

[Cover page summary statement.] Beginning with Yellowstone, the idea of a national park was an American invention of historic consequences. The areas that now make up the national park system, and those that will be added in years to come, are cumulative expressions of a single national heritage. The National Park Service must manage park resources and values in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

Chapter 1: The Foundation

1.1 The National Park Idea

The world’s first national park—Yellowstone—was created in 1872, at which time Congress set aside more than one million acres as “a public park or pleasuring ground for the benefit and enjoyment of the people.” The legislation assigned control of the new park to the Secretary of the Interior, who would be responsible for issuing regulations to provide for the “preservation, from injury or spoliation, of all timber, mineral deposits, natural curiosities, or wonders, within the park, and their retention in their natural condition.” Other park management functions were to include the development of visitor accommodations, the construction of roads and bridle trails, the removal of trespassers, and protection “against the wanton destruction of the fish and game found within the park” (16 United States Code 21-22).

This idea of a national park was an American invention of historic consequences, marking the beginning of a worldwide movement that has subsequently spread to more than 100 countries and 1,200 national parks and conservation preserves. However, when Yellowstone National Park was created, no concept or plan existed upon which to build a system of such parks. The concept now described as the national park system, which embraces, nationwide, a wide variety of natural and cultural resources, evolved slowly over the years—often through the consolidation of federal land management responsibilities.

As interest grew in preserving the great scenic wonders of the West, efforts were also underway to protect the sites and structures associated with early Native American culture, particularly in the Southwest. The Antiquities Act of 1906 authorized the President “to declare by public proclamation [as national monuments] historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest” (16 USC 431).

In 1916, Congress created the National Park Service in the Department of the Interior to promote and regulate the use of the federal areas known as national parks, monuments, and reservations (16 USC 1). (As noted in the Introduction, the terms “National Park Service,” “Park Service,” “Service,” and “NPS” are used interchangeably in this document.)

1.2 The National Park System

The number and diversity of parks within the national park system grew as a result of a government reorganization in 1933, another following World War II, and yet another during the 1960s. Today there are nearly 400 units in the national park system. These units are variously designated as national parks, monuments, preserves, lakeshores, seashores, wild and scenic

1 rivers, trails, historic sites, military parks, battlefields, historical parks, recreation areas,
 2 memorials, and parkways. Regardless of the many names and official designations of the park
 3 units that make up the national park system, all represent some nationally significant aspect of
 4 our natural or cultural heritage. They are the physical remnants of our past, great scenic and
 5 natural places that continue to evolve, repositories of outstanding recreational opportunities,
 6 classrooms of our heritage, and the legacy we leave to future generations, and they warrant the
 7 highest standard of protection.

8 **1.3 Criteria for Inclusion**

9 Congress declared in the NPS General Authorities Act of 1970 that areas comprising the national
 10 park system are cumulative expressions of a single national heritage. Potential additions to the
 11 national park system should therefore contribute in their own special way to a system that fully
 12 represents the broad spectrum of natural and cultural resources that characterize our nation. The
 13 National Park Service is responsible for conducting professional studies of potential additions to
 14 the national park system when specifically authorized by an act of Congress, and for making
 15 recommendations to the Secretary of the Interior, the President, and Congress. Several laws
 16 outline criteria for units of the national park system, and for additions to the national wild and
 17 scenic rivers system and the national trails system. To receive a favorable recommendation from
 18 the Service, a proposed addition to the national park system must (1) possess nationally
 19 significant natural or cultural resources, (2) be a suitable addition to the system, (3) be a feasible
 20 addition to the system, and (4) require direct NPS management instead of alternative protection
 21 by other public agencies or the private sector. These criteria are designed to ensure that the
 22 national park system includes only the most outstanding examples of the nation's natural and
 23 cultural resources. These criteria also recognize that there are other management alternatives for
 24 preserving the nation's outstanding resources.

25 **1.3.1 National Significance**

26 NPS professionals, in consultation with subject-matter experts, scholars, and scientists, will
 27 determine whether a resource is nationally significant. An area will be considered nationally
 28 significant if it

- 29 • is an outstanding example of a particular type of resource,
- 30 • possesses exceptional value or quality in illustrating or interpreting the natural or cultural
- 31 themes of our nation's heritage,
- 32 • offers superlative opportunities for public enjoyment or for scientific study, and
- 33 • retains a high degree of integrity as a true, accurate, and relatively unspoiled example of a
- 34 resource.

35 National significance for cultural resources will be evaluated by applying the National Historic
 36 Landmarks criteria contained in 36 CFR Part 65 (*Code of Federal Regulations*).

37 **1.3.2 Suitability**

An area is considered suitable for addition to the national park system if it represents a natural or cultural resource type that is not already adequately represented in the national park system, or is not comparably represented and protected for public enjoyment by other federal agencies; tribal, state, or local governments; or the private sector.

Adequacy of representation is determined on a case-by-case basis by comparing the potential addition to other comparably managed areas representing the same resource type, while considering differences or similarities in the character, quality, quantity, or combination of resource values. The comparative analysis also addresses rarity of the resources, interpretive and educational potential, and similar resources already protected in the national park system or in other public or private ownership. The comparison results in a determination of whether the proposed new area would expand, enhance, or duplicate resource protection or visitor use opportunities found in other comparably managed areas.

1.3.3 Feasibility

To be feasible as a new unit of the national park system, an area must (1) be of sufficient size and appropriate configuration to ensure sustainable resource protection and visitor enjoyment (taking into account current and potential impacts from sources beyond proposed park boundaries); and (2) be capable of efficient administration by the Service at a reasonable cost.

In evaluating feasibility, the Service considers a variety of factors for a study area, such as

- size
- boundary configurations
- current and potential uses of the study area and surrounding lands
- landownership patterns
- public enjoyment potential
- costs associated with acquisition, development, restoration, and operation
- access
- current and potential threats to the resources
- existing degradation of resources
- staffing requirements
- local planning and zoning
- the level of local and general public support (including landowners)
- the economic/socioeconomic impacts of designation as a unit of the national park system

The feasibility evaluation also considers the ability of the National Park Service to undertake new management responsibilities in light of current and projected availability of funding and personnel.

An overall evaluation of feasibility will be made after taking into account all of the above factors. However, evaluations may sometimes identify concerns or conditions, rather than simply reach a yes or no conclusion. For example, some new areas may be feasible additions to the national park system only if landowners are willing to sell; or the boundary encompasses specific areas necessary for visitor access; or state or local governments will provide appropriate assurances that adjacent land uses will remain compatible with the study area's resources and values.

