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NPS Public Affairs Guide

October 2015

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00 - Public Affairs Overview

Americans have a passion for national parks and support the National Park Service (NPS) mission to preserve their historic, cultural and iconic natural landscapes for enjoyment today and in future generations. As we move into our second century, communication professionals have a great responsibility: nurture the relationships with passionate friends and connect with new audiences.



Old Faithful Geyser, Yellowstone National Park. NPS photo Jim Peaco.

There are challenges ahead. Our mission to preserve national parks for enjoyment today, and into the future, means we balance public desires with best management practices. We keep in mind that we compete for visitors with video games, movies, shopping malls, major league sports and amusement parks. This has become more challenging while our audience is increasingly heads down and tied to mobile devices. And though the National Park Service has programs in thousands of communities across the country, few know that fact.

It is the responsibility of public affairs and public information professionals in the Service to relay important messages about parks and programs to the public and also reflect public sentiment to park and program managers.

Department of Interior (DOI) and NPS policies authorize and guide our public affairs/information activities. Where policy is still under development at the Director's Order level, guidance comes from documents such as this reference manual and communication profession best practices.

NPS Public Affairs Mission

National Park Service public affairs professionals keep the public informed and are here to help with a mission map. We provide advice and counsel, and useful communication tools, so park and program managers and other staff can promote enjoyment of parks and access to

community programs, and at the same time, generate support for preservation decisions that can be controversial, contentious, and even generate lawsuits.

Purpose

This document is the Reference Manual for NPS public affairs professionals. It is intended to assist them in meeting their mission and the NPS mission by identifying laws, regulations, standards, methods of communication, and common public affairs tactics and responsibilities.



From left: Glacier National Park (John Chao), Statue of Liberty National Monument, Colorado River in Grand Canyon National Park (Jeffrey Olson.) All NPS photos.

Reference Manual: Communications and Public Affairs

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01 - Public Affairs and the National Park Service

Public affairs professionals are valued members of park, region, community program and Washington, D.C. management teams. They help connect managers to issues that are important to the public and the media. They pay attention to special interest group opinions and actions. They take the pulse of issues and perspectives both inside and outside of the National Park System.

NPS public affairs professionals keep in regular contact – in person, by telephone and email, and the use of social media – with reporters, editors, producers, and public interest groups. Public affairs professionals stay abreast of public interest issues by reading newspapers, magazines and other periodicals (the majority are offered online). We listen to the radio and watch television news. We read blogs, monitor social media and meet with stakeholders.



Jackie Skaggs, Grand Teton National Park public information officer during an interview on Fox Business. NPS photo.

Work with media will have many common elements regardless of market size and type of media outlet. Reporters and editors need reliable information and the audio, video and still pictures to tell compelling stories. We build up news media relationships with regular interactions with and even in person visits to local news reporters, to the local newspaper's editorial board and to radio and television stations, including community access television.

Public affairs is more than a solid relationship with the news media. It is also carrying park and program messages into the community – and carrying those community messages back to the park and program. Your park public affairs program should examine how your community works

and explore ways to reach different audiences. Communicate with, and engage with your community(ies) on a regular basis. Attend town hall meetings, host a booth at the county fair, build a float for the Fourth of July parade, go to service club meetings and events, attend city, county and state government meetings, engage the local chamber of commerce and tourism association, provide park rangers for school programs. Park and program offices should also participate in, and monitor, relevant social media sites.

Roles and responsibilities

In reality, most parks do not have an in-house public affairs officer (PAO). Some parks have a public information officer (PIO). Many parks assign public information as a collateral duty, often to the chief of interpretation. Parks also look to the cluster or region for PIO help. But whoever has the assignment, the primary tasks are to convey information to the public and respond to general media requests and questions from the public.

A special note: Members of the news media may, when they visit the park, start asking questions of the first NPS employees or uniformed volunteer they see. Employees who are not designated to speak for the park or the NPS are free to answer questions about their area of expertise but should defer to the park spokesperson on other questions. Volunteers may talk to the media “on the record” as representatives of the National Park Service as long as they address specifics about their volunteer work.

Public Affairs Officers (PAO) advise management, help develop policy, work with elected officials, and usually have more authority over communication strategies and decisions for both the public and media. The PAO is also typically the primary spokesperson for the park or program.

