

**National Park Service**  
**U.S. Department of the Interior**  
**Great Smoky Mountains National Park**



**Elkmont Historic District**  
**Draft Environmental Impact Statement and**  
**General Management Plan Amendment**

**Volume II: Appendices**

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## NPS DIRECTOR'S ORDERS

NPS Director's Orders consulted as part of this planning process are listed below, followed by a description of the purpose of each order.

- #2: Park Planning
- #6: Interpretation and Education
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### Director's Order #2: *Park Planning*

Director's Order #2 provides guidance concerning development of a park plan and was signed in 1998. It states that each unit in the NPS must develop a General Management Plan that defines the direction for preservation of resources and visitor use. Director's Order #2 indicates that during the planning process, long- term, as well as annual goals, should be identified by the management team to aid evaluating the agency's performance and results. Development of the plan must include discussion with NPS program managers, interested parties and the general public. Sufficient analysis of existing and potential resource conditions, visitor experiences, environmental impacts (including natural, cultural, and socioeconomic) and comparison of costs for various courses of action are also to be included in the plan. Finally, the order states that, if necessary to keep them current, General Management Plans shall be reviewed and amended or revised, or a new plan will be prepared (NPS 1998b). Chapter 2: *Park System Planning* of the 2001 NPS Management Policies uses guidance provided in Director's Order #2 to establish park system planning protocol. It includes an NPS obligation to consider rivers and river segments determined eligible for the National Wild and Scenic Rivers system when analyzing actions that could potentially affect them. No actions that could adversely affect these streams should be included in the General Management Plan or any other plans.

### Director's Order #6: *Interpretation and Education*

Director's Order #6 was approved in December, 1986. The purpose of this Director's Order is to supplement *Management Policies* with operational policies and procedures necessary to maintain effective, high- quality interpretive and educational programs. This order supports goal categories I and II of the NPS Strategic Plan, which call for



“Preserving Park Resources” and “Providing for the Public Enjoyment and Visitor Experience of Parks.” This order also states:

The goal of the NPS interpretive and educational programs is to provide memorable and inspirational learning and recreational experiences, foster the development of a personal stewardship ethic, and broaden public support for preserving park resources (NPS 2004i).

Director's Order #12: Conservation Planning, Environmental Impact Analysis, and Decision- Making

Director's Order #12, was approved on January 8, 2001. This directive, with its associated handbook, offers guidance by which the NPS carries out its responsibilities to implement the policy and procedures specified under the National Environmental Policy Act of 1969 (NEPA). NEPA describes the process by which decisions are made relating to Federal actions that have the potential to affect resources such as water, air, endangered and threatened species and, economic and recreational opportunities. Director's Order #12 recommends the following (NPS 2001d and 2001e):

- Use of interdisciplinary approaches and principles in decision- making;
- Decisions based on technical and scientific information;
- Establishment of benchmarks demonstrating best management processes (such as resource councils and project review teams) in development, analysis, and review of projects;
- Use of alternative dispute resolution and other processes to resolve internal and external disputes;
- Peer review panels to address conflicts among resource specialists regarding validity and interpretation of data and resource information;
- Analysis of impairment of resources as part of the environmental impact analysis process; and
- Post- litigation review and analysis of decision- making for potential improvements to resource- based decisions.

Director's Order #28: Cultural Resource Management

Director's Order #28 was issued in 1998, along with NPS- 28, *Cultural Resource Management Guideline*. In recognizing the importance of protecting cultural resources, this order provides guidelines for management decisions and activities that could affect cultural resources directly or indirectly (NPS 1998c). The order was created as a supplement to the NPS *Management Policies* document. This directive provides guidance on management of cultural resources and includes sections concerned with the following:

- *research*: to identify, evaluate, document, register, and establish other basic information about cultural resources;
- *planning*: to ensure that this information is well integrated into management processes for making decisions and setting priorities; and
- *stewardship*: under which planning decisions are carried out and resources are preserved, protected, and interpreted to the public.





Director's Order #28B: Archeology

This director's order was approved October 12, 2004 as a supplement to Director's Order #28. It recognizes the importance of protecting archeological resources and provides information needed to implement laws and policies when carrying out certain activities that have the potential to affect these resources. This directive provides management guidelines for planning, reviewing, and undertaking archeological activities and other actions that may affect archeological resources within the National Park System. It also outlines the way in which the NPS can fulfill its responsibilities to provide assistance with archeological resources located outside the national parks. This order and its reference manual provide more specific guidance on particular archeological subjects than Director's Order #28 and the Cultural Resource Management Guideline Release No. 5 (NPS 1998d).

