NPS/Federal Administered Designation Programs

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| **National Register of Historic Places**     | Listing in the National Register of Historic Places provides formal recognition of a property’s historical, architectural, or archeological significance based on national standards used by every state. Nomination takes place through the State Historic Preservation Offices (SHPO) or the Federal Preservation Office/Tribal Preservation Office if located on federal or tribal lands. Evaluation Factors:  
• Age and Integrity. Is the property old enough to be considered historic (generally at least 50 years old) and does it still look much the way it did in the past?  
• Significance. Is the property associated with events, activities, or developments that were important in the past? With the lives of people who were important in the past? With significant architectural history, landscape history, or engineering achievements? Does it have the potential to yield information through archeological investigation about our past? | • Encourages preservation of historic resources by documenting a property’s historic significance.  
• Potential incentives:  
  o Federal preservation grants for planning and rehabilitation  
  o Federal investment tax credits  
  o Preservation easements to nonprofit organizations  
  o International Building Code fire and life safety code alternatives  
• Possible State tax benefit and grant opportunities.  
• Involvement from the Advisory Council on Historic Preservation when a Federal agency project may affect historic property. – “Federal agencies undertaking a project having an effect on a listed or eligible property must provide the Advisory Council on Historic Preservation a reasonable opportunity to...” | • National Register listing places no obligations on private property owners. There are no restrictions on the use, treatment, transfer, or disposition of private property.  
• National Register listing does not lead to public acquisition or require public access.  
• A property will not be listed if, for individual properties, the owner objects, or for districts, a majority of property owners object.  
• National Register listing does not automatically invoke local historic district zoning or local landmark designation. |
**National Historic Landmarks**

(Authority = Historic Sites Act & National Historic Preservation Act)

In order to be considered “Nationally Significant” the property must meet one of the following criteria:

- Be the site of an event that had a significant impact on American history overall
- Provide an outstanding illustration of a broad theme or trend in American history overall
- Be the property most strongly associated with an important figure in American history
- Be the best example of an architectural style or significant development in engineering
- Be a site that can provide nationally significant archeological information

- National Historic Preservation Act § 106 (comment) and § 110(f) (planning and actions to minimize harm to the landmark)
- Surface Mining protection and Section 9 report
- Section 8 Report – annual report to Congress on all NNLs with known or anticipated damage or threats to one or more resources. Secretary is required to make recommendations to Congress as to areas qualified as additions to the National Park
| National Heritage Areas | National Heritage Areas (NHAs) are designated by Congress as places where natural, cultural, and historic resources combine to form a cohesive, nationally important landscape. Through public-private partnerships, NHA entities support historic preservation, natural resource conservation, recreation, heritage tourism, and educational projects.

NHAs are not national park units. Rather, NPS partners with, provides technical assistance, and distributes matching federal funds from Congress to NHA entities. NPS does not assume ownership of land inside heritage areas or impose land use controls.

Consideration for designation requires that the landscape have nationally distinctive natural, cultural, historic, and scenic resources that, when linked together, tell a unique story about our country. It is strongly recommended that a feasibility study be conducted prior to and designation attempt. |
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| National Natural Landmarks | Authority - Historic Sites Act of 1935

The National Natural Landmarks (NNL) Program recognizes and encourages the conservation of sites that contain outstanding biological and geological resources, regardless of landownership type. National Natural

- Increased awareness, education and outreach.
- Section 8 Report – annual report to Congress on all NNLs with known or anticipated damage or threats to one or more.
- The focus of the program is on areas of exceptional natural value to the nation as a whole rather than to one particular state or locality. The Geo Heritage Program would benefit from some protection for listed properties. |

- The federal action of designation imposes no new land use restrictions that were not in effect before the designation. A Geologic Heritage Program would benefit from some protection for listed properties.
- Congressional action required for designation.
**Landmarks** are selected for their outstanding condition, illustrative value, rarity, diversity, and value to science and education. The National Park Service administers the program, reports on the condition of the NNLs, acts as an advocate for the protection of designated sites, and raises public awareness of our Nation’s natural heritage.

The goals are to encourage the preservation of sites illustrating the **geological and ecological character of the United States**, to enhance the scientific and educational value of sites thus preserved, to strengthen public appreciation of natural history, and to foster a greater concern for the conservation of the nation’s natural heritage.

The process to identify candidate sites, evaluate, and designate them as NNLs includes the following steps:

1. An inventory of a natural region is completed to identify the most promising sites.
2. Landowners within the area identified for evaluation are contacted and their permission obtained prior to evaluation of the site.
3. A detailed site evaluation is conducted by qualified scientists.
4. The evaluation report is peer-reviewed and recommendations to Congress are made to areas qualified as additions to the National Park System.

- **NEPA - 36 CFR § 62.6(f)** - Federal agencies should consider the existence and location of designated national natural landmarks, and of areas found to meet the criteria for national significance, in assessing the effects of their activities on the environment under section 102(2)(c) of the National Environmental Policy Act (42 U.S.C. 4321). The NPS is responsible for providing requested information about the National Natural Landmarks Program for these assessments. Geologic Heritage Program should have a similar regulation.

