and reservations by such means and measures as conform to the fundamental purpose of said parks, monuments, and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wildlife

therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.”

The General Authorities Act amends the Organic Act to broaden the types of areas that are included in the national park system, such as national seashores, recreation areas, and parkways. The Redwood Act further amends the General Authorities Act to reassert system-wide the high standard of protection set forth in the Organic Act. In the Redwood Act, “Congress further reaffirms, declares, and directs that the promotion and regulation of the various areas of the Nation Park System shall be consistent with and founded in the purpose established by the first section of the Act of August 25, 1916, to the common benefit of all the people of the United States. The authorization of activities shall be construed and the protection, management, and administration of these areas shall be conducted in light of the high public value and integrity on the National Park System and shall not be exercised in derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress.”

Both the Organic Act and the General Authorities Act, as amended by the Redwood Act, define a single standard for the management of the park service: to safeguard the units of the national park system, conserving resources and values for enjoyment of all people of the United States and prohibiting impairment. Director’s Order 55, Interpreting the National Park Service Organic Act, serves as the NPS interpretation of the meaning of the Organic Act and the General Authorities Act, as amended.

#### **National Historic Preservation Act**

The National Historic Preservation Act of 1966 authorized the Secretary of the Interior to “expand and maintain a national register

of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture.” Section 106 of the act requires federal agencies to consider the effects of their undertakings on National Register properties and to allow the Advisory Council on Historic Preservation “a reasonable opportunity to comment” on such undertakings. The National Register of Historic Places was expanded from the original roster of historic landmarks and areas of the National Park System to a comprehensive inventory of historic properties nationwide. National Park Service actions affecting properties listed on the National Register of Historic Places are subject to review by state historic preservation officers and the Advisory Council.

Section 110 requires among other things that the park to “establish a preservation program to protect and preserve historic properties in consultation with others” and that this program ensure “that historic properties under the jurisdiction or control of [the National park Service], are identified, evaluated, and nominated to the National Register.” Further, Section 110 requires “that such properties under the jurisdiction or control of [the park] as are listed in or may be eligible for the National Register are managed and maintained in a way that considers the preservation of their historic, archaeological, architectural, and cultural values in compliance with section 106 of this Act and gives special consideration to the preservation of such values in the case of properties designated as having National significance.” Section 112 requires that studies or other actions taken with regard to historic properties be done by personnel or contractors who meet appropriate professional qualifications standards developed by the Secretary of the Interior. It also requires that the park maintain data from historic properties studies in an appropriate database available to prospective researchers.

### **National Environmental Policy Act**

The National Environmental Policy Act of 1969 states as policy that federal agencies must assess the environmental impacts of any proposed action that they fund, support, permit, or implement. It specifically directs federal agencies to document the environmental impact of the proposed action, any adverse environmental effects which cannot be avoided should the proposed action be implemented, and alternatives to the proposed action.

The act also established the Council on Environmental Quality, which is charged with the implementation and oversight of the National Environmental Policy Act. The Council on Environmental Quality subsequently developed the legal requirements (40 Code of Federal Regulations 1500-1508) that all federal agencies must follow in evaluating the environmental effects of proposed actions. These procedures involve three levels of documentation: categorical exclusions; environmental assessments; and environmental impact statements. In the National Park Service, construction activities, natural or cultural resource management projects, and park plans trigger the majority of National Environmental Policy Act documents. The National Environmental Policy Act enables the National Park Service to integrate compliance with other legal mandates and provides a format for public involvement. Director’s Order 12 sets forth the policy and procedures by which the service will comply with the National Environmental Policy Act.

### **Clean Air Act**

The Clean Air Act provides a legal framework for the National Park Service to preserve and protect parks’ lated values. The act establishes national ambient air quality standards for certain criteria pollutants. Major provisions of the act are intended to set a goal for cleaner air by setting national primary and secondary ambient air quality

standards. Primary standards define levels of air quality necessary to protect public health, while secondary standards define levels necessary to protect public welfare from any known or anticipated adverse effects of a pollutant.

Under the Clean Air Act, the U.S. Environmental Protection Agency is required to set new source performance standards, based on best-demonstrated technology and to establish national emission standards for hazardous air pollutants. The U.S. Environmental Protection Agency is also required to develop programs for prevention of significant deterioration of air quality in attainment areas. Air pollution permits in attainment areas mandate installation of pollution controls that represent the best available control technology.