1.3.4 Direct NPS Management

There are many excellent examples of the successful management of important natural and cultural resources by other public agencies, private conservation organizations, and individuals. The National Park Service applauds these accomplishments and actively encourages the expansion of conservation activities by state, local, and private entities and by other federal agencies. Unless direct NPS management of a studied area is identified as the clearly superior alternative, the Service will recommend that one or more of these other entities assume a lead management role, and that the area not receive national park system status.

Studies will evaluate an appropriate range of management alternatives and will identify which alternative or combination of alternatives would, in the professional judgment of the Director, be most effective and efficient in protecting significant resources and providing opportunities for appropriate public enjoyment. Alternatives for NPS management will not be developed for study areas that fail to meet any one of the four criteria for inclusion listed in section 1.3.1.

In cases where a study area's resources meet criteria for national significance but do not meet other criteria for inclusion in the national park system, the Service may instead recommend an alternative status, such as "affiliated area." To be eligible for affiliated area status, the area's resources must (1) meet the same section 1.3.1 standards for national significance that apply to units of the national park system; (2) require some special recognition or technical assistance beyond what is available through existing NPS programs; (3) be managed in accordance with the policies and standards that apply to units of the national park system; and (4) be assured of sustained resource protection, as documented in a formal agreement between the Service and the nonfederal management entity. Designation as a "heritage area" is another option that may be recommended. Heritage areas are distinctive landscapes that do not necessarily meet the same standards of national significance as national park areas, or that may benefit from continued non-federal ownership and management. Either of these two alternatives (and others, as well) would recognize an area's importance to the nation without requiring or implying management by the National Park Service.

1.4 Park Management

1.4.1 The Laws Generally Governing Park Management

The most important statutory directive for the National Park Service is provided by interrelated provisions of the NPS Organic Act of 1916 and the NPS General Authorities Act of 1970, including amendments to the latter law enacted in 1978.

The key management-related provision of the Organic Act is as follows:

[The National Park Service] 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. (16 USC 1)

Congress supplemented and clarified these provisions through enactment of the General Authorities Act in 1970, and again through enactment of a 1978 amendment to that law (the “Redwood amendment,” contained in a bill expanding Redwood National Park), which added the last two sentences in the following provision. The key part of that act, as amended, is as follows:

Congress declares that the national park system, which began with establishment of Yellowstone National Park in 1872, has since grown to include superlative natural, historic, and recreation areas in every major region of the United States, its territories and island possessions; that these areas, though distinct in character, are united through their inter-related purposes and resources into one national park system as cumulative expressions of a single national heritage; that, individually and collectively, these areas derive increased national dignity and recognition of their superlative environmental quality through their inclusion jointly with each other in one national park system preserved and managed for the benefit and inspiration of all the people of the United States; and that it is the purpose of this Act to include all such areas in the System and to clarify the authorities applicable to the system. Congress further reaffirms, declares, and directs that the promotion and regulation of the various areas of the National Park System, as defined in section 1c of this title, shall be consistent with and founded in the purpose established by section 1 of this title [the Organic Act provision quoted above], 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 of 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. (16 USC 1a-1)

This section 1.4 of Management Policies represents the agency’s interpretation of these key statutory provisions.

1.4.2 “Impairment” and “Derogation”: One Standard

Congress intended the language of the Redwood amendment to the General Authorities Act to reiterate the provisions of the Organic Act, not create a substantively different management standard. The House committee report described the Redwood amendment as a “declaration by Congress” that the promotion and regulation of the national park system is to be consistent with

the Organic Act. The Senate committee report stated that under the Redwood amendment, “The Secretary has an absolute duty, which is not to be compromised, to fulfill the mandate of the 1916 Act to take whatever actions and seek whatever relief as will safeguard the units of the national park system.” So, although the Organic Act and the General Authorities Act, as amended by the Redwood amendment, use different wording (“unimpaired” and “derogation”) to describe what the National Park Service must avoid, they define a single standard for the management of the national park system—not two different standards. For simplicity, *Management Policies* uses “impairment” (or a variation thereof), not both statutory phrases, to refer to that single standard.

1.4.3 The NPS Obligation to Conserve and Provide for Enjoyment of Park Resources and Values

The “fundamental purpose” of the national park system, established by the Organic Act and reaffirmed by the General Authorities Act, as amended, begins with a mandate to conserve park resources and values. This mandate is independent of the separate prohibition on impairment, and so applies all the time, with respect to all park resources and values, even when there is no risk that any park resources or values may be impaired. NPS managers must always seek ways to avoid, or to minimize to the greatest extent practicable, adverse impacts on park resources and values. However, the laws do give the Service the management discretion to allow impacts to park resources and values when necessary and appropriate to fulfill the purposes of a park, so long as the impact does not constitute impairment of the affected resources and values.

The fundamental purpose of all parks also includes providing for the “enjoyment” of park resources and values by the people of the United States. The “enjoyment” that is contemplated by the statute is broad; it is the enjoyment of all the people of the United States, and so includes enjoyment both by people who visit parks and by those who appreciate them from afar. It also includes deriving benefit (including scientific knowledge) and inspiration from parks, as well as other forms of enjoyment **and inspiration**. Congress, recognizing that the enjoyment by future generations of the national parks can be ensured only if the superb quality of park resources and values is left unimpaired, has provided that when there is a conflict between conserving resources and values and providing for enjoyment of them, conservation is to be predominant. This is how courts have consistently interpreted the Organic Act.

1.4.3.1 Park Purposes and Legislatively Authorized Uses

Park purposes are found in the general laws pertaining to the national park system, as well as the enabling legislation or proclamation establishing each unit. In addition to park purposes, in many cases the enabling legislation or proclamation for a park may also identify uses that are either mandated or authorized.

In the administration of mandated uses, park managers must allow the use; however, they do have the authority to, and must, manage and regulate the use to ensure, to the extent possible, that impacts on park resources from that use are acceptable. In the administration of authorized uses, park managers have the discretionary authority to allow and manage the use, provided that the use will not cause impairment or unacceptable impacts. In determining whether or how to

allow the use, park managers must consider the congressional or Presidential interest, as expressed in the enabling legislation or proclamation that the use or uses continue. Where there is strong public interest in a particular use, opportunities for civic engagement and cooperative conservation should be factored into the decision-making process.