Director's Order #28C: Draft Handbook for Oral History in the National Park Service

This handbook, was presented for a sixty day review period that ended May 10, 2004 and it has not yet been approved. The handbook is being developed as a supplement to Director's Order #28 to establish policies and procedures relating to the use of oral history as a resource for researchers. In order for NPS professionals to effectively utilize this tool to preserve and document cultural and historical memory, in the parks or within the NPS itself, the interviews must be planned, organized, conducted, processed, and managed in accordance with the highest professional standards. NPS professionals, contractors and volunteers must make sure that the procedures they follow permit the interview material to be preserved so that it is available to researchers in the future (McDonnell 2004).

Director's Order #42: Accessibility for Visitors with Disabilities in National Park Service Programs and Services

Director's Order #42 was issued November 3, 2004. The goal of the order is to address the issue of accessibility to the parks with a system- wide policy that attempts to provide a "comprehensive approach to achieving the highest level of accessibility that is reasonable, while ensuring consistency with the other legal mandates of conservation and protection of the resources" managed by the NPS (NPS 2004j).

The overall intent of Director's Order #42 is to ensure that all visitors, including those with disabilities, have the highest level of access to all services, programs and facilities in the National Parks. Specifically, the five objectives of this directive are:

1. Incorporate the long range goal of providing the highest level of accessibility that is reasonable for people of all abilities to all facilities, programs and services, instead of providing "separate" or "special" programs
2. Implement this goal within the daily operation of the NPS, its policies, organizational relationships and implementation strategies
3. Provide further guidance and direction regarding the NPS interpretation of laws and policies
4. Establish a framework for the effective implementation of actions necessary to achieve the highest level of accessibility that is reasonable



5. Ensure the implementation of “universal design” principles within the National Park system

Achieving these objectives requires that the NPS consider means and methods to achieve the highest level of access for all individuals during the planning, design and construction phases required for restoration and/or rehabilitation of existing buildings and construction of new ones. Visitor accessibility is also addressed in NPS Management Policies in regard to a variety of programs. A brief summary of these programs, as excerpted from Director's Order #42, follows.

Cultural Resource Management: The NPS will provide persons with disabilities the highest feasible level of physical access to historic properties that is reasonable, and consistent with the preservation of each property's significant historical features.

Interpretation and Education: The NPS will ensure, to the greatest extent reasonable, that persons with disabilities receive the same interpretive opportunities as non-disabled persons. Accordingly, the Park Service will ensure that persons with disabilities have the opportunity to participate in, and benefit from, all programs and activities in the most integrated setting appropriate.

Use of Parks: All reasonable efforts will be made to make NPS facilities, programs, and services accessible to and usable by all people, including those with disabilities.

Park Facilities: The NPS will design, construct, and operate all buildings and facilities so they are accessible to, and usable by, persons with disabilities to the greatest extent reasonable, in compliance with all applicable laws, regulations and standards.

Commercial Visitor Services: Concessioners share the NPS' responsibility to provide employees and visitors with the greatest degree of access to programs, facilities, and services that is reasonable, within the terms of existing contracts and agreements. New contracts must reflect all requirements of applicable laws, regulations and standards prohibiting discrimination on the basis of disability.

Wilderness Management: The NPS has legal obligations to make available equal opportunities for people with disabilities in all programs and activities. This requirement includes the opportunity to participate in wilderness experiences.

In the context of Director's Order #42, “reasonable” means not only capable of being accomplished, but also within the bounds of common sense and sound judgment when considering other factors such as costs, benefits, the nature of the environment and NPS responsibilities toward protecting Park resources and values.



Director's Order #48: Commercial Services

Director's Order #48 consists of two parts, #48A: Concessions Management, and #48B: Commercial Use Authorization. Both parts are in the process of development and since neither of these director's orders have been approved, the principal source of guidance on these issues is Chapter 10 of the 2001 edition of *Management Policies* (NPS 2000). Chapter 10: *Commercial Visitor Services* provides direction for policies concerning concessions operations, contracting and planning for commercial visitor services. Authorization of a concessions contract is based on whether the facility or service :

- Is necessary and appropriate for the public use and enjoyment of the park in which it is located, and identified needs are not, nor can they be, met outside park boundaries;
- Will be provided in a manner that furthers the protection, conservation, and preservation of the environment, and park resources and values;
- Incorporates sustainable principles and practices in planning, design, siting, construction, utility systems, selection and recycling of building materials, and waste management; and
- Will enhance visitor use and enjoyment of the park without causing unacceptable impacts to park resources or values.