The Washington Office of Communications has a variety of responsibilities that include serving as the official news source for the Service, on behalf of the Director, by providing the news media with official information and agency positions.

The Washington Office of Communications explains NPS policy to members of the news media and other interested groups and individuals. The office promotes the opportunities available to people through parks and community programs. The office advises senior NPS managers on a variety of issues – many of which are controversial – that affect the National Park Service and the National Park System.

The office plans, implements and directs service-wide internal communications and external communications.

The office keeps officials within the Department of the Interior Office of Communications apprised of national news media queries to the WASO Office of Communications and keeps those same officials aware of controversial issues and events happening in national parks and National Park Service community programs.

The office also:

- Establishes guidelines for web design, content, and usability. The office manages the nps.gov homepage and other national-level pages, and consults on major web projects. It also develops tactics to integrate social media into larger communications efforts.
- Manages the national Public Inquiries function, which provides information and brochures for all national parks.
- Is home to the National Park Service's Communications Council and Web Council.

The **National Communications Council** advises the NPS Director and the Associate Director, Office of Communications, on all areas of communications. The membership consists of one representative from each WASO associateship, each region's public affairs officer, and representatives of two parks (on two-year terms, rotated geographically). The WASO Communications Office is represented by the assistant director of communications, the chief spokesperson for the Service, and the heads of web content and web strategy.

In addition to advising the NPS leadership, the council develops training for its members and others in the communications field, and takes on special communications planning tasks around national activities such as Founder's Day and the NPS Centennial.

The **National Web Council** has representatives from across the NPS including all directorate/regional web managers, Digital Strategy Division (DSD,) and Web Services Division (WSD.) Policy and system changes are often developed by and communicated through the web council. The Council has the following work groups:

- **National Web Editorial Board** - This Board guides the strategic development of content across NPS.gov—from the homepage, to portal pages, subject sites, organization sites, state pages, and park sites. Refer to the [description of the Board](#) and its [current membership](#). (This Board reviews requests for new subject sites and organization sites on NPS.gov. These requests should be submitted to the Board through your directorate/regional web manager or coordinator.)
- **Communications Workgroup** - The most up-to-date list of our members and workgroups is located at <https://sites.google.com/a/nps.gov/nwc/home/members>
- **Accessibility Workgroup**
- **Analytics Workgroup**
- **Policy Workgroup**
- **Social Media Workgroup**
- **Training Workgroup**

The WASO Communications Office maintains a Servicewide contact list of staff with communications and media relations responsibilities. The contact list is available via this Google link:

<https://docs.google.com/a/nps.gov/document/d/1PRstjfST94jG0MZYm5h5Oq1cwwvknCG9gAh>

[OLcTpl48/edit](#). Public affairs professionals should periodically review the list to ensure their contact information is up-to-date.

Public affairs professionals in the field have a variety of duties but are also a key in keeping the rest of the Service apprised of critical events and issues at the park level. They do this by following the maxim of **No Surprises**.

When significant incidents or controversial issues arise, especially those that will subject the National Park Service or the Department of the Interior to public scrutiny, statements and actions need to be coordinated with park, region, and Washington Support Office (WASO) officials. The park superintendent or program manager is responsible for communicating issue details to the regional director, who in turn informs national leadership. Some superintendents may delegate this responsibility to the park PIO/PAO.

Time-sensitive situations may require simultaneous notification to the regional office and WASO. WASO is responsible for issuing guidance on nationally significant matters, programs, and initiatives, such as the National Park Service centennial, our annual report on economic impact data, national park week, climate change reports, grant announcements, new national park announcements and other news that affects the entire National Park Service.

From the public affairs perspective, sooner is better when it comes to identifying controversial issues and moving them up the chain of command.

So what does park management, the region, WASO need from a PIO? Here are six key items:

Three-week-out Report. The intent of the three-week out report is to ensure there are no surprises from parks at the regional and Washington offices. The report also ensures time for regional or Washington staff to ensure elected officials are notified of events or issues in their home districts. Here is a sample [Three-week-out Report](#); it is also in [Tools and References](#).

Briefing Statement. This document provides consistent information to those involved with the issue. This is especially important when numbers are involved. Include the date (and in some instances, the time) on the briefing statement so everyone knows if they've got the latest information. When time is of the essence, don't worry about format over pertinent facts and figures. A sample of the current briefing paper format is in [Tools and References](#).

