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# Federal Land Designations: A Brief Guide

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## Federal Land Designations: A Brief Guide

This report provides a brief guide to selected titles—such as national park, national wildlife refuge, national monument, national conservation area, national recreation area, and others—that Congress and the executive branch have used to designate certain U.S. lands. These titles may be considered *federal land designations*, in the sense that they are land designations conferred by federal entities (Congress, the President, and executive branch officials). Also, most (but not all) of the designations apply to *federal land*—that is, land owned by the federal government. The Bureau of Land Management (BLM), U.S. Fish and Wildlife Service (FWS), and National Park Service (NPS) in the Department of the Interior and the U.S. Forest Service (FS) in the Department of Agriculture administer most federally owned land. Congress and executive branch entities also have recognized the national significance of some nonfederally owned lands by giving them federal designations, such as national heritage area or national historic landmark.

Depending on multiple factors, federal designations may bring few management changes to a site or may involve significant management changes. The designations may authorize new federal funding for an area but do not always do so. Management provisions may vary, even among sites with the same designation, based on the individual designating law for a particular site.

The report discusses some factors that Congress may consider when contemplating which, if any, federal designation might be suitable for a given area. For instance, legislators may consider which entity would own and manage the land under various designations, what resource values the designation might highlight or protect, and what types of land uses would be allowed, as well as whether a chosen designation would need to be conferred through legislation or could be applied administratively under existing statutory authorities. A table compares selected land designations across multiple attributes.

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Congress often considers legislative proposals to designate lands for a variety of purposes. Congress selects various titles for these designated lands, such as national park, national wildlife refuge, national monument, national conservation area, national recreation area, national scenic trail, and others. Additionally, Congress has provided the President and other executive branch officials with authority to make certain land designations, and may consider the sufficiency of these authorities and oversee their use by the President and executive branch. Land designations conferred by Congress, the President, and other executive branch officials are referred to in this report as *federal land designations*, meaning they are land designations made by federal entities. Most of the designations also are applied to *federal land*—that is, land in federal ownership—or to land that the designating law authorizes for federal acquisition. However, Congress and executive branch officials also have conferred some designations on sites that remain nonfederally owned and managed.<sup>1</sup>

Federal land designations may bring few management changes to a site or may involve significant management changes, based on individual designating laws and broader authorities governing particular land systems (e.g., the National Park System, National Wildlife Refuge System, National Trails System, or others). The designations may authorize federal funding for an area, but they do not always do so.

This report addresses questions about which federal designations might be appropriate for particular areas. What do the various designations signify, and how do they differ? Who has authority to confer each designation? Which federal agency or nonfederal entity typically is responsible for managing the land under each designation, and which statutes would govern management decisions? What types of uses might be allowed on the land, and what uses might be prohibited? The report compares a variety of land designations with respect to these and other factors. It is beyond the report's scope to assess the benefits or drawbacks of applying a federal designation to an area, although such questions often arise when designations are contemplated. For any given area, some stakeholders might favor a federal designation (for example, to bring federal funding to the area, to publicize a site and promote visitation, or to bring new resource protections) while others might oppose one (for example, to preserve federal funds for allocation to other priorities or to forestall potential management changes or land-use restrictions). Additional CRS products, cited at the end of this report, explore such questions in greater detail for specific land designations.

## Selected Factors in Determining Land Designations

### Designating Authority

Initial considerations in making land designations might include who could designate the land. Some designations can be made only by an act of Congress; in other cases, Congress has authorized executive branch officials to confer specific designations. For example, under the Antiquities Act of 1906, the President may proclaim national monuments on federally owned land.<sup>2</sup> Congress also has authorized the Secretaries of the Interior and Agriculture to make some types of designations on both federal and nonfederal lands. For example, both Secretaries have

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<sup>1</sup> In addition, state and local governments make designations on nonfederal lands. Examples of such designations include state park, state historic site, and city park. Designations by state and local governments are not discussed in this report.

<sup>2</sup> 54 U.S.C. §§320301-320303. For more information on presidentially proclaimed monuments, see CRS Report R41330, *National Monuments and the Antiquities Act*, by Carol Hardy Vincent. Congress also has established national monuments outside of the Antiquities Act authority.

authority to add certain types of rivers and trails to the National Wild and Scenic Rivers System and the National Trails System.<sup>3</sup>

Members may choose to work with executive branch entities to pursue an administrative designation for a site, in addition to or instead of introducing legislation to designate the site. Among other reasons, an administrative designation may be seen as a faster route to achieve the designation, as compared to moving a bill through the legislative process. (Typical timelines for executive designations vary widely, however, and can extend to several years or more.) Alternatively, limitations on administrative authorities might make them less attractive in some cases. For instance, some administrative designations are not accompanied by federal funding for a site.<sup>4</sup> Some executive authorities—including the President’s authority to proclaim national monuments under the Antiquities Act—have been controversial at times, because the designations may restrict land uses.<sup>5</sup>

## Federal vs. Nonfederal Ownership and Management

For land not already in federal management, Members may consider whether the federal government should acquire the land. Many designations involve federal land acquisition, but under certain designations nonfederal entities may continue to own and manage the land, in some cases with technical and/or financial assistance from the federal government (see **Table 1** for more information). Also, for any specific site, Congress may include individual provisions regarding federal land acquisition. Members may weigh, among other issues, the cost and effort to the federal government of acquiring and managing the land; the resources available to state, local, or private owners to maintain and protect the land; potential benefits of federal management (such as ongoing federal funding); potential drawbacks of federal management (such as a loss of local control over management decisions or a reduction to the state and local tax base); and stakeholder positions on the size of the federal estate generally.<sup>6</sup>

## Managing Agency

Another consideration might be which agency (or agencies) would be best suited to manage land in federal ownership, based on the agencies’ missions, among other factors. This could influence which designation to use, because some commonly used designations are associated with a specific managing agency (**Table 1**). Four agencies manage almost all U.S. federal land: the Bureau of Land Management (BLM), U.S. Fish and Wildlife Service (FWS), and National Park Service (NPS) in the Department of the Interior (DOI), and the U.S. Forest Service (FS) in the

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<sup>3</sup> National Wild and Scenic Rivers Act (16 U.S.C. §§1271 et seq.); National Trails System Act (16 U.S.C. §§1241-1251). Also, the National Historic Preservation Act of 1966, as amended (NHPA; 54 U.S.C. §§300101 et seq.), and the Historic Sites Act of 1935 (54 U.S.C. §§320101-320106) authorize the Secretary of the Interior to make certain historic designations, such as listing properties on the National Register of Historic Places, establishing national historic landmarks, and others. For other examples, see **Table 1**.