Director's Order #77: Natural Resource Management

Director's Order #77 is being developed to serve as a reference manual that replaces NPS #77: The Natural Resource Management Guideline, issued in 1991. This director's order provides complete guidance for National Park employees charged with the management, conservation and protection of existing natural resources within the National Park System. Sections concerned with air, cave and karst features, disturbed land, freshwater, geologic resources, paleontological resources and soils have been completed. Additional sections regarding resource uses, planning, and program administration and management are included as well. Other sections will be added as they are reviewed and comments from resource specialists are incorporated (NPS 2004k).

Director's Order #77- I: Wetland Protection

Director's Order 77- I was issued in 1998 to replace 1980 wetland guidance and then reissued October 30, 2002 to provide policies, requirements and standards that translate the intent of Executive Order 11990 into procedural practice. Executive Order 11990: "Protection of Wetlands" (42 Federal Register 26961) was issued in 1977 by President Carter. The purpose of the executive order was to "... avoid to the extent possible the long and short term adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new construction in wetlands wherever there is a practicable alternative..." The goal of "no net loss of wetlands" was adopted in 1989 and continues to be supported by subsequent administrations. Some of the provisions included in Procedural Manual #77- I are (NPS 2002e):

- a long term goal of increasing net wetlands throughout the parks
- wetland inventories will be conducted throughout the parks or acquired from sources such as the National Wetlands Inventory





- the publication “Classification of Wetlands and Deepwater Habitats of the United States” (Cowardin et al. 1979) will be used as the standard for defining, classifying and inventorying wetlands
- when planning a new action or development, the NPS will first avoid adverse wetland impacts where practicable, then minimize impacts that can not be avoided, and only mitigate (through restoration of degraded wetlands) when there are unavoidable adverse wetland impacts

Director's Order #77- 2: Floodplain Management

Director's order #77- 2 was issued on September 8, 2003 with its associated Procedural Manual 77- 2 to replace Special Directive 93- 4, “Floodplain Management.” The purpose of this director's order is to carry out the intent of Executive Order 11988, “Floodplain Management”, issued May 28, 1980. The goal of the executive order was “to avoid to the extent possible the long and short term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative” (NPS 2003e). The director's order requires Federal agencies to take steps during project planning and develop policy that will:

- Reduce the potential for losses due to flooding;
- Minimize the risks posed by floods on human safety, health and welfare; and
- Restore and preserve the natural and beneficial values of floodplains.

Director's Order #83: Public Health

On August 3, 2003, Director's Order #83: Public Health was issued to replace the 1999 edition of the order. The purpose of this director's order is to ensure that NPS complies with public health legislation when operating and maintaining food service, water supply and waste management facilities, public beaches, swimming pools and lodging facilities. The NPS Public Health Program aids in evaluating parks for potential health risks and environmental compliance. Public Health Program staff instructs NPS personnel on issues pertaining to health hazards and provides information via fact sheets, submissions to Ranger Morning Reports and its internet and intranet web sites. Modifications were made to the previous edition that included the following (NPS 2003f):

- Parks are not required to operate drinking water systems under more rigorous guidelines than the primacy agency's requirements
- Parks are not required to operate wastewater systems under more rigorous guidelines than the primacy agency's requirements
- Operators of non- public drinking water systems must have appropriate training, but certification is not required
- Guidance concerning bathing beaches, swimming pools, and spas and hot tubs is combined in the Recreational Waters section
- An additional section regarding vector- borne and zoonotic diseases is included

Director's Order #87A: Park Roads Standards

Director's Order #87A was issued on July 9, 1984 to provide guidance regarding construction and maintenance of National Park Service roads. This director's order was



developed by the Road Standards Task Force with technical assistance from the Federal Highway Administration. It was intended to replace the 1968 Park Road Standards and include appropriate procedures to comply with requirements under the Surface Transportation Assistance Act of 1982. The standards were developed while taking into consideration the need for NPS to protect and preserve the natural and historical resources of the parks. The standards are intended to provide flexibility during the planning and design phases to account for variations in the type of use and terrain surrounding and underlying roadways or proposed roadways (NPS 1984).