- **NPS cannot distribute funds to manage NNLs.** NNLs can apply for an NPS Challenge Coast Share Program. Such funding would be helpful to the protection of Geologic Heritage Sites.

- **NPS policies do not transfer to NNLs.**

- **Unlike the NHL program there is no legislation that allows for review and comment on federally owned, assisted, or licensed undertakings that may affect properties included or eligible for inclusion on in a register of geologic heritage sites. Legislation for the Geo Heritage...**
by an additional three qualified scientists to assure its soundness.

5. The report is reviewed by the National Park Service, and if the site appears to meet the criteria for national significance, the site owners are notified and comment is sought from the public on the proposal to designate the site as a NNL.

6. The National Park System Advisory Board reviews the evaluation report and public comments and makes a recommendation on the proposed designation.

7. All materials and recommendations are sent to the Secretary of the Interior, who may then designate the site as a NNL.

8. Landowners and the public are notified of the NNL designation by letter and publication of a Federal Register Notice.

**National Trails System**

*Note - Look up Ice Age Floods National Geologic Trail 16 USC 1244*

National Trails System Act (16 USC 1241-51)

National trails are officially established under the authorities of the National Trails System Act (16 USC 1241-51). There are several types:

- National scenic trails are 100 miles or longer, continuous, primarily non-motorized routes of
outstanding recreation opportunity. Such trails are established by Act of Congress.

National historic trails commemorate historic (and prehistoric) routes of travel that are of significance to the entire Nation. They must meet all three criteria listed in Section 5(b)(11) of the National Trails System Act. Such trails are established by Act of Congress.

National recreation trails, also authorized in the National Trails System Act, are existing regional and local trails recognized by either the Secretary of Agriculture or the Secretary of the Interior upon application.

What is the difference between administration and management of National Scenic and National Historic Trails?

**ADMINISTRATION**
Trail-wide coordination -- Each National Trail, established by law, is assigned for administration to one or two Federal agencies by either the Secretary of the Interior or the Secretary of Agriculture, as designated by Congress. Subject to available funding, the administering agencies exercise trail-wide responsibilities under the Act for that specific trail. Such responsibilities include coordination among and between agencies and partner
organizations in planning, marking, certification, resource preservation and protection, interpretation, cooperative / interagency agreements, and financial assistance to other cooperating government agencies, landowners, interest groups, and individuals.

**MANAGEMENT**
On-site jurisdiction -- Various government and private entities own or manage lands along each National Trail. Management responsibilities often include inventorying of resources and mapping, planning and development of trail segments or sites, compliance, provision of appropriate public access, site interpretation, trail maintenance, marking, resource preservation and protection, viewshed protection, and management of visitor use.

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<th>National Wild &amp; Scenic Rivers System</th>
<th>As of December 2006, the NPS has statutory management and regulatory responsibilities on 37 WSRs flowing more than 2,800 miles throughout the United States. Of this total, 28 of the rivers are units of the National Park System or contained within a park, and nine are partnership rivers managed in cooperation with state and local governments. Additionally, the NPS has a regulatory role on another 19 WSRs</th>
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<td>- Prepare Comprehensive River Management Plans that identify how to protect and enhance the river and those characteristics for which the segment was designated.</td>
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<td>- Establish boundaries and river classification for all designated segments.</td>
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| **America’s Byways** (US Department of Transportation – Federal Highway Administration) | managed by states or tribes under Section 2(a)(ii) of the Act, totaling another 881 miles. | • Serve in a regulatory capacity by evaluating and approving (or denying) proposed federally assisted water resources projects that could affect designated NPS segments and state managed and partnership federal wild and scenic river segments.  
• Assist, advise and cooperate with the States in the designation and management of rivers, and seek opportunities for sharing management responsibilities with States and other partners. |
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|  | The National Scenic Byways (NSB) Program was established under the Intermodal Surface Transportation Efficiency Act of 1991, and reauthorized in 1998 under the Transportation Equity Act for the 21st Century.  
The program is a grass-roots collaborative effort established to help recognize, preserve and enhance selected roads throughout the United States. Since 1992, the National Scenic Byways Program has funded 3,174 projects for state and nationally designated byway routes in 50 states, Puerto Rico and the District of Columbia. The U.S. Secretary of Transportation recognizes certain roads as All-American Roads. | Funds are available to the States through a grant application process to undertake eligible projects, as identified below in Paragraph 10c, for the purpose of: Protecting historical, archeological, and cultural resources in areas adjacent to the highways. Resource protection applies only to those properties that contribute to the qualities for which the highway has been designated as a scenic byway. |
| or National Scenic Byways based on one or more archeological, cultural, historic, natural, recreational and scenic qualities. | The properties must be located directly adjacent to the scenic byway. Resource protection includes use restrictions that are in the form of easements. However, the purchase of the resource can be considered eligible only after it has been determined that all other protection measures are unsuccessful. Protection of a resource does not include rehabilitation or renovation of a property. (60 FR 26759) |