(See Unacceptable Impacts 1.4.7.1; Civic Engagement 1.7; Major Elements of NPS Park Planning and Decision-making 2.2; General 8.1)

1.4.4 The Prohibition on Impairment of Park Resources and Values

While Congress has given the Service the management discretion to allow impacts within parks, that discretion is limited by the statutory requirement (generally enforceable by the federal courts) that the Park Service must leave park resources and values unimpaired unless a particular law directly and specifically provides otherwise. This, the cornerstone of the Organic Act, establishes the primary responsibility of the National Park Service. It ensures that park resources and values will continue to exist in a condition that will allow the American people to have present and future opportunities for enjoyment of them.

The impairment of park resources and values may not be allowed by the Service unless directly and specifically provided for by legislation or by the proclamation establishing the park. The relevant legislation or proclamation must provide explicitly (not by implication or inference) for the activity, in terms that keep the Service from having the authority to manage the activity so as to avoid the impairment.

1.4.5 What Constitutes Impairment of Park Resources and Values

The impairment that is prohibited by the Organic Act and the General Authorities Act is an impact that, in the professional judgment of the responsible NPS manager, would harm the integrity of park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources or values. Whether an impact meets this definition depends on the particular resources and values that would be affected; the severity, duration, and timing of the impact; the direct and indirect effects of the impact; and the cumulative effects of the impact in question and other impacts.

An impact to any park resource or value may, but does not necessarily, constitute an impairment. An impact would be more likely to constitute impairment to the extent that it affects a resource or value whose conservation is:

- necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park, or
- key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park, or
- identified in the park's general management plan or other relevant NPS planning documents as being of significance.

An impact would be less likely to constitute an impairment to the extent that it is an unavoidable result, which cannot reasonably be further mitigated, of an action necessary to preserve or restore the integrity of park resources or values.

An impact that may, but would not necessarily, lead to impairment may result from visitor activities; NPS administrative activities; activities undertaken by concessioners, contractors, and others operating in the park. Impairment may also result from sources or activities outside the park. This will be addressed consistent with Sections 1.6 and 1.7 on Cooperative Conservation and Civic Engagement.

(See *Unacceptable Impacts 1.4.7.1*)

1.4.6 What Constitutes Park Resources and Values

The “park resources and values” that are subject to the no-impairment standard include the following:

- the park’s scenery, natural and historic objects, and wild life, and the processes and conditions that sustain them, including, to the extent present in the park: the ecological, biological, and physical processes that created the park and continue to act upon it; scenic features; natural visibility, both in daytime and at night; natural landscapes; natural soundscapes and smells; water and air resources; soils; geological resources; paleontological resources; archeological resources; cultural landscapes; ethnographic resources; historic and prehistoric sites, structures, and objects; museum collections; and native plants and animals.
- appropriate opportunities to experience enjoyment of the above resources, to the extent that can be done without impairing them;
- the park’s role in contributing to the national dignity, the high public value and integrity, and the superlative environmental quality of the national park system, and the benefit and inspiration provided to the American people by the national park system, and
- any additional attributes encompassed by the specific values and purposes for which the park was established.

(See *introduction to chapter 4*)

1.4.7 Decision-making Requirements to Identify and Avoid Impairments

Before approving a proposed action that could lead to an impairment of park resources and values, an NPS decision-maker must consider the impacts of the proposed action and determine, in writing, that the activity will not lead to an impairment of park resources and values. If there would be an impairment, the action may not be approved.

In making a determination of whether there would be an impairment, a National Park Service decision-maker must use his or her professional judgment. This means that the decision maker must consider any environmental assessments or environmental impact statements required by the National Environmental Policy Act of 1969 (NEPA); consultations required under section 106 of the National Historic Preservation Act (NHPA), relevant scientific and scholarly studies;

advice or insights offered by subject matter experts and others who have relevant knowledge or experience; and the results of civic engagement and public involvement activities relating to the decision. The same application of professional judgment applies when reaching conclusions about “unacceptable impacts.”

When an NPS decision maker becomes aware that an ongoing activity might have led or might be leading to an impairment of park resources or values, he or she must investigate and determine if there is, or will be, an impairment. This investigation and determination may be made independent of, or as part of, a park planning process undertaken for other purposes. If it is determined that there is, or will be, an impairment, the decision maker must take appropriate action, to the extent possible within the Service’s authorities and available resources, to eliminate the impairment. The action must eliminate the impairment as soon as reasonably possible, taking into consideration the nature, duration, magnitude, and other characteristics of the impacts to park resources and values, as well as the requirements of NEPA, the Administrative Procedure Act (APA), and other applicable law.

(See Levels of Park Planning 2.3; Evaluating Environmental Impacts 4.1.3; Planning 5.2; General 8.1; Visitor Use 8.2; General 9.1; Glossary definition of “Professional Judgment.” Also see Director’s Order #12: Conservation Planning and Environmental Impact Analysis)