<sup>4</sup> For example, the Secretary of the Interior may make certain administrative designations—such as establishing National Park Service (NPS) “affiliated areas”—under authority of the Historic Sites Act of 1935 (54 U.S.C. §§320101 et seq.) but may not provide federal funding for such designated sites without congressional authorization. For more information, see CRS In Focus IF11281, *National Park Service Affiliated Areas: An Overview*, by Mark K. DeSantis.

<sup>5</sup> For more information, see CRS Report R41330, *National Monuments and the Antiquities Act*, by Carol Hardy Vincent.

<sup>6</sup> For discussion of the size of the federal estate and stakeholder views, see CRS Report R42346, *Federal Land Ownership: Overview and Data*, by Carol Hardy Vincent and Laura A. Hanson.

Department of Agriculture.<sup>7</sup> These agencies administer their lands under different statutorily defined missions.<sup>8</sup> BLM and FS manage most of their lands for sustained yields of multiple uses, including recreation, grazing, timber, mineral production, watershed, wildlife and fish habitat, and conservation.<sup>9</sup> FWS has a dominant-use mission for most of its lands—to conserve plants and animals for the benefit of present and future generations—although other priority uses are provided for if compatible.<sup>10</sup> NPS administers its lands with the dual purpose of preserving resources and providing for their enjoyment by the public.<sup>11</sup> Within these broad missions, each agency manages sites with a variety of titles, management provisions, and allowed uses. In some cases, the management framework for an individual site may differ from the overall framework for the agency, based on individual authorities pertaining to the site. **Table 1** indicates the agency or agencies that generally have responsibility for area management under various designations.

## Physical Characteristics of the Area

The physical characteristics of an area could influence the choice of a land designation. Some designations—such as national seashore, national forest, or wild and scenic river—denote a certain type of natural feature. If a site consists primarily of built structures with historical, cultural, or commemorative significance, a federal designation such as national historic site or national memorial might be considered. Some managing agencies, too, are associated with certain types of areas; for instance, FS primarily manages forests, although the other land management agencies also manage some forested areas. Similarly, each agency manages some historic and cultural assets, but many federally designated sites with a primarily historical or cultural focus are managed by NPS (or are federally designated but nonfederally owned and managed).

## Values to Be Emphasized

Some land designations indicate the importance Congress or the executive branch places on a particular resource value—for instance, public recreation in the case of a national recreation area, or historic value in the case of a national historic site. Certain goals (such as wildlife conservation) may be particularly aligned with the mission of a certain agency (such as FWS). Although the agency missions may provide a broad guide, each agency also manages sites whose established values differ from the overall mission or focus on particular aspects of the mission. For example, in national monuments or wilderness areas on BLM or FS lands, some uses typically associated with these agencies' multiple-use, sustained-yield missions may be restricted or prohibited.

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<sup>7</sup> Collectively, these four agencies manage about 95% of the roughly 640 million acres of federal land in the United States. A variety of other agencies manage the remainder of the lands, which may have specific designations that are not covered in this report. For more information on federal land ownership, see CRS Report R42346, *Federal Land Ownership: Overview and Data*, by Carol Hardy Vincent and Laura A. Hanson.

<sup>8</sup> For further discussion of the missions of each federal land management agency, see CRS In Focus IF10585, *The Federal Land Management Agencies*, coordinated by Katie Hoover; and CRS Video WVB00399, *Introduction to Federal Lands*, by Mark K. DeSantis and Katie Hoover.

<sup>9</sup> The Bureau of Land Management's (BLM's) mission is defined in the Federal Land Policy and Management Act of 1976 (43 U.S.C. §§1701 et seq.), and the Forest Service's (FS's) mission is defined in the Multiple Use-Sustained Yield Act of 1960 (16 U.S.C. §§528-531).

<sup>10</sup> National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. §§668dd et seq.); Fish and Wildlife Act of 1956 (16 U.S.C. §§742 et seq.).

<sup>11</sup> NPS Organic Act (54 U.S.C. §§100101 et seq.).

## Statutory Requirements in Land System Laws

Some designations pertain to statutorily defined land systems, whose laws may specify requirements for areas to qualify for the system designation.<sup>12</sup> For example, under the Wild and Scenic Rivers Act,<sup>13</sup> a water body designated as a *wild river* must be free from any impoundments (e.g., dams), among other attributes. Congress could choose to ignore or modify system requirements when designating a new site in the system, but the criteria typically have been given weight when Members contemplate applying a designation.

Other designations are not associated with statutorily defined land systems. For example, prior to the establishment of the National Heritage Area System in January 2023, Congress had established more than 50 individual national heritage areas (primarily on nonfederal lands) without formal statutory criteria for this designation.<sup>14</sup> Where no systemic law defines qualifying criteria for a particular designation, Congress has often, but not always, followed past precedents when conferring the same designation on a new site.