News links. National and regional leadership rarely see your local newspaper but they can see it online. If there's a significant story or editorial in the hometown paper, make sure the regional public affairs office receives a link to the story or editorial which will be forwarded to WASO Communications. It's important to know how different stories play across the country in order to assess public interest and perception. It is very easy to set up the Google News Alerts to get emails when stories about certain subjects are published electronically. This service is free and public affairs professionals will find it extremely useful. If digital clips are unavailable please

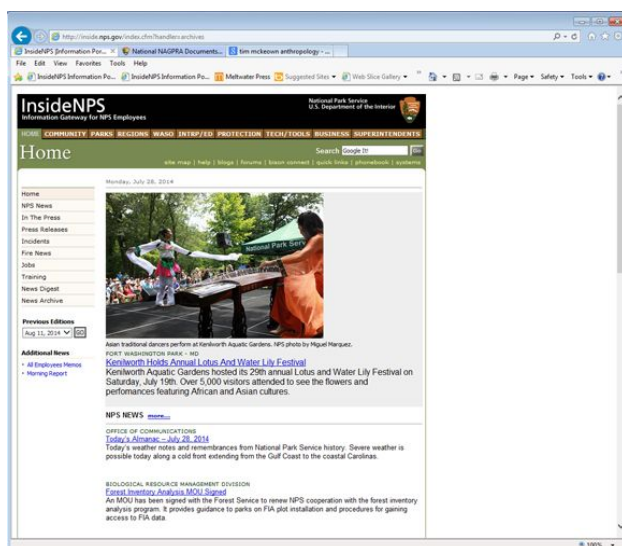
make sure the region and/or WASO Communications receive a copy. If you need to fax information, send it to the WASO Communications Office at 202-219-0910.

Photographs and/or video. Sometimes even a thousand words won't make the same impression as a photograph or video clip. Photographs and videos on print and social media websites can be captured for park media files and shared with regional and WASO Communications offices. In addition, public affairs professionals can assist reporters by providing high quality photographs and video to accompany their stories.

Let the public affairs offices know what's coming and ask their advice and counsel.

Regional and WASO public affairs professionals bring a wider view to the planning process. They may have already dealt with your hot issue in another park or region of the country. They have reporter and producer contacts you may find useful and can be called on for "another set of eyes" when it comes to thinking through the public relations side of an issue.

Submit stories to internal publications. **InsideNPS**, the official NPS intranet, and **Arrowhead**, the quarterly newsletter of the Employees & Alumni Association of the National Park Service (E&AA), are excellent means of sharing information of interest and importance to employees across the Service. Your contributions are not just nice to have; they are a vital part of both publications.



Screen shot of the front page of InsideNPS.

InsideNPS, <http://inside.nps.gov/>, is a daily news feed and information center, with links to numerous other resources for NPS employees. It shares major announcements, events, hot topics from around the Service, and news about our employees. The WASO Office of Communications maintains the InsideNPS homepage. Every park, region, and WASO office or program has an InsideNPS contact that has access to InsideNPS and has the ability to add news and other information. Instructions for submitting articles are at <http://inside.nps.gov/index.cfm?handler=viewnpsnewsarticle&type=Announcements&id=671>.

The **Arrowhead**, produced by Eastern National for the E&AA, *Arrowhead* has news of interest to the NPS employees and retirees, such as significant park events, awards, employee moves, employee and retiree deaths, births, weddings, and retirements. The print version of the *Arrowhead* has been discontinued, but it is available online to NPS employees on [InsideNPS](#) and at <http://www.eandaa.org/arrowNews.aspx>. Submit information, stories, and photos to E&AA *Arrowhead*, 470 Maryland Drive, Suite 1, Fort Washington, PA 19034. Information can also be emailed to jennifer.allen@eandaa.org or faxed to (215) 283-6925. Photographs are welcome; tiff or jpeg files—preferably 300 pixels per inch—can be emailed to the *Arrowhead* editor. Be sure to identify the person or people in the photo and the name of the photographer.