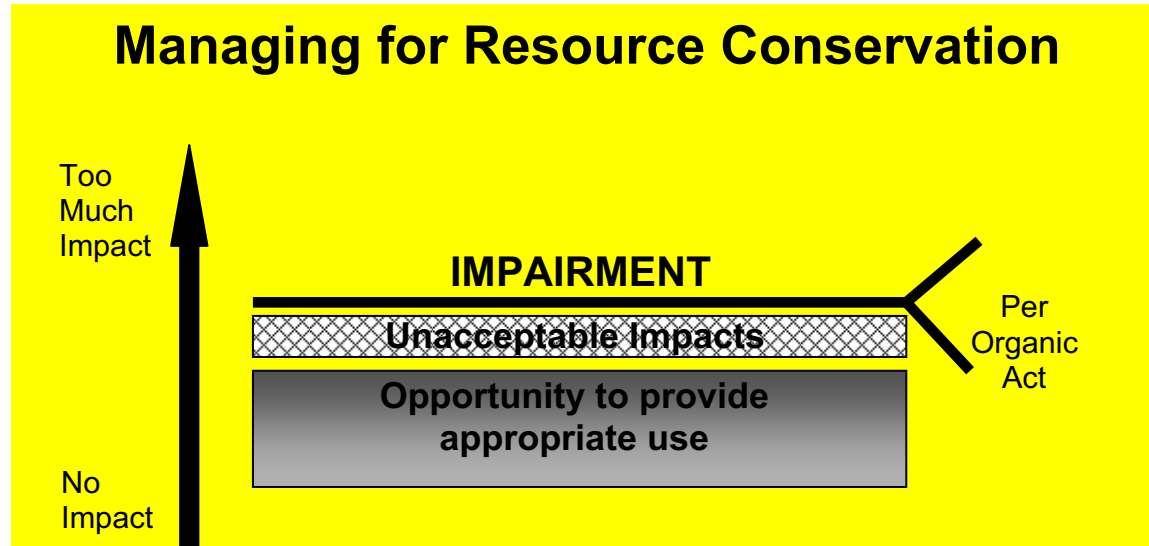
1.4.7.1 Unacceptable Impacts

The impact threshold at which impairment occurs is not always readily apparent. Therefore, the Service will apply a standard that offers greater assurance that impairment will not occur. The Service will do this by avoiding impacts that it determines to be “unacceptable.” These are impacts that fall short of impairment, but are still not acceptable within a particular park’s environment. Park managers must not allow uses that would cause unacceptable impacts; they must evaluate existing or proposed uses and determine whether the associated impacts on park resources and values are “acceptable.”

Virtually every form of human activity that takes place within a park has some degree of effect on park resources or values, but that does not mean the impact is unacceptable or that a particular use must be disallowed. Therefore, for the purposes of these policies, unacceptable impacts are impacts that, individually or cumulatively, would

- be inconsistent with a park’s purposes or values, or
- impede the attainment of a park’s desired future conditions for natural and cultural resources as identified through the park’s planning process, or
- create an unsafe or unhealthful environment for visitors or employees, or
- diminish opportunities for current or future generations to enjoy, learn about, or be inspired by park resources or values, or
- unreasonably interfere with
 - park programs or activities, or
 - an appropriate use, or
 - the atmosphere of peace and tranquility, or the natural soundscape maintained in wilderness and natural, historic, or commemorative locations within the park.

The graphic below illustrates the relationship between appropriate use, unacceptable impacts and impairment.



(See *Appropriate Use of the Parks 1.5; General 8.1*)

1.4.7.2 Improving Resource Conditions within the Parks

The Service will also strive to ensure that park resources and values are passed on to future generations in a condition that is as good as, or better than, the conditions that exist today. In particular, the Service will strive to restore the integrity of park resources that have been damaged or compromised in the past. Restoration activities will be guided by the natural and cultural resource-specific policies identified in chapters 4 and 5 of these Management Policies.

(See *Planning for Natural Resource Management 4.1.1; Restoration of Natural Systems 4.1.5; Compensation for Injuries to Park 4.1.6; Restoration of Native Plant and Animal Species 4.4.2.2; Restoration (of Cultural Landscapes) 5.3.5.2.3; Restoration (of Historic and Prehistoric Structures) 5.3.5.4.3; Restoration (of Museum Collections) 5.3.5.5.2. Also see Director's Order #12 and Handbook.*)

1.5 Appropriate Use of the Parks

The National Park Service embraces appropriate use of the parks because these uses are key to the enjoyment of the parks, and the appreciation and inspiration derived from the resources. Park resources have profound effects on those who experience them through appropriate park uses. An "appropriate use" is a use that is suitable, proper, or fitting for a particular park, or to a particular location within a park. Not all proposed uses are appropriate or allowable in units of the national park system, and what is appropriate may vary from one park to another, and from one location to another within a park.

In its role as steward of park resources, the National Park Service must ensure that park uses that are allowed would not cause impairment of, or unacceptable impacts on, park resources and

values. When proposed park uses and the protection of park resources and values come into conflict, the protection of resources and values must be predominant. A new form of park use may be allowed within a park only after a determination has been made in the professional judgment of the superintendent that it will not result in unacceptable impacts. The National Park Service will always consider allowing activities that are appropriate to the parks, although conditions may preclude certain activities or require that limitations be placed on them. Park superintendents must continually monitor all park uses to prevent unanticipated and unacceptable impacts. If unanticipated and unacceptable impacts emerge, the superintendent must engage in a thoughtful, deliberate process to further manage or constrain the use, or discontinue it.

Appropriate visitor enjoyment is often associated with the inspirational qualities of the parks. As a general matter, preferred forms of enjoyment are those that are uniquely suited to the superlative natural and cultural resources found in the parks, and that (1) foster an understanding of, and appreciation for, park resources and values, or (2) promote enjoyment through a direct association with, interaction with, or relation to park resources.

These preferred forms of use contribute to the personal growth and well-being of visitors by taking advantage of the inherent educational value of parks. Equally important, many appropriate uses also contribute to the health and personal fitness of park visitors. These are the types of uses that the Service will actively promote, in accordance with the Organic Act. Other forms of park uses may be allowed within a park in accordance with the policies found in chapter 8.

(See Park Purposes and Legislatively Authorized Uses 1.4.3.1; Park System Planning Chapter 2; Process for Determining New Appropriate Uses 8.1.2. Also see 36 CFR 1.5)

1.6 Cooperative Conservation Beyond Park Boundaries

Cooperative conservation beyond park boundaries is necessary as the National Park Service strives to fulfill its mandate to preserve the natural and cultural resources of parks unimpaired for future generations. Ecological processes cross park boundaries, and park boundaries may not incorporate all of the natural resources, cultural sites, and scenic vistas that relate to park resources or the quality of the visitor experience. Therefore, activities proposed for adjacent lands may significantly affect park programs, resources, and values. Conversely, National Park Service activities may have impacts outside park boundaries. Recognizing that parks are integral parts of larger regional environments, and to support its primary concern of protecting park resources and values, the Service will work cooperatively with others to

- anticipate, avoid, and resolve potential conflicts;
- protect park resources and values;
- provide for visitor enjoyment; and
- address mutual interests in the quality of life of community residents, including matters such as compatible economic development and resource and environmental protection.

Such local and regional cooperation may involve other federal agencies; tribal, state, and local governments; neighboring landowners; non-governmental and private sector organizations; and

all other concerned parties. The Service will do these things because cooperative conservation activities are a vital element in establishing relationships that will benefit the parks and in fostering decisions that are sustainable.