## Land Uses

The chosen designation may influence what uses are permitted or prohibited at a site, based on statutory and regulatory requirements associated with the designation itself or with the agency managing the designated land (**Table 1**). In general, National Park System lands are among those most strictly protected from uses that may consume or damage resources (sometimes called *consumptive* or *extractive* uses), given NPS’s mandate to preserve park resources “unimpaired” while providing for their enjoyment by the public.<sup>15</sup> On FWS lands in the National Wildlife Refuge System, wildlife-related activities such as hunting, fishing, and bird-watching are considered priority uses; other uses (e.g., motorized recreation, timber cutting, grazing, mineral development) may be allowed to the extent that they are compatible with the mission of the system and the purposes of a specific unit. BLM and FS lands, as discussed, generally allow consumptive uses such as timber production, grazing, and mineral development. Designations for some cross-cutting land systems affect land use regardless of the managing agency; of these, the National Wilderness Preservation System provides the highest level of protection.<sup>16</sup> On designated wilderness lands, commercial activities, motorized uses, roads, structures, and facilities generally are prohibited, and resources are to be preserved “untrammelled” by human presence.<sup>17</sup>

Notwithstanding such general authorities, Congress may decide to allow, limit, or prohibit particular uses in an individual area through site-specific laws. Within all four agencies’ lands are units with varying restrictions or allowances of land use. For example, although hunting typically is prohibited in the National Park System, some individual units, such as many national preserves,

<sup>12</sup> Such systems may cut across lands of multiple agencies, as is the case for the National Wild and Scenic Rivers System, the National Trails System, and the National Wilderness Preservation System. For more information, see **Table 1**; and see CRS Report R45890, *Wild and Scenic Rivers: Designation, Management, and Funding*, by Anne A. Riddle; CRS Report R43868, *The National Trails System: A Brief Overview*, by Mark K. DeSantis; and CRS Report RL31447, *Wilderness: Overview, Management, and Statistics*, by Anne A. Riddle and Katie Hoover.

<sup>13</sup> 16 U.S.C. §§1271 et seq.

<sup>14</sup> P.L. 117-339. For more information, see **Table 1** and CRS Report RL33462, *National Heritage Areas: Background and Issues for Congress*, by Mark K. DeSantis.

<sup>15</sup> 54 U.S.C. §100101.

<sup>16</sup> 16 U.S.C. §§1131-1136.

<sup>17</sup> Wilderness Act (16 U.S.C. §1131(c)). For more information, see CRS Report RL31447, *Wilderness: Overview, Management, and Statistics*, by Anne A. Riddle and Katie Hoover.

allow hunting as authorized or mandated in the unit’s establishing law. Mineral development is allowed on most BLM lands, but new development is prohibited by law or executive action in some BLM areas, such as many national monuments.

In contrast to federal lands, Congress has limited authority to control uses of nonfederal land. Accordingly, designations for nonfederal lands typically do not prohibit the nonfederal landowner from engaging in particular land uses, even where the use might adversely affect some of the values for which the area was designated. However, activities incompatible with the values of a designation—such as modernizing a designated national historic landmark—may lead to a withdrawal of the federal designation; also, federal funds or permits to carry out projects that compromise these values may be restricted.<sup>18</sup>

## Examples of Federal Land Designations

**Table 1**, below, describes and compares selected designations made by Congress and the executive branch for federal lands and other areas. The table begins with designations that are common to multiple agencies and then lists designations exclusively or primarily related to an individual agency. The four agencies appear in order of the overall amount of land each agency manages (BLM, FS, FWS, NPS).<sup>19</sup> The table provides information on the entity that confers each designation (e.g., Congress, the President, the Interior or Agriculture Secretary); statutory authorities for the designation; the agency or agencies that administer each type of area (also noting designations for which the area typically remains in nonfederal management); selected characteristics of the areas; and examples of each type of area. Designations for nonfederally owned and managed sites are listed according to the agency with overall administrative responsibility for the designation (e.g., responsibility for evaluating site qualifications and providing technical and/or financial assistance to designated sites).

The table reflects a selection of titles that have been used repeatedly for multiple areas. It is not comprehensive. For example, Congress has designated many sites with unique titles (such as “national park for the performing arts” or “national tallgrass prairie”) that are not reflected in the table, and Congress also may develop new designations.

<sup>18</sup> For example, §106 and §110(f) of the NHPA impose conditions on federal funding or permitting of projects that may impact federally qualified historic properties.

<sup>19</sup> This does not include offshore submerged lands. For information on total acreage managed by each agency, see CRS In Focus IF10585, *The Federal Land Management Agencies*; and CRS Report R42346, *Federal Land Ownership: Overview and Data*, by Carol Hardy Vincent and Laura A. Hanson.