The **NPS Morning Report** was created in 1986 to communicate incident reports and programmatic information to interested parks and employees on a daily basis. It expanded over the years to include training courses, legislative actions, operational information, and fire updates during the fire season. Originally delivered through early online services and email, the Morning Report is now a web-based publication available to NPS employees through InsideNPS and to the public via NPS.gov. Morning Report submissions can be sent by email to NPS_Morningreport@nps.gov.



NPS rangers lead photo.

VIP tour. NPS

The **Department of Interior's** new online publication for significant or interesting stories is OneInterior (formerly People, Land and Water). Most of the stories run 800-1,200 words. All submissions must include a photo with a caption and photo credit. The contact for this publication is Donna_Margelos@ios.doi.gov. However, do not submit an NPS story directly to OneInterior. Send your story to InsideNPS Editor, Bill_Halainen@nps.gov, who will forward it to DOI.

Highlights are items of interest that happen in your park. Examples include upcoming dedications or community events, milestones such as your one-millionth visitor, the opening of key park facilities or a new partnership agreement.

The regional public affairs and WASO Communications offices use this information in several ways. One is to stay on the safe side of the “no surprises” rule. These events are also used in speeches. They can be used in discussions with members of Congress if something good or bad happens in their home districts.

Regions have different procedures, but whether the word comes over the phone, via email or fax, the point is that you should not keep “hot issues” and noteworthy items (good or bad) to yourself. This advice goes not only for passing the word up and down the command chain, but should be followed inside the park and regional offices.

Often there are good deeds or interesting activities (or just lessons to be learned) from work done right down the hall. A good park public affairs program will develop ways to pass those highlights around within the organization. The methods can take many forms—email, a paper or electronic newsletter that goes to all employees, real or digital bulletin boards, social media feeds, and employee recognition events. The form is less important than the substance.

02 - Public Affairs Competency Model

Introduction and Background

The National Park Service defines technical competencies for all of its career fields and describes them in concrete, measurable terms for its employees, supervisors, and leaders. The NPS also adopts validated leadership competencies for its various career fields from the Office of Personnel Management (OPM). This document deals with the public affairs career (PA) field.

A public affairs specialist in the NPS typically falls under the GS-1035 series but also may be found in other series throughout the Service. From the Office of Personnel Management, the PA series for the federal government is defined as follows:

GS-1035 –Public Affairs Series <http://www.opm.gov/fedclass/g1035.pdf>

This series covers positions responsible for administering, supervising, or performing work involved in establishing and maintaining mutual communication between Federal agencies and the general public and various other pertinent publics including internal or external, foreign or domestic audiences. Positions in this series advise agency management on policy formulation and the potential public reaction to proposed policy, and identify and carry out the public communication requirements inherent in disseminating policy decisions. The work involves identifying communication needs and developing informational materials that inform appropriate publics of the agency's policies, programs, services and activities, and plan, execute, and evaluate the effectiveness of information and communication programs in furthering agency

goals. Work in the series requires skills in written and oral communication, analysis, and interpersonal relations.

The subject matter experts identified two types of applicable competencies groups: *technical competencies* (specific to PA career field) and *leadership competencies*.

A competency overview has been provided in *Appendix A* to further explain what competencies are and how they are used in the NPS.

Public Affairs Competencies

There are five public affairs technical (T) competencies and eight leadership (L) competencies:

1. Communications Strategy (T)
2. Message Development (T)
3. Message Delivery (T)
4. Data Gathering & Analysis (T)
5. Federal, Departmental and Agency Policies and Procedures Knowledge (T)
6. Influencing-Negotiation (L)
7. Partnering (L)
8. Creativity & Innovation (L)
9. Flexibility (L)
10. Interpersonal Skills (L)
11. Problem-Solving (L)
12. Strategic Thinking (L)
13. External Awareness (L)

A competency model is a group of competencies believed to be relevant for successful work performance in a career field. Taken together, these thirteen competencies constitute the NPS public affairs and communications career field competencies.

The following section is a description of each competency listing a set of Knowledge, Skills, Abilities and Behaviors (KSABs). For each competency, an individual may demonstrate proficiency through understanding and/or applying the competency. The five proficiency levels range from Level 1 -Awareness to Level 5 -Expert. For more information see page 4 on referred website: <http://www.opm.gov/qualifications/standards/Drafts/draftcompqualstndshandbook.pdf>

OPM has specifically defined Proficiency Levels for Leadership Competencies here: [https://apps.opm.gov/ADT/\(S\(dwgthf55lxsmz5flpx1nsq45\)\)/ContentFiles/LeadershipCompProficiencyLevels.pdf](https://apps.opm.gov/ADT/(S(dwgthf55lxsmz5flpx1nsq45))/ContentFiles/LeadershipCompProficiencyLevels.pdf)

Public Affairs Technical Core Competencies

List reflects Knowledge, Skills Abilities and Behaviors (KSABs) from Awareness to Expert level of proficiency expectation.