The Service will use all available tools to protect park resources and values from unacceptable impacts. The Service will also seek to advance opportunities for conservation partnerships. Superintendents will monitor land use proposals, changes to adjacent lands, and external activities for their potential impacts on park resources and values. It is appropriate for superintendents to engage constructively with the broader community in the same way that any good neighbor would. Superintendents will encourage compatible adjacent land uses, and seek to avoid and mitigate potential adverse impacts on park resources and values by actively participating in the planning and regulatory processes of other federal agencies and tribal, state, and local governments having jurisdiction over property affecting, or affected by, the park. If a decision is made or is imminent that will result in unacceptable impacts to park resources, superintendents must take appropriate action, to the extent possible within the Service's authorities and available resources, to manage or constrain the use to minimize impacts. When engaged in these activities, superintendents should fully apply the principles of civic engagement to promote better understanding and communication by documenting the park's concerns and sharing them with all who are interested, and by listening to the concerns of those who are affected by the park's actions.

The Service will also cooperate with federal, state, local, and tribal governments, as well as individuals and organizations, to advance the goal of "seamless networks of parks." These partnership activities are intended to establish corridors that link together, both physically and with a common sense of purpose, open spaces such as those found in parks, other protected areas, and compatibly managed private lands. The Service's goals in participating in a park network will be to increase protection and enhancement of biodiversity and to create a greater array of appropriate recreational opportunities. When participating in a park network, the Service will not relinquish any of its authority to manage areas under its jurisdiction, nor will it expect other partners to relinquish theirs.

(See Civic Engagement 1.7; Cooperative Planning 2.3.1.8; Cooperative Conservation 3.4; Natural Resource Management Chapter 4. Also see Director's Order #75A: Civic Engagement and Public Involvement)

1.7 Civic Engagement

The Service will embrace civic engagement as a fundamental discipline and practice. The Service's commitment to civic engagement is founded on the central principle that preservation of the nation's heritage resources relies on continued collaborative relationships between the Service and American society. Civic engagement will be viewed as a commitment to building and sustaining relationships with neighbors and other communities of interest. This will require that the Service communicate by both talking and listening. Through its practice of civic engagement, the Service will actively encourage a two-way, continuous, and dynamic conversation with the public.

Civic engagement will take place on many levels to strengthen understanding of the full meaning and contemporary relevance of park resources and values. The goal of civic engagement will be to reinforce the Service's and the public's commitment to the preservation and stewardship of heritage resources, both cultural and natural.

The Service will welcome people to enjoy their parks in appropriate, sustainable ways. This practice will promote civic responsibility by building long-term, collaborative relationships with a broad range of communities, which in turn will foster a widespread investment in stewardship of the nation's resources. Park and program managers will seek opportunities to work in partnership with all interested parties to jointly sponsor, develop, and promote public involvement activities and thereby improve mutual understanding, decisions, and work products. Through these efforts the Service will also learn from the communities it serves.

A better understanding of the changing demographics of our nation is critical to the future of the National Park Service. The NPS must actively seek to understand the values and connections our changing population has, or does not have, for natural and cultural heritage if it is to remain responsive and relevant to public needs and desires. This includes understanding why people do, or do not, visit—or care—about national parks. It is vital that the NPS help those who do not visit to understand and support their national park system.

(See Relationship with Native Americans 1.11. Also see Director's Order #75A: Civic Engagement and Public Involvement)

1.8 Environmental Leadership

Given the scope of its responsibility for the resources and values entrusted to its care, the Service has an obligation to demonstrate, **and work with others to promote**, leadership in environmental stewardship. The Park Service must lead by example not only for visitors, other governmental agencies, the private sector, and the public at large, but also for a worldwide audience. Touching so many lives, the Service's management of the parks presents a unique opportunity to awaken the potential of each individual to play a proactive role in protecting the environment.

Environmental leadership will be demonstrated in all aspects of NPS activities, including policy development; park planning; all aspects of park operations; land protection; natural and cultural resource management; wilderness management; interpretation and education; facilities design, construction, and management; and commercial visitor services. In demonstrating environmental leadership, the Service will fully comply with the letter and the spirit of NEPA, and continually assess the impact its operations have on natural and cultural resources so that it may identify areas for improvement. The Service will institutionalize an assessment process, through a Service-wide environmental auditing program, that will evaluate a broad array of NPS activities for meeting the highest standards of environmental protection and compliance. The program will also screen for opportunities to implement sustainable practices, and tangibly demonstrate the highest levels of environmental ethic.

(See Facility Planning and Design 9.1.1)

1.9 Management Excellence

Successful and sustained accomplishment of the Service's mission requires sound professional judgment and attentive employment of the most effective and efficient business principles and practices. Opportunities to protect resources and provide opportunities for public enjoyment will be severely limited unless park managers can demonstrate their responsibility to, and accountability for, concepts ranging from competent management of information technology and finances, to the successful management and development of human resources.

(See Introduction—Compliance, Accountability and Enforceability)

1.9.1 Human Resources

The Service will pursue a human resources program that is comprehensive and competency based, and encompasses the entire workforce, including employees, volunteers, contractors, concession employees, interns, and partners.

1.9.1.1 Career Development, Training and Management

Employee development helps organizations achieve greater success. The goals of the Park Service's employee development activities are to help employees strengthen their skills, knowledge, and experience, as well as to promote broader employee engagement in the NPS mission. Employee development planning and strategies will be directly linked to core competencies and ensure the highest return on investment for the organization. Employees will also have opportunities to broaden their experiences and to progress in their careers through continuing education, undergraduate and graduate level courses, seminars, training, teaching attendance at professional workshops and conferences, and other programs sponsored by scholarly institutions. In accordance with section 102 of the National Parks Omnibus Management Act of 1998 (16 USC 5912), the Park Service will implement a comprehensive training program for employees in all professional careers and occupational goals in the workforce to ensure that the workforce has available the best, up-to-date knowledge, skills, and abilities with which to manage, interpret, and protect the resources of the national park system.

1.9.1.2 Succession Planning

The Service will develop the capacity to supply future leadership through a strategic and conscious effort to purposefully develop a diverse workforce with the potential to take on leadership positions. This process will include a collaborative effort among all possible interests (including pre-employment/educational institutions) to prepare employees to meet the needs for leadership talent over time. The Service will cultivate talent for the short term and the long term to ensure the availability of a sufficient number of people who reflect the diversity of America.

In accordance with section 103 of the National Parks Omnibus Management Act of 1998 (16 USC 5913), the Service will implement a management training and development plan whereby career, professional NPS employees from any appropriate academic field may obtain sufficient training, experience, and advancement opportunity to enable those qualified to move into park

management positions, including the position of park superintendent. Similar efforts will be made for central office positions.