**Table I. Comparison of Selected Federal Land Designations**

<b>Designation</b>	<b>Authorizing Entity</b>	<b>Authority for Designation<sup>a</sup></b>	<b>Administering Agency<sup>b</sup></b>	<b>Selected Characteristics</b>	<b>Examples<sup>c</sup></b>
<b>Designations Common to Multiple Agencies</b>					
National Monument	Congress, President	Congressional designations: Individual statutes <sup>d</sup> Presidential proclamations: Antiquities Act of 1906 (54 U.S.C. §§320301-320303)	NPS, BLM, FS, FWS, other agencies	<ul style="list-style-type: none"> <li>Sites include both natural areas and areas of cultural, historical, and archaeological significance.</li> <li>Presidentially proclaimed monuments must be on federal lands that contain historic landmarks, historic and prehistoric structures, or other objects of historic or scientific interest. The President is to reserve “the smallest area compatible with the proper care and management of the objects to be protected” (54 U.S.C. §320301(b)).</li> <li>Allowed uses vary according to the establishing law or proclamation, and the management framework of the administering agency.</li> </ul>	<p>Grand Canyon-Parashant National Monument (AZ), Presidential Proclamation no. 7265</p> <p>Petroglyph National Monument (NM), P.L. 101-313</p> <p>Pullman National Monument (IL), Presidential Proclamation no. 9233</p>
National Recreation Area	Congress <sup>e</sup>	Individual statutes	NPS, FS, BLM	<ul style="list-style-type: none"> <li>Sites have a recreation focus, and their establishing legislation often authorizes activities such as boating, fishing, and hunting.</li> <li>Many older national recreation areas surround Bureau of Reclamation reservoirs and feature water-based recreation. Some more recently created areas are in or near urban centers.</li> </ul>	<p>Allegheny National Recreation Area (PA), P.L. 98-585</p> <p>Lake Mead National Recreation Area (NV, AZ), P.L. 88-639</p> <p>White Mountains National Recreation Area (AK), P.L. 96-487, §403</p>
Wilderness	Congress	Wilderness Act of 1964 (16 U.S.C. §§1131-1136), plus individual statutes <sup>f</sup>	NPS, FS, FWS, BLM	<ul style="list-style-type: none"> <li>Wilderness areas are described in the act as areas of undeveloped federal lands retaining their “primeval character and influence,” without human development, which are managed so as to preserve their natural conditions and wilderness character (16 U.S.C. §§1133(b)).</li> <li>Areas are subject to management provisions of the administering agency, as well as the Wilderness Act.</li> <li>Commercial activities, motorized access, and human infrastructure, among other activities, generally are prohibited in designated wilderness areas.</li> </ul>	<p>Boundary Waters Canoe Area Wilderness (MN), P.L. 95-495</p> <p>Lee Metcalf Wilderness (MT), P.L. 98-140</p> <p>Wheeler Peak Wilderness (NM), P.L. 113-291, §3061</p>

Designation	Authorizing Entity	Authority for Designation <sup>a</sup>	Administering Agency <sup>b</sup>	Selected Characteristics	Examples <sup>c</sup>
Wilderness Study Area (WSA)	Congress, Secretary of the Interior <sup>e</sup>	BLM: Federal Land Policy and Management Act of 1976 (FLPMA; 43 U.S.C. §1782); Alaska National Interest Lands Conservation Act (16 U.S.C. §3144.); plus individual statutes FS, FWS: Individual statutes	BLM, FS, FWS	<ul style="list-style-type: none"> <li>• Most BLM wilderness study areas are lands BLM identified and reviewed for potential wilderness designation. These lands are managed as if they were wilderness until Congress either designates them as wilderness or releases them. Some BLM WSAs were designated by statute.</li> <li>• FS and FWS WSAs' management varies according to their designating statutes.</li> </ul>	Burnt Creek WSA (ID) Dry Valley Rim WSA (NV) High Lakes WSA (Shoshone National Forest, WY), P.L. 98-550
Wild and Scenic River (WSR)	Congress, Secretary of the Interior	Wild and Scenic Rivers Act of 1968, as amended (16 U.S.C. §§1271 et seq.), plus individual statutes	FS, NPS, BLM, FWS, states <sup>h</sup>	<ul style="list-style-type: none"> <li>• Wild and scenic rivers (WSRs) are administered to preserve the rivers' free-flowing condition and to protect and enhance the values for which the rivers were designated. Federally assisted water resources projects that would have specified effects on a designated WSR are prohibited. All projects licensed by the Federal Energy Regulatory Commission are prohibited.</li> <li>• The WSR Act established three classes of WSRs—wild, scenic, and recreational—reflecting the characteristics of the rivers at the time of designation.</li> <li>• WSRs may be located on federal or nonfederal land.</li> </ul>	Black Butte Wild and Scenic River (CA), P.L. 109-362, §7 Eightmile Scenic River (CT), P.L. 110-229, §344 Missisquoi & Trout Recreational River (VT), P.L. 113-291, §3072
National Scenic Trail, National Historic Trail, National Recreation Trail	Congress, Secretary of the Interior, Secretary of Agriculture <sup>i</sup>	National Trails System Act of 1968, as amended (16 U.S.C. §§1241-1251), plus individual statutes	NPS, FS, BLM, nonfederal entities <sup>i</sup>	<ul style="list-style-type: none"> <li>• <i>National scenic trails</i> provide for outdoor recreation and for the conservation and enjoyment of significant scenic, historic, natural, or cultural qualities.</li> <li>• <i>National historic trails</i> identify and protect travel routes of national historic significance.</li> <li>• <i>National recreation trails</i> are often on state, local, or private lands and provide for a variety of outdoor recreation uses. They may be designated by the Secretaries of the Interior and Agriculture with the consent of the federal agency, state, or locality that manages the land.</li> </ul>	New England National Scenic Trail (MA/CT), P.L. 111-11, §5202 Selma to Montgomery National Historic Trail (AL), P.L. 104-333, §501 South Carolina Revolutionary Rivers National Recreation Trail (SC)