The Clean Air Act also requires states to develop and submit a state implementation plan for achieving national ambient air quality standards within each state. The state implementation plan must establish state air quality control regions and specify emission limits, schedules, and timetables for compliance from both stationary and mobile sources. The Clean Air Act requires federal facilities to comply with state air pollution requirements. The Clean Air Act reinforces the NPS Organic Act role as a protector of natural and cultural resources within the national park system. Under the Clean Air Act, the National Park Service is responsible for protecting air quality within park unit boundaries, and for taking appropriate action to do so, when reviewing emission sources within and outside of the park system.

### **Clean Water Act**

The Federal Water Pollution Control Act of 1972, as amended by the Clean Water Act and the Water Quality Act of 1987, forms the legal framework to support maintenance and restoration of water quality. The Clean Water Act establishes the National

Pollutant Discharge Elimination System as the regulatory mechanism to achieve water quality goals by regulating pollutant discharge to navigable streams, lakes, and rivers. Through standards promulgated by individual states, the Clean Water Act requires the NPS to protect its water resources from point and nonpoint sources of pollution. Many NPS construction activities are regulated by the Clean Water Act under stormwater permitting requirements.

Under Section 303 (d) of the Clean Water Act, states are required to develop lists of streams and water bodies that do not meet ambient water quality standards. The resulting inventory of impaired streams, called the 303 (d) list, is updated every two years by states and is the basis for decisions related to restoring water quality. The law requires that the states establish priority rankings for waters on the lists and develop total maximum daily loads for these waters. A total maximum daily load is a calculation of the maximum amount of a pollutant that a waterbody can receive and continue to meet its designated use.

Based on an evaluation of the states' implementation of their Clean Water Act 303 (d) responsibilities, the U.S. Environmental Protection Agency developed changes and improvements to the total maximum daily load regulations. On July 13, 2000, the agency issued a final total maximum daily load rule that will improve current regulations. Congress has required the U.S. Environmental Protection Agency (delegated to the Virgin Islands Department of Environmental Protection) to establish total maximum daily loads for the territory, under the current total maximum daily load regulation.

### **Endangered Species Act**

The Endangered Species Act of 1973, amended in 1982 and 1987, is intended to prevent the further decline of endangered and threatened plant and animal

species and to help in the restoration of populations of these species and their habitats. The Endangered Species Act, jointly administered by the Department of Commerce and the Department of the Interior, requires that each federal agency consult with the U.S. Fish and Wildlife Service to determine whether endangered or threatened species are known to exist or have critical habitats on or in the vicinity of the site of a proposed action.

Section 7(c) of the Endangered Species Act authorizes the U.S. Fish and Wildlife Service to review proposed major federal actions to assess the potential impacts to listed species. In accordance with Section 7 (c), the National Park Service, in consultation with the U.S. Fish and Wildlife Service, must identify and promote the conservation of all federally listed species and their critical habitat within park boundaries.

#### **Antideficiency Act**

The Antideficiency Act is a series of statutes (originating from 16 Stat. 251 in 1870) that prohibit federal managers from making or authorizing expenditures in excess of the amount available to them from appropriations or other funds, unless authorized by law. Based on this, the plan/EIS created must be able to be implemented through expected funding sources.

#### **National Parks Omnibus Management Act of 1998**

Both the National Parks Omnibus Management Act of 1998 (NPOMA) (16 USC 5901 et seq.) and NEPA are fundamental to NPS park management decisions. Both acts provide direction for articulating and connecting the ultimate resource management decision to the analysis of impacts, using appropriate technical and scientific information. Both also recognize that such data may not be readily available and provide options for resource impact analysis in this case.

#### **The Fish and Wildlife Coordination Act (16 U.S.C. 661, 666c)**

The Fish and Wildlife Coordination Act protects the quality of the aquatic environment needed for fish and wildlife resources. The Act requires consultation with the Fish and Wildlife Service and the fish and wildlife agencies of States where the “waters of any stream or other body of water are proposed or authorized, permitted or licensed to be impounded, diverted . . . or otherwise controlled or modified” by any agency (except TVA) under a Federal permit or license. NOAA Fisheries was brought into the process later, as these responsibilities were carried over, during the reorganization process that created NOAA. Consultation is to be undertaken for the purpose of “preventing loss of and damage to wildlife resources,” and to ensure that the environmental value of a body of water or wetland is taken into account in the decision-making process during permit application reviews. Consultation is most often (but not exclusively) initiated when water resource agencies send the FWS or NOAA Fisheries a public notice of a Section 404 permit. FWS or NOAA Fisheries may file comments on the permit stating concerns about the negative impact the activity will have on the environment, and suggest measures to reduce the impact.