1.9.1.3 Workforce Planning

The Service will implement a process to

- evaluate the workforce,
- identify the competencies needed by the workforce in each of the career fields,
- evaluate present and future trends,
- develop strategies to address competency gaps,
- benchmark best practices, and
- develop a plan that will allow it to meet mission and strategic goals.

In concert with employee development and succession planning, workforce planning will ensure that all elements of the workforce are provided the orientation and training necessary to support the NPS mission.

1.9.1.4 Employee Safety and Health

The safety and health of employees, contractors, volunteers, and the public is one of the Service's core values. In making decisions on matters concerning employee safety and health, NPS managers must exercise good judgment and discretion, and, above all, keep in mind that the safeguarding of human life must not be compromised. The Service must ensure that all employees are trained and informed on how to do their jobs safely, and that they have the necessary clothing, materials, and equipment to perform their duties with minimal personal risk.

(See Visitor Safety and Emergency Response 8.2.5)

1.9.1.5 Workforce Diversity

The Park Service will continue to seek ways to achieve its workforce diversity goals and to recognize workforce diversity as a sound business practice. Success in achieving workforce diversity will also enhance the Service's ability to more successfully connect with park visitors who represent America's diverse population. Continuing efforts will be made to increase public awareness of employment opportunities and to develop partnerships with diverse populations and organizations for the purpose of improving workforce diversity.

1.9.1.6 Volunteers in the Parks

Increasingly, American citizens who are not employed by the Service make important contributions by supplementing the efforts of the NPS workforce. The Service welcomes their efforts and will continue to use its authority under the Volunteers in the Parks Act of 1969 to

- improve its service to the public,

- protect park resources and values,
- foster stronger ties with conservation-minded citizens, and
- provide opportunities for the public to learn about and experience the parks.

Pursuant to this statute, volunteers may be recruited without regard to civil service regulations; are covered for tort liability and work-injury compensation; and may be reimbursed for out-of-pocket expenses while participating in the program. However, volunteers cannot be used for law enforcement work or in policymaking processes, or to displace NPS employees. Volunteers may perform hazardous duties only if they possess the necessary skills to perform the duties assigned to them. Volunteers will be accepted without regard to race, creed, religion, age, sex, color, national origin, disability, or sexual orientation. NPS housing may be used for volunteers.

(See Volunteers in Parks 7.6.1. Also see Director's Order #7: Volunteers in Parks, and associated Reference Manual 7)

1.9.2 Managing Information

The future of the Service as an accountable organization, and the future of individual parks, depends heavily on (1) the availability, management, and dissemination of comprehensive information, and (2) the Service's success in long-term preservation and management of, and access to that information. NPS information resources exist in a variety of different media, including paper records, electronic documents, maps, databases, photography, video, and audio. The NPS will implement professional-quality programs to preserve, manage, and integrate these resources, and to make them accessible. The Service will also use tools and technologies that will enhance:

- Information capture in permanent and durable forms;
- Information management that is required by NPS policy and by legal and professional standards, including information security;
- Management of electronic, textual, and audiovisual information resources, including still images, for continuous accessibility by NPS staff and the public;
- Internet and World Wide Web capabilities, while maintaining information security;
- Geographic information systems (GIS);
- The understanding and management of the nation's natural and cultural resources; and
- The accessibility and availability of information to persons with disabilities.

1.9.2.1 Information Sharing

The Service is committed to the widest possible sharing and availability of knowledge, and to fostering discussion about the national park system, America's natural and cultural heritage found in national parks, and the national experiences and values they represent. Most information shared with the public is presumed to be in the "public domain," and therefore available to anyone who is interested. The only exceptions to information sharing are where disclosure could jeopardize specific park resources or donor agreements, or violate legal or confidentiality requirements.

1.9.2.2 Proprietary Information

When producing or acquiring new works (such as images, graphic designs, logos, writing, Web sites, **or other proprietary information**) through acquisition by donation, contracting, partnerships, or other means, the NPS will acquire the appropriate copyrights and any necessary releases, such as model or interview releases, whenever there is a current or anticipated need for unrestricted access to those works. The Service will respect the rights of owners of copyrights to control how their works are used, and will comply with “fair use” standards when information or works are not licensed for dissemination.

(Also see Director’s Order #67: Copyrights and Trademarks)

1.9.2.3 Information Confidentiality

While it is the general policy of the NPS to share information widely, the Service also realizes that providing information about the location of park resources may sometimes place those resources at risk of harm, theft, or destruction. This can occur, for example, with regard to caves, archeological sites, **tribal information**, and rare plant and animal species. Some types of personnel, **financial**, and law enforcement matters are other examples of information that may be inappropriate for release to the public. Therefore, information will be withheld when the Service foresees that disclosure would be harmful to an interest protected by an exemption under the Freedom of Information Act (FOIA).

Information will also be withheld when the NPS has entered into a written agreement (e.g., deed of gift, interview release, or similar written contract) to withhold data for a fixed period of time at the time of acquisition of the information. Such information will not be provided unless required by FOIA or other applicable law, a subpoena, a court order, or a federal audit.

NPS managers will use these exemptions sparingly, and only to the extent allowed by law. In general, if information is withheld from one requesting party, it must be withheld from anyone else who requests it, and if information is provided to one requesting party, it must be provided to anyone else who requests it. Procedures contained in Director’s Order #66: FOIA and Protected Resource Information will be followed to document any decisions to release information or to withhold information from the public.

(See Natural Resources Information 4.1.2; Studies and Collections 4.2; Caves 4.8.2.2; Research 5.1; Confidentiality 5.2.3; Interpretation and Education Services Beyond Park Boundaries 7.5.2. Also see Director’s Orders #5: Paper and Electronic Communications, #19: Records Management, #84: NPS Library Programs, and #11B: Web Publishing. Also see Reference Manual 53, Chapter 5)

1.9.3 Accessibility for Persons with Disabilities

All practicable efforts will be made to make NPS facilities, programs, services, employment, and meaningful work opportunities accessible and usable by all people, including those with disabilities. This policy reflects the commitment to provide access to the widest cross-section of

the public, and to ensure compliance with the Architectural Barriers Act of 1968, the Rehabilitation Act of 1973, the Equal Employment Opportunity Act of 1972, and the Americans with Disabilities Act of 1990. Specific guidance for implementing these laws is found in the Secretary of the Interior's regulations regarding enforcement of nondiscrimination on the basis of disability in Department of the Interior programs (43 CFR Part 17, Subpart E), and the General Services Administration's regulations adopting accessibility standards for the Architectural Barriers Act (41 CFR Part 102-76, Subpart C).

