

**SCIENTIFIC RESEARCH AND
COLLECTING PERMIT**



Grants permission in accordance with the attached
general and special conditions

United States Department of the Interior
National Park Service

Shenandoah NP

Study#: SHEN-00352
Permit#: SHEN-2013-SCI-0006
Start Date: Apr 22, 2013
Expiration Date: Apr 22, 2018
Coop Agreement#: n/a
Optional Park Code: n/a

Name of principal investigator:

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Name of institution represented:

The American Chestnut Foundation

Co-Investigators:

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Project title:

Data gathering study on American Chestnut trees along the Appalachian National Scenic Trail within the framework of the A.T. MEGA-Transect

Purpose of study:

The purpose of the study is two-fold. First to increase our understanding the status of surviving remnants of the American chestnut, a species that played a key role in forests throughout Appalachia before being devastated by a blight fungus imported with Asian chestnut trees in the early Twentieth Century. Secondly, data on large individual trees with the potential to produce flowers will assist TACF in increasing the genetic diversity of its backcross breeding program, which is intended to restore the American chestnut tree to its former place in the region's forests by producing an otherwise American chestnut with the blight resistant characteristics of Asian chestnut.

Two types of data will be collected : (1) total number of American Chestnut trees three feet in height or taller within fifteen feet on either side of the trail and (2) location and description of large individual trees thirteen inches or greater in circumference at 4.5 feet above ground.

Subject/Discipline:

Plant Communities (Vegetation)

Locations authorized:

The study will take place along the Appalachian National Scenic Trail. Volunteers are instructed to limit their observations to within 15 feet of the trail on either side.

Transportation method to research site(s):

Access is by foot only, via side trails that connect to the Appalachian National Scenic Trail.

Collection of the following specimens or materials, quantities, and any limitations on collecting:

n/a

Name of repository for specimens or sample materials if applicable:

n/a

Specific conditions or restrictions (also see attached conditions):

n/a

Recommended by park staff(name and title):

W. J. Blum *Blum*

Reviewed by Collections Manager:

Yes No

Approved by park official:

J. P. Blum

Date Approved:

1 MAY 13

Title:

Chief, Division of Natural & Cultural Resources

I Agree To All Conditions And Restrictions Of this Permit As Specified
(Not valid unless signed and dated by the principal investigator)

Katula Mawt
(Principal investigator's signature)

May 1, 2013
(Date)

**THIS PERMIT AND ATTACHED CONDITIONS AND RESTRICTIONS MUST BE CARRIED AT ALL TIMES
WHILE CONDUCTING RESEARCH ACTIVITIES IN THE DESIGNATED PARK(S)**

Park Specific Conditions – Shenandoah NP

RESPONSIBILITY (Supplements General Condition 2)

Field staff must possess a copy of your permit at all times while in the field.

COMPLIANCE

Research projects that have the potential to disturb or impact natural and cultural resources or wilderness values within the Park will require compliance (National Environmental Policy Act, National Historic Preservation Act, and Wilderness Act) review prior to approval.

FIELD EQUIPMENT AND PLOTS/TRANSECTS

All equipment left in the field including plot markers must be specifically authorized in advance. Label all equipment with your name, date of installation, phone number, and the words "Research Study #XXXX." If you are authorized to place equipment or plot markers in Shenandoah, you will be required to GPS their locations.

WILDLIFE TELEMETRY

All VHF and GPS collars on wildlife must be camouflaged to blend in with the animal. The antennas on the collars must also be as invisible as possible. All collars must be removed at the completion of the study by either blow-off capabilities or cotton (rot-away) spacers.

HAZARDOUS MATERIALS

Specific authorization must be obtained in advance before using chemicals or hazardous materials in Shenandoah. For specific information regarding the transport, use, and disposal of chemicals or hazardous materials, please contact the Research Permit Office.

LEAVE NO TRACE

The Permittee must make reasonable efforts to follow Leave No Trace outdoor ethics principles during all field activities to minimize impacts on park resources or experiences of other park visitors. Prior to

starting fieldwork, all field personnel should review the written summary of Leave No Trace principles that will be provided to the Permittee by the park.

COMMERCIAL FILMING

Your permit does not authorize the bearer or those that accompany them to conduct commercial filming activities. Commercial film permits must be obtained from the Park Public Affairs Office (540-999-3300).