#### **Fish & Wildlife Act of 1956 - 16 U.S.C. §§ 742a-742j**

The Fish and Wildlife Act establishes a comprehensive national fish, shellfish, and wildlife resources policy with emphasis on the commercial fishing industry. The Act emphasizes that the Act be administered with regard to the inherent right of every citizen and resident to fish for pleasure, enjoyment, and betterment and to maintain and increase public opportunities for recreational use of fish and wildlife resources. Further, the Act established a Bureau of Sport Fisheries and Wildlife and a Bureau of Commercial Fisheries within the US Fish and Wildlife Service.



The Act requires the Secretary of the Interior to:

- Develop measures for “maximum sustainable production of fish”;
- Make economic studies of the industry and recommend measures to insure stability of the domestic fisheries;
- Undertake promotional and information activities to stimulate consumption of fishery products; and
- Take steps “required for the development, advancement, management, conservation, and protection of the fisheries resources,” and take steps “required for the development, management, advancement, conservation, and protection of fish and wildlife resources” through research, acquisition of land and water or interests therein, development of existing facilities, and other means.

**Fish & Wildlife Conservation Act (Nongame Act) - 16 U.S.C. §§ 2901-2911**

The Act encourages states to develop conservation plans for nongame fish and wildlife of ecological, educational, aesthetic, cultural, recreational, economic or scientific value. Pursuant to amendments adopted in 1988 and 1989 the Secretary of the Interior is directed to undertake certain activities to research and conserve migratory nongame birds.

**Fish Restoration & Management Projects Act - 16 U.S.C. §§ 777 et seq.**

Under the Act, the Secretary of the Interior is authorized and directed to cooperate with State fish and game departments in fish restoration and management projects by agreeing upon the fish restoration and management projects to be aided under

standards fixed by the Secretary of the Interior. A state may submit programs or projects for fish restoration in two ways:

- The state prepares and submits to the Secretary a comprehensive fish and wildlife resource management plan which insures the perpetuation of these resources for the economic, scientific, and recreational enrichment of the people; or
- The State fish and game department submits to the Secretary full and detailed statements of any fish restoration and management project proposed for that State.

**Magnuson-Stevens Fishery Conservation and Management Act (Public Law 94-265)**

The purpose of the Magnuson-Stevens Fishery Conservation Management Act is (1) to maintain without change the existing territorial or other ocean jurisdiction of the United States for all purposes other than the conservation and management of fishery resources, as provided for in this Act; (2) to authorize no impediment to, or interference with, recognized legitimate uses of the high seas, except as necessary for the conservation and management of fishery resources, as provided for in this Act; (3) to assure that the national fishery conservation and management program utilizes, and is based upon, the best scientific information available; involves, and is responsive to the needs of, interested and affected States and citizens; considers efficiency; draws upon Federal, State, and academic capabilities in carrying out research, administration, management, and enforcement; considers the effects of fishing on immature fish and encourages development of practical measures that minimize bycatch and avoid unnecessary waste of fish; and is workable and effective; (4) to permit foreign fishing consistent with the provisions of this Act; (5) to support and encourage active United States efforts to obtain internationally acceptable agreements which provide for

effective conservation and management of fishery resources, and to secure agreements to regulate fishing by vessels or persons beyond the exclusive economic zones of any nation;(6) to foster and maintain the diversity of fisheries in the United States; and (7) to ensure that the fishery resources adjacent to a Pacific Insular Area, including resident or migratory stocks within the exclusive economic zone adjacent to such areas, be explored, developed, conserved, and managed for the benefit of the people of such area and of the United States.

**Migratory Game Fish Study Act of 1959  
(16 USC 760(e))**

Provides for a continuing study of migratory marine fishes, including the effects of fishing on the species.