Communications Strategy

Communication strategy is defined as comprehends the policies and priorities of the National Park Service and advances them by developing and implementing effective, proactive communication strategies.

Awareness/Basic proficiency level	<ul style="list-style-type: none">• Responds to communication needs and issues in a timely manner• Describes the broad scope of the NPS mission• Reports controversial and high-profile communication matters up the chain-of-command in a timely manner• Articulates the value of the NPS brand and NPS graphic identity program and uses them consistently and appropriately• Anticipates communication needs and issues and responds appropriately
Intermediate proficiency level	<p><i>Includes all of the above plus these KSABs:</i></p> <ul style="list-style-type: none">• Promotes the NPS mission and NPS graphic identity program throughout all communication efforts• Responds to management's and other staff communication needs in a timely manner• Refines communication plans and adjusts tactics based on changing conditions
Advanced/Expert proficiency level	<p><i>Includes all of the above plus these KSABs:</i></p> <ul style="list-style-type: none">• Describes organization communication goals and determines the best means to achieve them• Evaluates the success of communication plans and products• Advises management about high-profile communication matters and how to respond to them• Ensures that communication efforts complement all agency priorities and are not in conflict with them

Message Development

Message Development is defined as uses professional methodology, editorial judgment, and knowledge of the subject, audience, and communications goals to develop clear, concise, consistent communications messages.

Includes Awareness/Basic/ Intermediate/ Advanced/ Expert proficiency levels	<ul style="list-style-type: none">• Develops and communicates approved key messages• Tailors writing style and information for a wide range of audiences and products (e.g., news releases, feature articles, speeches, fact sheets, websites, social media posts, FAQs, etc.)• Uses plain language to convey complex issues in accurate, clear, concise, effective, and understandable ways• Creates communication products that are accessible to a wide range of audiences with different levels of education, ability, interest, and points of view• Establishes and approves key communication messages
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Message Delivery

Message Delivery is defined as delivers established messages through a wide range of communications channels and products, and tailors the approach depending on the subject matter, audience, and communications goals.

Awareness/Basic proficiency level	<ul style="list-style-type: none">• Develops skill in presenting information, analysis, ideas, and positions in a clear, succinct, accurate, credible manner that is appropriate to the audience• Develops professional working relationships with media and other stakeholders• Exercises good judgment in responding to inquiries and in seeking additional guidance• Follows all agency style, graphic identity guidelines, and policy• Projects a polished, professional image and adheres to and supports policy in wearing the NPS uniform• Conveys oral information (i.e., media interviews, news conferences, public meetings, etc.) in a clear and effective manner• Organizes and expresses ideas clearly in writing using correct grammar, syntax, and other best practices• Practices active listening and asks clarifying questions to enhance effective two-way communication• Produces and disseminates information and ideas via written, oral, digital, social, and visual media
Intermediate Through Advanced/Expert	<p><i>Includes all of the above plus these KSABs</i></p> <ul style="list-style-type: none">• Effectively uses communications channels and methods appropriate

Proficiency level	<p>to NPS needs (events, news conferences, interviews, news releases, websites, social media, etc.)</p> <ul style="list-style-type: none"> • Exercises sound, independent judgment in responding to inquiries • Uses appropriate communication techniques to tailor communications to a wide variety of specific audiences
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Data Gathering and Analysis

Data Gathering and Analysis is defined as seeks out, collects, and synthesizes information from a wide variety of stakeholders and sources in an objective, unbiased manner to create a product or answer a question.