OTHER DELIVERABLES

Copies of investigator field notes, maps, slides, photographs, charts/graphs, and data (including GIS data and associated metadata) are required to be submitted to the park at the completion of the study. In addition, two copies of all final reports, publications, and theses/dissertations produced as a result of the permitted project must also be provided to the park. These materials will be permanently archived in the park's museum collection. Additional deliverables, such as making an oral presentation to park staff and/or the public, may also be required.

All collected or created data and metadata must be in a format compatible with the park's data management and GIS software. The Permittee should contact the park's Data Manager at 540-999-3431 or alan_williams@nps.gov for details about the park's digital geographic data and metadata requirements PRIOR to the start of fieldwork.

INTELLECTUAL PROPERTY RIGHTS

Research Permits are issued by Shenandoah National Park under a variety of circumstances that relate to intellectual property rights. When permits are issued to employees of the National Park Service or cooperators who are employed by other Federal agencies, products stemming from work under those permits are considered to be property of the Federal government. When permits are issued to scientists who are not Federal government employees, property rights related to the works of those studies generally reside with those individuals or their institutions unless otherwise waived. In most cases, the National Park Service will not seek a waiver of those individual or institutional rights. In limited circumstances, where the National Park Service has funded the work or is working with other Federal agencies on behalf of the National Park Service, waiver of those independent rights will be sought.

The Permittee agrees to notify the Superintendent of Shenandoah National Park of every subject discovery or invention that relates in any respect to research results derived from use of any research specimens or other materials collected from Shenandoah National Park, or that may be patentable or otherwise protected under the intellectual property (IP) laws of the United States or other jurisdiction. Notification must occur within sixty (60) days of the time that an inventor or other agent of the Permittee reports such a subject discovery or invention to the person(s) responsible for patent or other proprietary rights matters in the Permittee's organization, and in no case not less than sixty (60) days before a patent application is filed. Additionally, the Permittee agrees to notify the Superintendent of Shenandoah National Park within thirty (30) days of filing any patent application or other IP claim in the United States or other country that relates in any respect to research results or other discoveries or inventions derived from use of any research specimens or other materials collected from Shenandoah National Park. For purposes of this paragraph, the term "subject discovery or invention" means any discovery or invention related to or derived from research specimens or other materials collected from Shenandoah National Park. All invention disclosures shall be marked as confidential under 35 U.S.C. Section 205.

CONFIDENTIALITY AGREEMENT (Supplements General Condition 8)

Investigators agree to keep confidential any protected information that may develop or otherwise be acquired as part of this work with the National Park Service. With regard to protected information, investigators are considered agents of the National Park Service and must not share or release information through any means, except specifically authorized by the National Park Service. Acquisition or development of any such information does not constitute a release to the public under the Freedom of Information Act (FOIA), and the NPS has not waived any FOIA exemption or other legal protection for this information. Investigators are to understand that protected information must not be disclosed through any means including websites, maps, scientific articles, presentations and speeches. Lastly, investigators are to comply with general NPS conditions, park specific conditions, and project specific conditions if applicable. This includes review of any reports, presentations or summaries prior to publication, and two weeks advance notice in writing to the Superintendent, prior to any information dissemination in order to properly complete appropriate communications. It is understood that some components of the work, related to protected information, may never be released. The NPS will assist investigators to ensure that information dissemination resulting from the work will not compromise protected information. Signature of this Research Permit binds the investigator and his or her representatives or collaborators to this condition.

SPECIMENS

Any specimens collected under this permit, any components of any specimens (including natural organisms, enzymes, genetic materials, or seeds), and research results derived from collected specimens are to be used for scientific or educational purposes only, and may not be used for commercial purposes

unless the permittee has entered into a cooperative research and development agreement (CRADA) with the National Park Service or the Department of the Interior. The sale of collected research specimens or other transfer to third parties is prohibited. Breach of any of the terms of this permit will be grounds for revocation of this permit and denial of future permits. Furthermore, if the permittee sells or otherwise transfers collected specimens, any components thereof, or any products or research results developed from such specimens or their components without a CRADA, permittee will pay the National Park Service or the Department of the Interior a royalty rate of twenty percent (20%) of gross revenue from such sales. In addition to such royalty, the National Park Service or the Department of the Interior may seek other damages to which the National Park Service or the Department of the Interior may be entitled and injunctive relief against the permittee.