Designation	Authorizing Entity	Authority for Designation <sup>a</sup>	Administering Agency <sup>b</sup>	Selected Characteristics	Examples <sup>c</sup>
<b>Designations Exclusively or Primarily Related to BLM<sup>k</sup></b>					
Public Lands (general nomenclature for BLM lands)	Congress	FLPMA (43 U.S.C. §§1701 et seq.)	BLM	<ul style="list-style-type: none"> <li>The National System of Public Lands includes grasslands, forests, high mountains, arctic tundra, and deserts. These are largely lands reserved from the public domain, but BLM has authority to acquire land. Some of the lands in this system have special designations.</li> <li>BLM generally manages lands for sustained yields of multiple uses, including recreation, grazing, timber, watershed, wildlife and fish habitat, and conservation.</li> </ul>	<i>Not individually designated</i>
National Conservation Area	Congress	Individual statutes	BLM	<ul style="list-style-type: none"> <li>These areas contain diverse features encompassing natural, scientific, cultural, ecological, geological, scenic, historical, and recreational values. Congress establishes the management emphasis in the individual statute.</li> <li>The areas differ in landscape and size, and may contain other protected areas such as areas of critical environmental concern, wilderness, or wild/scenic rivers.</li> </ul>	Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area (NV), P.L. 106-554, Appendix D-1 Gila Box Riparian National Conservation Area (AZ), P.L. 101-628, Title II Steese National Conservation Area (AK), P.L. 96-487, Title IV
Area of Critical Environmental Concern (ACEC) <sup>l</sup>	BLM	FLPMA (43 U.S.C. §§1702(a), 1712(c)(3))	BLM	<ul style="list-style-type: none"> <li>Under 43 U.S.C. §1702(a), these areas require “special management attention ... to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources or other natural systems or processes, or to protect life and safety from natural hazards.”</li> <li>The public and BLM may nominate areas. Areas must meet criteria of relevance and importance and are designated through the resource management planning process. Management varies, with the focus on the resource or natural hazard of concern.</li> </ul>	Fairview Area of Critical Environmental Concern (CO) Little Creek Mountain Area of Critical Environmental Concern (UT) Simon Canyon Area of Critical Environmental Concern (NM)
<b>Designations Exclusively or Primarily Related to FS<sup>m</sup></b>					
National Forest System (NFS) designations	Congress, President, Secretary of Agriculture	Organic Administration Act of 1897 (16 U.S.C. §§473 et seq.) and others	FS	<ul style="list-style-type: none"> <li>The NFS consists of 154 national forests and 20 national grasslands, along with purchase units, research and experimental forests, land utilization areas, and other areas. NFS lands may include lands reserved from the public domain or acquired lands.</li> </ul>	Black Kettle National Grassland (OK, TX) George Washington-Jefferson National Forest (VA, WV) Willamette National Forest (OR)

Designation	Authorizing Entity	Authority for Designation <sup>a</sup>	Administering Agency <sup>b</sup>	Selected Characteristics	Examples <sup>c</sup>
				<p>The Secretary of Agriculture has the authority to acquire land.</p> <ul style="list-style-type: none"> <li>The system's mission is to provide a variety of uses and values—timber production, watershed management, livestock grazing, energy and mineral development, outdoor recreation, fish and wildlife habitat management, and wilderness—without impairing the land's productivity.</li> <li>Only Congress can establish an entirely new unit of the NFS, although the President and Secretary of Agriculture have various authorities to modify existing NFS units.</li> </ul>	
National Scenic Area, National Scenic Research Area, National Scenic Recreation Area, National Scenic and Wildlife Area	Congress	Individual statutes	FS	<ul style="list-style-type: none"> <li>Congress has designated 12 scenic areas within the NFS, each with distinct management direction. These areas generally contain outstanding scenic characteristics; recreational values; and geologic, ecological, and cultural resources.</li> </ul>	<p>Columbia River Gorge National Scenic Area (OR, WA), P.L. 99-663</p> <p>Mono Basin National Forest Scenic Area (CA), P.L. 98-425, Title III</p>
National Volcanic Monument	Congress	Individual statutes	FS	<ul style="list-style-type: none"> <li>Congress has designated two national volcanic monuments within the NFS.</li> </ul>	<p>Mount St. Helens National Volcanic Monument (WA), P.L. 97-243</p> <p>Newberry National Volcanic Monument (OR), P.L. 101-522</p>
Special Management Area, National Protection Area, Others	Congress	Individual statutes	FS	<ul style="list-style-type: none"> <li>Congress has designated more than 50 areas within the NFS for some sort of special protection. Each has distinct purposes and management direction enacted in the designating statute.</li> </ul>	<p>James Peak Protection Area (CO), P.L. 107-216</p> <p>Kings River Special Management Area (CA), P.L. 100-150, §2</p>
Inventoried Roadless Area	FS	Forest Service regulations <sup>n</sup>	FS	<ul style="list-style-type: none"> <li>Inventoried roadless areas are areas designated by FS regulations, many of which are based on FS inventories for wilderness potential upon enactment of the Wilderness Act. Activities such as timber harvests and road construction are prohibited, with some limited exceptions. Different management policies apply in Colorado and Idaho.</li> </ul>	<p>Boulder-White Clouds Roadless Area (Sawtooth National Forest, ID)</p> <p>Mount Bailey Roadless Area (Umpqua National Forest, OR)</p>

Designation	Authorizing Entity	Authority for Designation <sup>a</sup>	Administering Agency <sup>b</sup>	Selected Characteristics	Examples <sup>c</sup>
<b>Designations Exclusively or Primarily Related to FWS<sup>o</sup></b>					
National Wildlife Refuge	Congress, President, Secretary of the Interior	National Wildlife Refuge Administration Act (16 U.S.C. §668dd); Alaska National Interest Lands Conservation Act (16 U.S.C. §§3101 et seq.); Migratory Bird Conservation Act (16 U.S.C. §§715 et seq.); Endangered Species Act (ESA; 16 U.S.C. §§1531-1544); Fish and Wildlife Coordination Act (16 U.S.C. §§661-667e); FLPMA; and individual statutes	FWS	<ul style="list-style-type: none"> <li>National wildlife refuges focus on conservation of fish and wildlife, with priority given to wildlife-dependent recreation.</li> </ul>	<p>Arctic National Wildlife Refuge (AK), P.L. 96-487, §303(2)</p> <p>Florida Panther National Wildlife Refuge (FL)</p> <p>Protection Island National Wildlife Refuge (WA), P.L. 97-333</p>
Waterfowl Production Area	Secretary of the Interior, Migratory Bird Conservation Commission	Migratory Bird Conservation Act (16 U.S.C. §§715 et seq.) Migratory Bird Hunting and Conservation Act (16 U.S.C. §§718 et seq.)	FWS	<ul style="list-style-type: none"> <li>Waterfowl production areas are small wetlands and grasslands with migratory bird habitat.</li> <li>Nearly all are in Iowa, Minnesota, Montana, North Dakota, and South Dakota.</li> <li>Waterfowl production areas include federal lands as well as areas that are managed by FWS under permanent conservation easements.</li> </ul>	<p>Detroit Lakes Wetland Management District (MN)</p> <p>Dickinson Waterfowl Production Area (IA)</p>
Wildlife Coordination Area	Secretary of the Interior	Fish and Wildlife Coordination Act (16 U.S.C. §§661-667e) Bankhead-Jones Farm Tenant Act (7 U.S.C. §1010)	FWS, with states	<ul style="list-style-type: none"> <li>Coordination areas focus on the conservation, maintenance, and management of wildlife. They are managed with or by states through cooperative agreements, easements, and leases.</li> </ul>	<p>Beltrami Wildlife Coordination Area (MN)</p> <p>Gila River Wildlife Coordination Area (AZ)</p>