Awareness/Basic proficiency level	<ul style="list-style-type: none"> • Identifies communications issues, problems, and opportunities • Documents sources and validates the accuracy of data and information • Seeks additional resources when gaps and inconsistencies or variances in data are identified • Gathers and organizes data and creates appropriate materials to respond to data calls and inquiries
Intermediate proficiency level	<p><i>Includes all of the above plus these KSABs:</i></p> <ul style="list-style-type: none"> • Investigates and analyzes up-to-date information from a wide variety of sources
Advanced/Expert proficiency level	<p><i>Includes all of the above plus these KSABs:</i></p> <ul style="list-style-type: none"> • Identifies communications issues, problems, and opportunities and determines whether action is needed • Identifies issues and trends important to management and communicates them to appropriate audiences • Evaluates the value and effectiveness of communication efforts and applies findings to improve future efforts

Federal, Departmental and Agency Policies and Procedures Knowledge

Federal, Departmental and Agency Policies and Procedures Knowledge is defined as understands and applies knowledge of federal statutes, regulations, Department and National Park Service policies and procedures.

Includes Awareness/Basic	<ul style="list-style-type: none"> • Builds working knowledge of statutes, regulations, policies and procedures (management, planning, etc.) affecting the National Park
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Through Intermediate Proficiency level	Service <ul style="list-style-type: none"> Ensures work products conform to statutes, regulations, policies and procedures (including special use and filming permits)
Advanced/Expert proficiency level	<i>Includes all of the above plus these KSABs:</i> <ul style="list-style-type: none"> Provides advice and guidance concerning statutes, regulations, policies and procedures applicable to communications and public affairs

OPM Leadership Competencies

These leadership competencies are especially pertinent to NPS Communications (public affairs). This list reflects Knowledge, Skills Abilities and Behaviors (KSABs) from Awareness to Expert level of proficiency. OPM has defined Proficiency Levels for Leadership Competencies here:

[https://apps.opm.gov/ADT/\(S\(dwgthf55lxsmz5flpx1nsq45\)\)/ContentFiles/LeadershipCompProficiencyLevels.pdf](https://apps.opm.gov/ADT/(S(dwgthf55lxsmz5flpx1nsq45))/ContentFiles/LeadershipCompProficiencyLevels.pdf)

Influencing-Negotiation

Influencing-Negotiation is defined as persuades others; builds consensus through give and take; gains cooperation from others to obtain information and accomplish goals.

Awareness/Basic proficiency level	<ul style="list-style-type: none"> Explains to staff the importance of their involvement on high stakes projects Recommends employees seek professional assistance for personal issues affecting work performance Justifies requests for internal resources to accomplish goals
Intermediate proficiency level	<i>Includes all of the above plus these KSABs:</i> <ul style="list-style-type: none"> Meets with team leaders to gain buy-in for direction of work unit Uses factual information to support recommendations when meeting with team members Develops trust among parties involved in a negotiation process Influences managers to change leadership position or approach to better fit a situational need Represents the organization in reaching agreements with other organizations and contractors

Advanced/Expert proficiency level	<p><i>Includes all of the above plus these KSABs:</i></p> <ul style="list-style-type: none"> • Negotiates with leaders for changes to reorganization design based on feedback from subordinates • Develops plan and influences high-level agency officials to adopt approach by meeting with officials to explain points • Guides a team of experts to provide advice on, and build credibility for, a multi-level negotiation process • Convinces colleagues and management to accept recommendations involving substantive agency resources and changes in established practice • Influences external executive decision makers to achieve substantive goals
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Partnering

Partnering is defined as works cooperatively, develops networks and builds alliances; and collaborates across boundaries to build strategic relationships and achieve common goals.

Awareness/Basic proficiency level	<ul style="list-style-type: none"> • Meets regularly with peers and supervisors to identify recurring issues • Develops and maintains network of stakeholders for collection and sharing of information • Meets with staff to discuss plans to implement strategic goals
Intermediate proficiency level	<p><i>Includes all of the above plus these KSABs:</i></p> <ul style="list-style-type: none"> • Considers stakeholder input when developing strategies to ensure mutually agreeable initiatives • Coordinates with agencies and partners to plan and conduct events • Coordinates across and within organizations to determine required resources to support goals • Works with a team of managers or employees across organizations to address mutual issues and concerns • Builds consensus with partners by considering input and promoting trust between parties • Gains support from key leaders and staff within the organization to ensure support objectives and team initiatives • Coordinates with partners regarding new strategies to ensure consistent communication • Ensures future partnerships by developing strong relationships and resolving issues
Advanced/Expert proficiency level	<p><i>Includes all of the above plus these KSABs:</i></p> <ul style="list-style-type: none"> • Collaborates with all levels of the organization, and key stakeholders

	to implement new initiatives <ul style="list-style-type: none"> • Shares information and resources across multiple levels to establish new programs and promotes existing programs • Develops, publicizes, and garners support for programs and policies by meeting with key officials, executives, employees, and other interested parties • Partners with key officials to develop strategic goals
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Creativity and Innovation

Creativity and Innovation is defined as develops new insights into situations and applies creative solutions to bring about strategic change, both within and outside the organization.