**Federal Aid in Sport Fish Restoration Act (16 U.S.C. 777-777k, 64 Stat. 430)**

The Federal Aid in Sport Fish Restoration Act, also referred to as the Dingell-Johnson Act or Wallop-Breaux Act, provides Federal aid to the States for management and restoration of fish having “material value in connection with sport or recreation in the marine and/or freshwaters of the United States.” Amendments to the Act provide funds to states for aquatic education, wetlands restoration, boat safety and clean vessel sanitation devices (pumpouts), and a non-trailerable boat program.

**Abandoned Shipwreck Act of 1987 - 43 U.S.C. § 2101-2106**

The ASA declares the US policy that States carry out their responsibilities to develop appropriate and consistent policies to:

- protect natural resources and habitat areas;
- guarantee recreational exploration of shipwreck sites; and
- allow for appropriate public and

private sector recovery of shipwrecks consistent with the protection of historical values and environmental integrity of the shipwrecks and the sites.

In managing the resources subject to the provisions of this Act, States are encouraged to create underwater parks or areas to provide additional protection for such resources. Funds available to States from grants from the Historic Preservation Fund shall be available, in accordance with the provisions of title I of the National Historic Preservation Act [16 U.S.C. 470 et seq.], for the study, interpretation, protection, and preservation of historic shipwrecks and properties.

The United States asserts title to any abandoned shipwreck that is:

- embedded in submerged lands of a State;
- embedded in coralline formations protected by a State on submerged lands of a State; or
- on submerged lands of a State and is included in or determined eligible for inclusion in the National Register

**Act to Prevent Pollution from Ships of 1980 - 33 USC § 1901-1911**

The Act authorizes the EPA and the Secretary of the department in which the U.S. Coast Guard is located, currently the Department of Homeland Security, to administer and implement the requirements of the International Convention for the Prevention of Pollution from ships, the MARPOL Protocol, and this Act.

The Act describes penalties for violation of MARPOL and allows the EPA and USCG to promulgate regulations necessary and proper for the administration of the Act, issue certifications, conduct inspections, and engage in enforcement actions.



**Disaster Mitigation Act -  
Public Law 106-390**

The Disaster Mitigation Act, implemented by FEMA, reinforces the importance of pre-disaster infrastructure mitigation planning to reduce disaster losses nationwide. The Act is aimed primarily at the control and streamlining of the administration of federal disaster relief and programs to promote mitigation activities. The Act also establishes minimum mitigation standards for public and private structures.

**Federal Power Act –  
16 U.S.C. § 791 et seq.**

The Federal Power Act calls for cooperation between the Federal Energy Regulatory Commission (FERC) and other Federal agencies in licensing and relicensing power projects. Under this act FERC is authorized to issue licenses for the construction, operation and maintenance of dams, water conduits, reservoirs, and transmission lines to improve navigation and to develop power from any streams or other bodies of water over which it has jurisdiction.

The 1992 amendments (Public Law 102-486), directed the Secretary of Energy, in consultation with the Secretaries of the Interior and the Army, to study cost-effective opportunities to increase hydropower production from federally owned or operated facilities. The amendments also authorized a study on the Nation's principal river basins to find opportunities to more efficiently generate hydroelectric power from federal facilities.

**Migratory Bird Treaty  
Act – 16 U.S.C. § 703 et seq.**

This Act provides for the protection of all migratory birds and their parts (including eggs, nests, and feathers). The Act implements the international conventions entered into between the United States and Canada, Japan, Mexico, and Russia, for the

protection of selected species of birds that combine to form a common resource.

**National Invasive Species  
Act of 1996 – Public Law 104-332**

This Act reauthorized and modified NANPCA as well as extended it to cover the Hudson River region. The Act required record keeping, reporting, sampling and monitoring of vessels for compliance with the voluntary guidelines issued by the US Coast Guard.

**National Oceanographic  
Partnership Act - Public Law 104-201**

NOPA Creates the National Oceanographic Partnership Program and its governing body, the National Ocean Research Leadership Council, to promote the national interest in natural security, economic development, quality of life, and strong science education and communication through improved knowledge of the ocean.

**Oceans Act of 2000 – Public Law 106-256**

The Oceans Act establishes a Commission which develops a National Oceans Report which makes recommendations to the President and Congress on ocean and coastal issues. The President then responds to these recommendations in a “National Ocean Policy” that he submits to Congress.

The Commission establishes a multi-disciplinary science advisory panel that assists the Commission in preparing its report, ensuring that the scientific information considered is based on the best available data.