Designation	Authorizing Entity	Authority for Designation <sup>a</sup>	Administering Agency <sup>b</sup>	Selected Characteristics	Examples <sup>c</sup>
National Fish Hatchery	Congress	Fish and Wildlife Act (16 U.S.C. §§742a-742j) Fish and Wildlife Coordination Act (16 U.S.C. §§661-667e), and individual statutes	FWS <sup>p</sup>	<ul style="list-style-type: none"> <li>National fish hatcheries often are created as mitigation for federal dams. They may supply hatchlings for fish stocking and for ESA-listed species.</li> <li>National fish hatcheries work to promote and maintain healthy populations for fish and other aquatic species, provide resources to help conserve imperiled species, and conduct scientific research. Some facilities also may provide visitation opportunities.</li> </ul>	Hotchkiss National Fish Hatchery (CO), 43 U.S.C. §§620-620o Wolf Creek National Fish Hatchery (KY), 16 U.S.C. §760 (with U.S. Army Corps of Engineers)
<b>Designations Exclusively or Primarily Related to NPS<sup>q</sup></b>					
<b>Primarily Natural NPS Areas and Related Areas</b>					
National Park	Congress	Individual statutes	NPS	<ul style="list-style-type: none"> <li>National parks generally are large, diverse areas with outstanding natural features and ecological resources.</li> <li>Consumptive activities such as hunting or mining typically are prohibited.</li> <li>Many current national parks were established originally with other designations, such as national monument.</li> </ul>	Arches National Park (UT), P.L. 92-155 Glacier Bay National Park (AK), P.L. 96-487, §202 Great Smoky Mountains National Park (TN, NC), Act of February 21, 1925, 43 Stat. 958
National Preserve	Congress	Individual statutes	NPS	<ul style="list-style-type: none"> <li>National preserves are similar to national parks in their size and natural assets, but allow activities not generally permitted in national parks, such as hunting or oil and gas exploration. Off-road vehicle use may be permitted.</li> </ul>	Big Thicket National Preserve (TX), P.L. 93-439 Valles Caldera National Preserve (NM), P.L. 113-291, §3043
National Seashore, National Lakeshore	Congress	Individual statutes	NPS	<ul style="list-style-type: none"> <li>These designations preserve shoreline areas and offshore islands on the Atlantic, Gulf, and Pacific coasts (national seashores) and the Great Lakes (national lakeshores).</li> <li>Along with conservation, water recreation is a primary focus. Off-road vehicle use may be permitted.</li> </ul>	Apostle Islands National Lakeshore (WI), P.L. 91-424 Cape Cod National Seashore (MA), P.L. 87-126 Cumberland Island National Seashore (GA), P.L. 92-536
National Natural Landmark	Secretary of the Interior	Historic Sites Act of 1935 (54 U.S.C. §§320101 et seq.)	Mainly nonfederal entities <sup>r</sup>	<ul style="list-style-type: none"> <li>There are over 600 designated national natural landmarks that contain outstanding biological and geological resources.</li> <li>Most national natural landmarks are nonfederal properties that remain in nonfederal ownership and management. NPS provides technical but not financial assistance.</li> </ul>	Barringer Meteor Crater National Natural Landmark (AZ) Cornwall Swamp National Natural Landmark (VT) Porcupine Mountain National Natural Landmark (MI)

Designation	Authorizing Entity	Authority for Designation <sup>a</sup>	Administering Agency <sup>b</sup>	Selected Characteristics	Examples <sup>c</sup>
<b>Primarily Historical/Cultural NPS Areas and Related Areas</b>					
National Historic Site	Congress or (for earlier sites) the Secretary of the Interior <sup>s</sup>	Congressional designations: Individual statutes Secretarial designations: Historic Sites Act of 1935 (54 U.S.C. §§320101 et seq.)	NPS, FS, nonfederal entities <sup>t</sup>	<ul style="list-style-type: none"> <li>• Most sites feature buildings of historical interest, such as the homes of notable individuals, public buildings where significant events occurred, or military forts.</li> <li>• The designation has been applied to both federally and nonfederally owned sites.<sup>t</sup></li> </ul>	<p>Grey Towers National Historic Site (PA), P.L. 108-447, §348</p> <p>Little Rock Central High School National Historic Site (AR), P.L. 105-356</p> <p>Lower East Side Tenement National Historic Site (NY), P.L. 105-378</p>
National Historical Park	Congress	Individual statutes	NPS	<ul style="list-style-type: none"> <li>• National historical parks preserve sites related to events or people of national historical significance.</li> <li>• They generally extend beyond a single building or property.</li> </ul>	<p>Cedar Creek and Belle Grove National Historical Park (VA), P.L. 107-373</p> <p>Blackstone River Valley National Historical Park (RI), P.L. 113-291, §3031</p>
National Memorial	Congress	Memorials in Washington, DC: Commemorative Works Act of 1986 (40 U.S.C. §§8901-8909) Other memorials: Individual statutes	NPS, nonfederal entities <sup>u</sup>	<ul style="list-style-type: none"> <li>• Most national memorials are structures erected to commemorate people or events of national importance. They need not be located at historically significant sites.</li> <li>• The designation has been applied to both federally and nonfederally owned sites.<sup>u</sup></li> </ul>	<p>Distinguished Flying Cross National Memorial (CA), P.L. 113-132</p> <p>Flight 93 National Memorial (PA), P.L. 107-226</p> <p>Oklahoma City National Memorial (OK), P.L. 108-199, §544</p>
National Battlefield, National Battlefield Park, National Battlefield Site, National Military Park	Congress	Individual statutes	NPS	<ul style="list-style-type: none"> <li>• These sites commemorate landscapes where battles occurred (primarily in the American Revolution and the Civil War), as well as military and civil structures.</li> </ul>	<p>Horseshoe Bend National Military Park (AL), P.L. 84-800</p> <p>River Raisin National Battlefield Park (MI), P.L. 111-11, §7003</p> <p>Wilson's Creek National Battlefield (MO), P.L. 91-554</p>

