

UNITED STATES DEPARTMENT OF INTERIOR

NATIONAL PARK SERVICE

SPECIAL PARK USES /SPECIAL EVENTS POLICY

Shenandoah National Park



June, 2009

## SPECIAL PARK USES/EVENTS POLICY

### SHENANDOAH NATIONAL PARK

Special events are activities, including but not limited to pageants, public spectator attractions, entertainment, ceremonies, large group gatherings or events, including car cruises and bicycle groups which fall under the category of privileges. Special events differ from public assemblies and public meetings in that the latter activities are rights protected by the First Amendment.

The authority for the management of special events in a National Park can be found in Title 16, U.S. Code and Title 36, Code of Federal Regulations, 2.50.

National Park Service Management Policies and Director's Order 53 Special Park Uses provide policy guidance for management of special event activities.

The decision to issue or deny a permit for a special park use flows from the appropriate compliance under the National Environmental Policy Act (NEPA), Section 106 of the National Historic Preservation Act of 1966 (NHPA), and other applicable laws.

Before issuing a permitting document, the park will be required to obtain approval for NEPA/NHPA in all instances when the resource will be affected, and/or the use or activity is not covered under a categorical exclusion, an Environmental Assessment (EA) will need to be prepared. The applicant is responsible for paying all NPS costs if an EA is required to meet NEPA and Section 106 compliance requirements.

The following guidelines are established by Shenandoah National Park (SNP) as they relate to special event activities within this unit of the National Park Service.

**SPECIAL USE/EVENT PERMITS** - A special park use is a short term activity that takes place in a park area and that:

- Provides a benefit to an individual, group or organization rather than the public at large;
- Requires written authorization and some degree of management control from the NPS in order to protect park resources and the public interest
- Is not prohibited by law or regulation; and
- Is not initiated, sponsored nor conducted by the NPS.

Special use permits for events may be authorized by the Superintendent subject to the same criteria as other special park uses provided that:

- There is a meaningful association between the park and the event
- The event contributes to visitor understanding of the significance of the park.

Special use permits for special events will not be issued, if in the Superintendent's opinion, the special event will:

- Cause injury or damage to park resources
- Be contrary to the purposes for which the park was established, or unreasonably impair the atmosphere of peace and tranquility maintained in wilderness, natural, historic or commemorative locations within the park
- Unreasonably interfere with the interpretive, visitor service, or other program activities, or with administrative activities
- Substantially impair the operation of public facilities or services of NPS concessioners or contractors
- Present a clear and present danger to public health and safety
- Result in significant conflict with other existing uses.

Special event permits are issued by authority of the Superintendent through the Superintendent's Office. Application for a special event permit should be sent to:

Management Assistant  
 Shenandoah National Park  
 3655 U.S. Highway 211 East  
 Luray, VA 22835

along with the appropriate application fee/administrative processing fee:

Special events: \$200.00

Weddings: \$150.00

First Amendment Activities: No cost

**Application/processing fees are non-refundable.** Checks should be made payable to the National Park Service.

A minimum of 30 business days will normally be required for administrative review of the proposed activity, though smaller events may be reviewed in less time. A permittee should allow at least 4 business days for issuance of approved permit (2 business days for First Amendment requests.)

All permitted special uses/event activities will be conducted in strict compliance with all Federal, State, county and municipal laws, ordinances, or regulations applicable to the area of operation covered under the agreement. Any violation of regulations or permit conditions can result in immediate termination of the event, greater supervision/costs to permittee or banning of the event on SNP lands.

### **SPECIAL EVENT REQUESTS FOR THE USE OF SKYLINE DRIVE**

Participant limits for the use of Skyline Drive will be capped at **100** in the park at one time. This limitation covers cars, trucks, motorcycles, bicycles and pedestrians. Entry on to Skyline Drive will be limited to no more than 20 participants during a 15 minute period. Bicycling and running participants will ride/run single file along the edge of the roadway. Under no circumstances will the Skyline Drive be closed to visitor traffic for an event. Escorting of event participants by support vehicles will generally not be allowed. All support vehicles shall not impede the flow of normal or emergency traffic, but shall travel at the speed of other vehicular traffic.

**NATIONAL PARK SERVICE SUPERVISION AND COSTS** - Special use/event activities authorized by permit will be supervised by an NPS employee to assure full compliance with all terms of the permit.

The level and type of supervision will be determined by the group size and complexity of the activity.

In activities involving few people and where there is little possibility of resource damage or interference with other visitor's park experience, these activities will be spot checked to assure compliance. The cost of this supervision is included in the administrative permit fee.

When additional NPS supervision is required, a charge of up to \$55 per hour/per ranger will be assessed and are due upon issuance of the permit. If necessary, additional charges will be billed to the permittee at the conclusion of the event.

Participants in the event will be required to pay entrance fees for the park.

**RESOURCE DAMAGE** - Special use/event activities which exhibit the potential for resource damage will be denied.

**DISRUPTION OF VISITOR ACTIVITIES** - National Park Service policy states that special events must not unduly disrupt normal visitor use of the park. A Special Use Permit authorizes the Permittee to conduct special activities at described locations within the park but does not reserve the locations or give the Permittee a right to exclude anyone from using a park area. The Permittee may not interfere with other park visitors or normal visitor activity or use an area in such a way that denies other visitor uses.

Special event requests to permit activities during periods of high visitation in the park, i.e. holiday weekends and weekends in October will generally not be approved. A weekend will be defined as Friday, Saturday and Sunday.

**BOND REQUIREMENT** - After review of the permit application, the permittee may be required to post a bond or cash deposit to assure the area is left in its original condition. Bonds will only be required if the activity has a reasonable potential to impact Shenandoah National Park resources or facilities.

**GENERAL LIABILITY INSURANCE** - General liability insurance is required in order to protect the U.S. Government from claims or litigation connected with injury or damage resulting from the actions of the permittee or his/her agents or employees. Permittee must obtain general liability insurance with a certificate of insurance naming the Shenandoah National Park as an additional insured. This certificate of insurance must be provided to the park prior to permit issuance.

General liability insurance amounts will be determined on a case by case basis.

Insurance requirements may be waived if, in the opinion of the Superintendent, there is little or no possibility of injury or damage to persons or property resulting from the proposed activity.

**SALE OF FOOD OR MERCHANDISE:** - The sale of food or merchandise on Shenandoah National Park lands in connection with a special event is prohibited. Engaging in or soliciting any business in the park is prohibited.

**SIGNAGE:** The posting of signs in the park and the use of temporary chalk or paint on roadways/walkways is prohibited.

**CAMPGROUND USE:** All use of campgrounds in the park associated with Special Use Permits will adhere to all established regulations including site occupancy limitations and quiet hours. Use of a campground is limited to camping type activities.

**GENERATOR USE:** The use of generators is prohibited unless specified in the permit.

**AMPLIFIER AND AUDIO DEVICES:** The use of amplifiers is prohibited. The use of audio devices is prohibited unless specified in the permit.

**GROUND DISTURBANCE:** Disturbance of ground within the park is prohibited. The use of stakes to secure shade structures or the like will not be permitted at any time.

**Additional terms and conditions specific to an event will accompany the final permit to ensure the protection of resources and visitor experience and that park operations are uninterrupted.**