The Commission must provide a copy of their draft report to the Governor of each coastal state whose comments will be included in the Commission's final report. Under this Act the President of the United States must develop his National Ocean Policy in consultation with the states.

**Ocean Dumping Act -  
16 U.S.C. § 1401 et seq.**

The ODA amends and consist of Titles I and II of the Marine Protection, Research, and Sanctuaries Act. This Act provides the basic authority for the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (USACE) to regulate ocean dumping. Title I prohibits any person, without a permit, from:

- Transporting from the U.S. any material for the purpose of dumping it into ocean waters (defined to mean those waters of the open seas lying seaward of the baseline from which the territorial sea is measured). In the case of a vessel or aircraft registered in the U.S. or flying the U.S. flag, or in the case of a U.S. agency, the act prohibits any person, without a permit, from transporting from any location any material for the purpose of dumping it into ocean waters; and
- Dumping any material transported from a location outside the U.S. into the territorial sea, or the contiguous zone extending 12 nautical miles seaward from the baseline of the territorial sea to the extent that it may affect the territorial sea or the territory of the U.S. EPA issues permits regulating the ocean dumping of all material except dredged material, which is permitted by COE.

**Oil Pollution Act –  
33 U.S.C. §§ 2701-2761**

The OPA imposes liability for cleanup and damages on “each responsible party for a vessel or a facility from which oil is discharged, or which poses the substantial threat of a discharge of oil, into or upon the navigable waters or adjoining shorelines or the exclusive economic zone.”

**Rivers & Harbors Act of 1899  
(RHA) - 33 U.S.C. § 401 et seq.**

Under sections 9 & 10 of the RHA, the U.S. Army Corps of Engineers is authorized to regulate the construction of any structure or work within navigable waters.

- USACE jurisdiction under RHA is limited to “navigable waters,” or waters subject to the ebb and flow of the tide shoreward to the mean high water mark that may be used to transport interstate or foreign commerce.
- After receiving an application for a section 10 RHA navigation permit, USACE issues a public notice to solicit information from the public, adjacent property owners, and state, local, and federal agencies.
- USACE is required to consult with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service to protect and conserve wildlife resources

**Submerged Lands Act –  
43 U.S.C. § 1301 et seq.**

The SLA gave title to and ownership of the lands beneath navigable waters, with the boundaries of the states, to the respective states, along with the natural resources within such lands. The Act also gave the states the right and power to manage, administer, lease, develop and use the lands and resources granted.

Additionally, the SLA approved and confirmed the seaward boundary of the states as “a line three geographical miles distant from its coast line or, in the case of the Great Lakes, to the international boundary.” The SLA also respected the boundaries of TX and FL to be three marine leagues.

**Water Resources Development Act (WRDA) - 33 U.S.C. § 2201 et seq.**

The WRDA authorizes and directs the Army Corps of Engineers (Corps) on projects for navigation, flood control, flood damage reduction, environmental restoration, recreation, hurricane and storm damage reduction, ecosystem restoration, shore protection and damage reduction, aquifer storage and recovery, snagging and sediment removal, beneficial use of dredged materials and navigation mitigation throughout the country.

**Watershed Protection & Flood Prevention Act - 16 U.S.C. §§ 1001-1009**

The act authorizes federal assistance to local organizations for planning and carrying out projects in watershed areas for conservation and use of land and water, and for flood prevention.

The Secretary of Agriculture is required to submit to Congress plans for works of improvement in watershed or sub-watershed areas where the federal contribution exceeds \$5 million or the plan includes a structure with a capacity greater than 2,500-acre feet. These plans must be submitted for comment to the secretary of the interior if they include works of improvement for reclamation or irrigation or affect lands or wildlife under the Department of the Interior's jurisdiction.

**EXECUTIVE ORDERS**

**Executive Orders on Wetlands and Floodplains**

Executive Order 11988, Floodplain Management (May 24, 1977), requires federal agencies to evaluate the potential effects of actions in floodplains to avoid adversely impacting floodplains wherever possible. Executive Order 11988 also requires federal agencies to ensure that planning programs and budget requests reflect consideration of flood hazards and floodplain management, including the

restoration and preservation of such land areas as natural undeveloped floodplains, and to prescribe procedures to implement the policies and procedures of this executive order.