Designation	Authorizing Entity	Authority for Designation <sup>a</sup>	Administering Agency <sup>b</sup>	Selected Characteristics	Examples <sup>c</sup>
National Heritage Area	Congress	National Heritage Area Act (P.L. 117-339); individual statutes	Nonfederal entities	<ul style="list-style-type: none"> <li>• Congress has established national heritage areas in support of community-centered initiatives to preserve historical, cultural, and natural resources.</li> <li>• Areas remain under state, local, and/or private control, while receiving financial and technical aid from NPS.</li> <li>• The National Heritage Area Act, enacted in January 2023, established a National Heritage Area System, including designation criteria and standards for funding and management.</li> </ul>	<p>Freedom’s Frontier National Heritage Area (KS, MO), P.L. 109-338, Subtitle E</p> <p>Mississippi Delta National Heritage Area (MS), P.L. 111-11, §8008</p>
NPS Affiliated Area	Congress, Secretary of the Interior	<p>Congressional designations: Individual statutes</p> <p>Secretarial designations: Historic Sites Act of 1935 (54 U.S.C. §§320101 et seq.)</p>	Nonfederal entities <sup>v</sup>	<ul style="list-style-type: none"> <li>• When studying an area for possible addition to the National Park System, NPS may recommend affiliated status, if the area meets some but not all criteria for joining the park system.</li> <li>• NPS affiliated areas remain in nonfederal ownership.</li> <li>• NPS provides financial assistance to some but not all affiliated areas.</li> <li>• Most of the affiliated areas have a historical and cultural focus, but some are primarily natural areas.</li> </ul>	<p>Aleutian World War II National Historic Area (AK), P.L. 104-333, §513</p> <p>Roosevelt-Campobello International Park (ME), P.L. 88-363</p>
National Historic Landmark	Secretary of the Interior	National Historic Preservation Act of 1966, as amended (NHPA; 54 U.S.C. §§300101 et seq.)	Mainly nonfederal entities <sup>f</sup>	<ul style="list-style-type: none"> <li>• There are more than 2,500 national historic landmarks, selected for exceptional value or quality in illustrating or interpreting the heritage of the United States.</li> <li>• Most national historic landmarks are nonfederal properties that remain in nonfederal ownership and management. NPS provides technical but not financial assistance. Properties may qualify for historic preservation grants and historic tax credits.</li> <li>• Under Section 110(f) of the National Historic Preservation Act (54 U.S.C. §306107), prior to approving any federal undertaking that may directly and adversely affect a national historic landmark, federal agencies must engage in planning and action to minimize harm to the landmark.</li> <li>• Under the NHPA, all national historic landmarks are also added to the National Register of Historic Places, the broader federal list of areas, buildings, and objects</li> </ul>	<p>Chicano Park National Historic Landmark (CA)</p> <p>Deer Medicine Rocks National Historic Landmark (MT)</p> <p>Juliette Gordon Low Historic District (GA)</p>



Designation	Authorizing Entity	Authority for Designation <sup>a</sup>	Administering Agency <sup>b</sup>	Selected Characteristics	Examples <sup>c</sup>
				significant to American history, architecture, archeology, engineering, and culture.	

**Source:** CRS.

**Notes:** BLM = Bureau of Land Management; FS = Forest Service; FWS = U.S. Fish and Wildlife Service; NPS = National Park Service.