Awareness/Basic proficiency level	<ul style="list-style-type: none"> • Recognizes creativity in work unit • Considers innovative ideas generated by others
Intermediate proficiency level	<i>Includes all of the above plus these KSABs:</i> <ul style="list-style-type: none"> • Uses cutting-edge ideas and media • Works with coworkers to coordinate projects using creative processes • Creates systems to redistribute work across units during unexpected situations • Solicits feedback from team members in the creation of new initiatives and services • Displays creativity by deviating from traditional methods • Reevaluates current procedures and suggests improvements to ensure an effective, streamlined processes
Advanced/Expert proficiency level	<i>Includes all of the above plus these KSABs:</i> <ul style="list-style-type: none"> • Creates new methods for planning, designing, and carrying out program objectives • Organizes and leads cross-divisional work group in developing creative solutions to address problems • Streamlines functions based on work flow analysis • Devises new methods, procedures, and approaches having agency-wide impact

Flexibility

Flexibility is defined as remains open to change and new information, and rapidly adapts to new information, changing conditions, or unexpected obstacles.

Awareness/Basic proficiency level	<ul style="list-style-type: none">• Meets with team to adjust and coordinate schedules to accommodate all team members.• Adjusts staff assignments based on feedback and work load priorities
Intermediate proficiency level	<i>Includes all of the above plus these KSABs:</i> <ul style="list-style-type: none">• Uses staff feedback to streamline processes in order to meet deadlines• Adjusts project plan based on input from staff and stakeholders• Realigns resources to meet changing needs• Takes feedback into consideration while implementing organizational change
Advanced/Expert proficiency level	<i>Includes all of the above plus these KSABs:</i> <ul style="list-style-type: none">• Adjusts organizational priorities quickly as situations change• Shifts work to align with agency, departmental, Administration and Congressional priorities• Prioritizes, considers alternatives, and responds quickly and effectively to unexpected and rapidly changing conditions

Interpersonal Skills

Interpersonal Skills is defined as treats others with courtesy, sensitivity, and respect. Considers and responds appropriately to the needs and feelings of different people in different situations.

Awareness/Basic proficiency level	<ul style="list-style-type: none">• Interacts with co-workers in a tactful manner• Responds to employee inquiries
Intermediate proficiency level	<i>Includes all of the above plus these KSABs:</i> <ul style="list-style-type: none">• Shows employees empathy and respect• Welcomes new employees into organization by explaining mission and agency goals• Makes self-accessible to employees at all levels• Corrects employee mistakes in a courteous manner
Advanced/Expert proficiency	<i>Includes all of the above plus these KSABs:</i>

level	<ul style="list-style-type: none"> • Treats individuals from all levels of the agency with courtesy and sensitivity • Meets with staff and listens to their perspective on organizational policies and procedures • Interacts professionally with public interest groups with opposing viewpoints while conducting the organization's work • Resolves highly sensitive and complex issues in a consistently open and approachable manner
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Problem Solving

Problem Solving is defined as identifies and analyzes problems; weighs relevance and accuracy of information; generates and evaluates alternative solutions; makes recommendations.

Awareness/Basic proficiency level	<ul style="list-style-type: none"> • Proposes solutions to improve customer satisfaction • Determines cause of workforce problems, concerns and recommends corrective action
Intermediate proficiency level	<p><i>Includes all of the above plus these KSABs:</i></p> <ul style="list-style-type: none"> • Addresses routine organizational problems by leading a team to brainstorm solutions • Establishes guidelines to clarify complex and controversial processes • Reconciles conflicting and incomplete information to develop solutions • Applies appropriate methodology to discover or identify policy issues and resource concerns
Advanced/Expert proficiency level	<p><i>Includes all of the above plus these KSABs:</i></p> <ul style="list-style-type: none"> • Synthesizes information from internal and external sources to develop an action plan • Addresses systemic barriers inhibiting the achievement of results by forming teams to develop solutions • Improves organizational efficiency by developing, planning, and implementing a multi-tier solution to complex or unprecedented problems • Develops and implements a remediation plan restoring public and stakeholder confidence

Strategic Thinking

Strategic Thinking is defined as formulates objectives and priorities, and implements plans consistent with the long-term interests of the organization in a global environment. Capitalizes on opportunities and manages risks.