A primary principle of accessibility is that, to the highest degree practicable, people with disabilities should be able to participate in the same programs, activities, and employment opportunities available to everyone else. In choosing among methods of providing accessibility, higher priority will be given to those methods that offer programs and activities in the most integrated setting appropriate. Special, separate, or alternative facilities, programs, or services will be provided only when existing ones cannot reasonably be made accessible. The determination of what is practicable will be made only after careful consultation with persons with disabilities, or their representatives. Any decision that would result in "less than equal opportunity" is subject to the filing of an official disability rights complaint under the Departmental regulations cited above.

(See Physical Access for Persons with Disabilities 5.3.2; Accessibility for Persons with Disabilities 8.2.4)

1.9.4 Public Information and Media Relations

The Service will provide timely and accurate information to the public and news media in accordance with applicable laws, Departmental policy, and Director's Orders. Park managers should identify appropriate opportunities to inform and educate the public about park resources and values and ways to enjoy the same. Every effort should be made to provide early notification of changes in park management practices, and to conduct active civic engagement pursuant to Directors Order #75A. Park managers should keep the public informed of ongoing events in parks, especially as they may affect visitors and gateway communities. In some instances, certain information about individuals or events may need to be withheld for privacy, security, or other reasons, consistent with FOIA and the Privacy Act of 1974.

1.9.5 Management Accountability

Management accountability is the expectation that managers are responsible for the quality and timeliness of program performance, increasing productivity, controlling costs, mitigating the adverse aspects of agency operations, and assuring that programs are managed with integrity and in compliance with applicable law. Management accountability systems will be designed and implemented to add value and contribute to the efficiency and effectiveness of Service programs.

The National Park Service will comply with OMB (Office of Management and Budget) Circular A-123, the Federal Managers' Financial Integrity Act of 1982 (31 USC 3512), and the Government Performance and Results Act of 1993 (GPRA)(31 USC 1115) which require that all federal agencies and individual managers take systematic and proactive measures to (1) develop

and implement appropriate, cost-effective management controls for results-oriented management, (2) assess the adequacy of management controls in federal programs and operations, (3) identify needed improvements, (4) take corresponding corrective action, and (5) report annually on management controls.

The concept of management accountability will be applied to all strategies, plans, guidance, and procedures that govern programs and operations throughout the Service, including those at the park level, the program center level, and the Service-wide level. The Service will, through its organization, policies, and procedures, implement systems of controls to reasonably ensure that

- programs achieve their intended results,
- resources are used consistently with the NPS mission,
- programs and resources are managed to prevent waste, fraud, abuse, and mismanagement,
- laws and regulations are followed, and
- reliable and timely information is obtained, maintained, reported, and used for decision making.

(See Strategic Planning 2.3.3, and Director's Order #54: Management Accountability)

1.9.5.1 Financial Sustainability

The Park Service will strive to be an effective and efficient steward of appropriated and nonappropriated funds and services. These include revenues from recreation, concession, and other fees, as well as financial and in-kind support from cooperating associations, friends' groups, other partnership entities, and volunteers. The Service will attempt to meet management goals consistently through strategic planning that anticipates budget requirements, changing conditions, and reasonably foreseeable trends and events.

The Service will continually implement best management practices to achieve financial sustainability, including

- analyzing and revising work processes to achieve greater efficiency,
- making full use of information technology,
- anticipating and addressing funding availability through accepted business practices,
- ensuring that the out-year budget implications of decision making are carefully considered in planning and other processes,
- ensuring that both short- and long-term costs of facility development and operation are factored into the project formulation and selection process,
- utilizing value-based decision-making processes such as value analysis, capital asset planning, benefit-cost analysis, life-cycle cost estimating, risk analysis, and total cost of ownership analysis,
- linking performance management elements to achieving and maintaining financial sustainability,

- embracing preventative maintenance and management that prevents the degradation of park resources and facilities, thereby avoiding costly restoration or rehabilitation efforts,
- using best financial management practices to ensure transparent information and public accountability consistent with proven financial accounting standards.

The Service will continually seek improvement and innovation in the areas covered by the following subsections.

1.9.5.2 Facilities

The National Park Service will provide visitor and administrative facilities that are necessary, appropriate, and consistent with the conservation of park resources and values. Facilities will be harmonious with park resources, compatible with natural processes, esthetically pleasing, functional, energy- and water-efficient, cost effective, universally designed, and as welcoming as possible to all segments of the population. Park facilities and operations of all sizes will demonstrate environmental leadership by incorporating sustainable practices to the maximum extent practicable in planning, design, siting, construction, and maintenance.

1.9.5.3 Budget Performance and Accountability Programs

The Park Service will also continue to improve the budget formulation and accounting and financial reporting processes, particularly related to park specifics and assets, including heritage assets, by making it more transparent. The goal of these efforts will be to ensure that

- funds are spent in support of a park's purpose or NPS mission,
- funds are spent in an efficient, transparent, and effective manner,
- a park's request for funding is credible, and
- there are adequate funds and staff to conserve and protect the resources for which parks are responsible, and provide for the enjoyment of the same.

1.10 Partnerships

The Service recognizes the benefits of cooperative conservation (in accordance with Executive Order 13352), as well as the significant role partners play in achieving conservation goals and funding conservation initiatives on behalf of the national park system. The Service has had many successful partnerships with individuals; organizations; tribal, state, and local governments; and other federal agencies that have helped fulfill the NPS mission. Through these partnerships, the Service has received valuable assistance in the form of educational programs, visitor services, living history demonstrations, search-and-rescue operations, fundraising campaigns, habitat restoration, scientific and scholarly research, ecosystem management, and a host of other activities. These partnerships, both formal and informal, have produced countless benefits for the Service and for the national park system.

Benefits often extend into the future, because many people who participate as partners connect more strongly with the parks and commit themselves to long-term stewardship. The Service will continue to welcome and actively seek partnership activities with individuals, organizations, and

others who share the Service's commitment to protecting park resources and values and providing for their enjoyment. The Service will embrace partnership opportunities that will help accomplish the NPS mission, provided that personnel and funding requirements do not make it impractical for the Service to participate, and provided that the partnership activity would not (1) violate legal or ethical standards, (2) otherwise reflect adversely on the NPS mission and image, or (3) imply or indicate an unwillingness by the Service to perform an inherently governmental function.