- a. In addition to the authorities listed in this table, the agencies more broadly administer lands under their “organic acts.” These include, for NPS, the National Park Service Organic Act of 1916, as amended (54 U.S.C. §100101 et seq.); for BLM, the Federal Land Policy and Management Act of 1976, as amended (FLPMA, 43 U.S.C. §§1701 et seq.); for FWS, the Fish and Wildlife Act of 1956, as amended (16 U.S.C. §§742a-m), and the National Wildlife Refuge System Administration Act (16 U.S.C. §668dd); and, for FS, the Forest Service Organic Administration Act of 1897, as amended (16 U.S.C. §§473 et seq.), and the Multiple Use-Sustained Yield Act of 1960 (16 U.S.C. §§528-531). Multiple other statutory authorities also may govern various aspects of land management.
- b. For designations common to multiple agencies, the agencies are listed in order of most to least responsibility, either in terms of the number of designated sites the agencies manage (national monuments, national recreation areas, national trails) or the acreage or mileage they manage (wilderness, wild and scenic rivers). As shown in the table, in some cases, nonfederal entities rather than a federal agency primarily administer the designation. Also, although the listed agency would typically serve as the primary administrator for a given designation, within any individual site, some parcels of land may be owned or managed by another federal agency; by states, tribes, or localities; or by private owners. For example, the area may contain inholdings within its boundaries that are under private ownership, or part of the land may be set aside for military activities and managed by the Department of Defense, or a marine national monument may be cooperatively managed by FWS and the National Oceanic and Atmospheric Administration.
- c. For areas that were individually designated by statute (see note “d”), this column shows the applicable statute. In cases where a law authorized the executive branch to make designations, this column provides examples, while the authorizing law is shown in the “Authority for Designation” column.
- d. “Individual statutes” refers to provisions of law conferring a designation on a specific individual site (as opposed to broad general authorities establishing a type of designation or land system, or setting out an agency’s general administrative authorities). “Individual statutes” could be enacted as stand-alone legislation or could be part of a broader law, such as an omnibus public lands act or an appropriations act. Such broader legislative vehicles could potentially establish multiple individual sites with a given designation, which would still be referred to in this table as “individual statutes.”
- e. Some early national recreation areas were established by interagency agreements between DOI’s Bureau of Reclamation and NPS.
- f. There are more than 130 individual wilderness designation statutes. These statutes are not amendments to the Wilderness Act, but they typically refer to the act for management guidance.
- g. FLPMA §603(a) required the Secretary of the Interior to identify wilderness study areas (WSAs) by 1991 and to submit wilderness recommendations to Congress by 1993. These WSAs may be modified only by an act of Congress. FLPMA §202 authorizes the Secretary of the Interior to identify WSAs through the land management planning process. The Secretary may release those areas from further study area status if determined to be unsuitable for a wilderness recommendation.
- h. Wild and scenic rivers generally are managed by the federal land management agencies (BLM, FS, NPS, or FWS), but certain rivers that were included pursuant to nomination by states are managed by state agencies. Also, for federally managed rivers that cross state, county, or other public or private land, the federal agencies are directed to cooperate with state and local governments in developing corridor management plans.
- i. National scenic trails and national historic trails are designated by acts of Congress. National recreation trails may be designated by the Secretary of the Interior or the Secretary of Agriculture with the consent of the federal agency, state, or political subdivision with jurisdiction over the lands involved.
- j. For individual national scenic and national historic trails, a single federal agency typically serves as the overall administrator, but lands along the trail may be owned and managed by multiple federal agencies, state and local governments, private groups, and individuals. National recreation trails are mainly on nonfederal lands and typically are administered by states, localities, and private organizations.

- k. For more information on BLM areas, please contact Carol Hardy Vincent, CRS Specialist in Natural Resources Policy.
- l. BLM also has created subsets of ACECs, including Research Natural Areas.
- m. For more information on FS areas, please contact Katie Hoover, CRS Specialist in Natural Resources Policy; and Anne Riddle, CRS Analyst in Natural Resources Policy.
- n. FS, "Special Areas; Roadless Area Conservation," 66 *Federal Register* 3244, January 12, 2001, 36 C.F.R. §§294.20-49, and FS, "Special Areas: Roadless Area Conservation; National Forest System Lands in Alaska," 88 *Federal Register* 5252, January 27, 2023.
- o. For more information on FWS areas, please contact Christopher Field, CRS Analyst in Natural Resources Policy.
- p. Often jurisdiction is secondary to a water management agency.
- q. For more information on NPS areas, please contact Laura Comay, CRS Specialist in Natural Resources Policy; and Mark DeSantis, CRS Analyst in Natural Resources Policy.
- r. Some national natural landmarks and national historic landmarks are on federal lands and are managed by the federal agency that controls the land, but most are on nonfederal lands.
- s. The Secretary of the Interior has the authority to designate national historic sites under the Historic Sites Act of 1935 (54 U.S.C. §§320101 et seq.). However, this authority was limited in 1992 by an amendment to the Historic Sites Act stipulating that Congress must authorize the appropriation of any funds used to carry out secretarial designations. Since then, only Congress has established national historic sites.
- t. NPS administers 78 national historic sites and one international historic site (St. Croix Island on the Canadian border). FS manages one national historic site (Grey Towers National Historic Site in Pennsylvania). An additional 10 national historic sites are nonfederally owned and administered, but are NPS "affiliated areas," receiving technical and/or financial assistance from NPS.
- u. NPS administers 30 national memorials as part of the National Park System. Another five are nonfederally owned and administered, but are NPS "affiliated areas," receiving technical and/or financial assistance from NPS. Other congressionally designated national memorials are managed by other agencies or are nonfederal and not associated with NPS.
- v. In addition, one NPS affiliated area, American Memorial Park in the Northern Mariana Islands, is administered by NPS under P.L. 95-348.

## For Additional Reading

CRS Report R41658, *Commemorative Works in the District of Columbia: Background and Practice*, by Jacob R. Straus.

CRS Report R41285, *Congressionally Designated Special Management Areas in the National Forest System*, by Katie Hoover.

CRS In Focus IF10585, *The Federal Land Management Agencies*, by Katie Hoover.

CRS Report R43429, *Federal Lands and Related Resources: Overview and Selected Issues for the 118th Congress*, coordinated by Katie Hoover.

CRS Report R45800, *The Federal Role in Historic Preservation: An Overview*, by Mark K. DeSantis.

CRS Report R43872, *National Forest System Management: Overview and Issues for Congress*, by Katie Hoover and Anne A. Riddle.

CRS Report RL33462, *National Heritage Areas: Background and Issues for Congress*, by Mark K. DeSantis.

CRS Report R45741, *Memorials and Commemorative Works Outside Washington, DC: Background, Federal Role, and Options for Congress*, by Jacob R. Straus and Laura B. Comay.

CRS Report R41330, *National Monuments and the Antiquities Act*, by Carol Hardy Vincent.

CRS In Focus IF11281, *National Park Service Affiliated Areas: An Overview*, by Mark K. DeSantis.

CRS Report R41816, *National Park System: What Do the Different Park Titles Signify?*, by Laura B. Comay.

CRS Report R43868, *The National Trails System: A Brief Overview*, by Mark K. DeSantis and Sandra L. Johnson.

CRS Report R45890, *Wild and Scenic Rivers: Designation, Management, and Funding*, by Anne A. Riddle.

CRS Report RL31447, *Wilderness: Overview, Management, and Statistics*, by Anne A. Riddle and Katie Hoover.

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