Executive Order 11990, Protection of Wetlands (May 24, 1977), requires federal agencies to take action to avoid adversely impacting wetlands wherever possible, to minimize wetlands destruction, and to preserve procedures to implement the policies and procedures of this executive order. It is the intent of these executive orders that, wherever possible, federal agencies implement the floodplains/wetlands requirements through existing procedures, such as those internal procedures established to implement National Environmental Policy Act. The National Park Service often integrates compliance with the executive orders with other legal mandates, such as National Environmental Policy Act.

**NATIONAL PARK SERVICE DIRECTORS ORDERS AND MANAGEMENT POLICIES**

**NPS Management Policies 2006**

This is an update to the 2001 Management Policies. The policies are derived from the laws that have been enacted to establish and govern the NPS and the National Park System. This document serves as the basic, Servicewide policy manual used by park superintendents and other NPS managers to guide their decision-making. The manual prescribes policies which enable the NPS to preserve park resources and values unimpaired for the enjoyment of future generations, as required by law. The policies have been updated to keep pace with new laws that have been enacted, changes in technology and American demographics, and new understandings of the kinds of actions that are required to best protect the natural and cultural resources of the parks. The policies stress the importance of: using the parks for educational purposes;

demonstrating environmental leadership in the parks; managing park facilities and resources in ways that will sustain them for future generations of Americans to enjoy; and working with partners to help accomplish the NPS mission. The new Management Policies is available on the NPS World Wide Web site at <http://www.nps.gov/policy/MP2006.pdf>.

### **Director's Orders**

The NPS has several sources of detailed written guidance to help manager's make day-to-day decisions. Elements of NPS guidance are included in Director's Orders, Handbooks, and Reference Manuals. Selected Director's Orders are summarized in the following paragraphs. For a comprehensive list of all Director's Orders, refer to the NPS Office of Policy website ([www.nps.gov/applications/npspolicy/DOrders.cfm](http://www.nps.gov/applications/npspolicy/DOrders.cfm)).

#### **Director's Order 12**

Director's Order 12 describes the policy and procedures by which the National Park Service will comply with the National Environmental Policy Act. The Council on Environmental Quality, part of the Executive Office of the President, is the "caretaker" of National Environmental Policy Act. The National Park Service is required to abide by all National Environmental Policy Act regulations (40 Code of Federal Regulations 1500-1508) and any other procedures and requirements imposed by other higher authorities, such as the Department of the Interior.

#### **Director's Order 17: National Park Service Tourism**

The purpose of this Tourism Policy is to promote and support sustainable, responsible, informed, and managed visitor use through cooperation and coordination with the tourism industry.

#### **Director's Order 24: Museum Collections Management**

This lays the foundation by which the NPS meets its responsibilities toward museum collection. Director's Order 24 provides policy guidance, standards, and requirements for preserving, protecting, documenting, providing access to, and use of, NPS museum collections.

#### **Director's Order 28: Cultural Resources Management**

Director's Order 28, issued pursuant to 16 United States Code (1 through 4), addresses cultural resource management. The National Park Service will protect and manage cultural resources in its custody through effective research, planning, and stewardship and in accordance with the policies and principles contained in the National Park Service Management Policies 2006.

#### **Director's Order 28A: Archeology**

Director's Order 28A provides a management framework for planning, reviewing and undertaking archeological activities and other activities that may affect archeological resources within the National Park System.

#### **Director's Order 47: Soundscape Preservation and Noise Management**

The purpose of this Director's Order is to articulate National Park Service operational policies that will require, to the fullest extent practicable, the protection, maintenance, or restoration of the natural soundscape resource in a condition unimpaired by inappropriate or excessive noise sources.

### **NORTH CAROLINA LAWS**

This section lists the major legal and administrative mandates that apply to the NPS in North Carolina. These are measures that the NPS must strive to meet, regardless

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of the alternative selected for the long-term management of the park.

North Carolina General Statutes  
Chapter 70: Indian Antiquities,  
Archaeological Resources and  
Unmarked Human Skeletal Remains  
Protection

North Carolina General Statutes,  
Chapter 113A: Pollution Control and  
Environment.

North Carolina General  
Statutes, Chapter 113: Conservation and  
Development

North Carolina General Statutes,  
Chapter 139: Soil and Water Conservation  
Districts

North Carolina Coastal Area  
Management Act of 1972

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