In the spirit of partnership, the Service will also seek opportunities for cooperative management agreements with state or local agencies that will allow for more effective and efficient management of the parks, as authorized by section 802(a) of the National Parks Omnibus Management Act of 1998 (16 USC 1a- 2(l)).

Whenever groups are created, controlled, or managed for the purpose of providing advice or recommendations to the Service, the Service will first consult with the Office of the Solicitor to determine whether the Federal Advisory Committee Act (FACA) requires the chartering of an advisory committee. Consultation with the Office of the Solicitor will not be necessary when the Service meets with individuals, existing groups, or existing organizations simply to exchange views and information, or to solicit individual advice on proposed actions. FACA does not apply to inter-governmental meetings held exclusively between NPS officials and elected officers of tribal governments (or their designated employees with authority to act on their behalf) acting in their official capacities, when the meetings relate to intergovernmental responsibilities or administration.

(See Public Involvement 2.3.1.5; Partnerships 4.1.4; Studies and Collections 4.2; Independent Research 5.1.2; Agreements 5.2.2; Interpretive and Educational Partnerships 7.6; Volunteers in Parks 7.6.1; Cooperating Associations 7.6.2; Enforcement Authority 8.3.4; Commercial Visitor Services Chapter 10. Also see Director's Orders #7: Volunteers in Parks; #20: Agreements, #21: Donations and Fundraising; #27: Challenge Cost-Share Program; #32: Cooperating Associations; Director's Order #75A: Civic Engagement and Public Involvement; NPS Guide to the Federal Advisory Committee Act; Executive Order 13352—Facilitation of Cooperative Conservation)

1.11 Relationship with Native Americans

The National Park Service has a unique relationship with Native American tribes, which is founded in law and strengthened by a shared commitment to stewardship of the land and resources. The Service will honor its legal responsibilities to Native American tribes as required by the Constitution of the United States, treaties, statutes and court decisions. For the purposes of these policies, "Native American" means any band, nation, or other organized group or community of Indians, including any Alaska Native Village, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

The formal legal rationale for the relationship between the National Park Service and tribes is augmented by the historical, cultural and spiritual relationships that Native Americans have with

park lands and resources. As the ancestral homelands of many Native American tribes, parks protect resources, sites and vistas that are highly significant for the tribes. Therefore, the Service will pursue an open, collaborative relationship with Native American tribes to help tribes maintain their cultural and spiritual practices and enhance the NPS's understanding of the history and significance of sites and resources within the parks. Within the constraints of legal authority and its duty to protect park resources, the Service will work with tribal governments to provide access to park resources and places that are essential for the continuation of traditional Native American cultural or religious practices.

1.11.1 Government-to-Government Relationship

In accordance with the Presidential Memorandum of April 29, 1994, and Executive Order 13175, the Service will maintain a government-to-government relationship with federally recognized tribal governments. This means that NPS officials will work directly with appropriate tribal government officials whenever plans or activities may directly or indirectly affect tribal interests, practices and/or traditional use areas such as sacred sites.

1.11.2 Consultation

Consultations, whether initiated by a tribe or the NPS, will be respectful of tribal sovereignty. The Federal Advisory Committee Act (FACA) does not apply to consultation meetings held exclusively between NPS officials and elected officers of tribal governments or their designees.

Tribal needs for privacy and confidentiality of certain kinds of information will be respected. Such information will be deemed confidential, when authorized by law, regulation, or policy. Prior to beginning government-to-government consultations, park managers will consider what information is necessary to record. Culturally sensitive information will be collected and recorded only to the extent necessary to support sound management decisions and only in consultation with tribal representatives.

Mutually acceptable consultation protocols to guide government-to-government relationships will be developed at the park and program levels with assistance from regional and support offices as needed. The protocols will be developed with an understanding of special circumstances present at individual parks. These protocols and the actual consultation itself will be informed by national, regional, and park-based subject matter experts.

NPS managers will be open and candid with tribal governments during consultations so that the affected tribes may fully evaluate the potential impact of the proposal and the NPS may fully consider tribal views in its decision-making processes. This means that government-to-government consultation should begin at the earliest possible stages of planning.

1.11.3 Trust Resources

Activities carried out on park lands may sometimes affect tribal trust resources. In accordance with the government-to-government relationship and mutually established protocols, the Service

1 will interact directly with tribal governments regarding the potential impacts of proposed Service
2 activities on Indian tribes and trust resources.

3 In considering a proposed program, project, or action, the Service will ensure that effects on trust
4 resources are explicitly identified and evaluated in consultation with potentially concerned tribes
5 and addressed in planning, decision and operational documents. With regard to activities that
6 may impact Indian trust resources or tribal health and safety, the NPS will consult with the
7 Bureau of Indian Affairs, the Office of the Solicitor, and other offices and agencies, as
8 appropriate.

9 **1.12 An Enduring Message**

10 The need for management policies in the National Park Service was first articulated by Secretary
11 of the Interior Franklin K. Lane in a letter to the first Director of the National Park Service,
12 Stephen T. Mather, on May 13, 1918.

13 Secretary Lane stated that administrative policy should adhere to three broad principles based on
14 the 1916 Organic Act:

15 First, that the national parks must be maintained in absolutely unimpaired form for the use
16 of future generations as well as those of our own time; second, that they are set apart for
17 the use, observation, health, and pleasure of the people; and third, that the national interest
18 must dictate all decisions affecting public or private enterprise in the parks.

19 Today's national parks have become important to our nation in more ways than Secretary Lane
20 could possibly have imagined. Parks are a true reflection of our nation's collective history,
21 heritage, and ideals. They can be models of healthy, natural, sustainable ecosystems. To remain
22 relevant now and into the future, parks must be welcoming in order that our citizenry may
23 understand and appreciate these special places set aside for their enjoyment. As America's story
24 continues to evolve, new park units will be added in the future, and they will carry equally
25 compelling reasons for their inclusion in the national park system.

26 Secretary Lane's guiding principles remain fundamentally valid, and serve as a useful reminder
27 of the need for a sustained commitment to park resource protection so that they are left
28 unimpaired for the enjoyment of future generations. The Service's commitment to protecting the
29 national parks and ensuring public enjoyment for present and future generations is embodied in
30 this 2006 edition of *Management Policies*.

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