Awareness/Basic proficiency level	<ul style="list-style-type: none">● Develops project teams and staffing plans based on consideration of strategic objectives● Ensures team objectives are consistent with strategic plan
Intermediate proficiency level	<i>Includes all of the above plus these KSABs:</i> <ul style="list-style-type: none">● Considers customer needs and trends in the development of strategic plans● Implements strategic objectives and develops metrics to assess attainment of work unit goals● Develops and implements park, office, or agency policy by determining target audience, building coalitions with the appropriate population, and developing a budget
Advanced/Expert proficiency level	<i>Includes all of the above plus these KSABs:</i> <ul style="list-style-type: none">● Leads and directs a strategic planning team to address and outline the future direction of a work unit● Establishes strategic performance measures to allow the organization to continually assess and adjust program direction● Anticipates demographic changes in society and establishes a vision to effect change through formulation and implementation of objectives and priorities● Designs approaches and procedures to develop strategic plans that support key national goals and objectives

External Awareness

External Awareness is defined as keeps up-to-date on local, national, and international policies, events and trends (e.g., economic, political, social) that affect the National Park Service and shape stakeholder views; is aware of the organization's impact on the external environment.

Awareness/Basic proficiency level	<ul style="list-style-type: none">● Keeps up-to-date by attending key meetings hosted by other agencies or organizations● Keeps abreast of developments in other parts of the organization
Intermediate proficiency level	<i>Includes all of the above plus these KSABs:</i> <ul style="list-style-type: none">● Gathers and summarizes information to predict stakeholder views on policy● Considers external policies and trends when reviewing correspondence, reports, and policy documents● Considers the impact of a shift in programmatic direction to meet the

	needs of local and national customers and stakeholders <ul style="list-style-type: none"> • Synthesizes complex information gathered from a variety of external sources and disseminates to the staff
Advanced/Expert proficiency level	<i>Includes all of the above plus these KSABs:</i> <ul style="list-style-type: none"> • Provides policy advice to officials that takes into account local, national, and international policies and trends • Reflects industry best practices in the development of agency-wide communications policies and procedures • Examines and utilizes best practices to build an organizational infrastructure • Develops programs taking into account multiple, diverse views and needs of other agencies or external organizations

Appendix A

Competency Overview: what are competencies and how does the NPS use them?

What is the definition of a competency?

Office of Personal Management (OPM) defines a competency as a measurable pattern of knowledge, skills, abilities, behaviors, and other characteristics that an individual needs to perform work roles or occupational functions successfully.

<http://www.opm.gov/qualifications/Standards/DRAFTS/draftcompqualstndshandbook.pdf>

Competencies correlate with job performance, can be measured against well-accepted performance standards, and can be **improved through training and development opportunities**.

Another way of looking at competencies: “Observable Behavior that is based on specific knowledge, skills, and attitudes that relate to performance” or “The ability of an individual to do a job properly. A competency is a set of defined behaviors that provide a structured guide enabling the identification, evaluation and development of the behaviors in individual employees;” *American Society for Training & Development (ASTD) Handbook for Workplace Learning Professionals, 2008, American Society for Training and Development*).

Competencies in the NPS are categorized as follows:

- **General Competency:** A competency that is common to many jobs, such as reading or writing. These usually come from OPM. They also include OPM leadership competencies.
- **NPS Universal Competency:** A general competency unique to the National Park Service that is required for all NPS employees, regardless of career field or level of work. The NPS Universal Competencies as defined by the NPS (and that serve as the basis for the NPS Fundamentals Training Program) are found under The Learning Place:

http://www.nps.gov/training/comp_unc.htm.

- **Technical Competency:** A competency that is necessary for a specific occupation or cluster of occupations (such as public affairs and communication specialists).

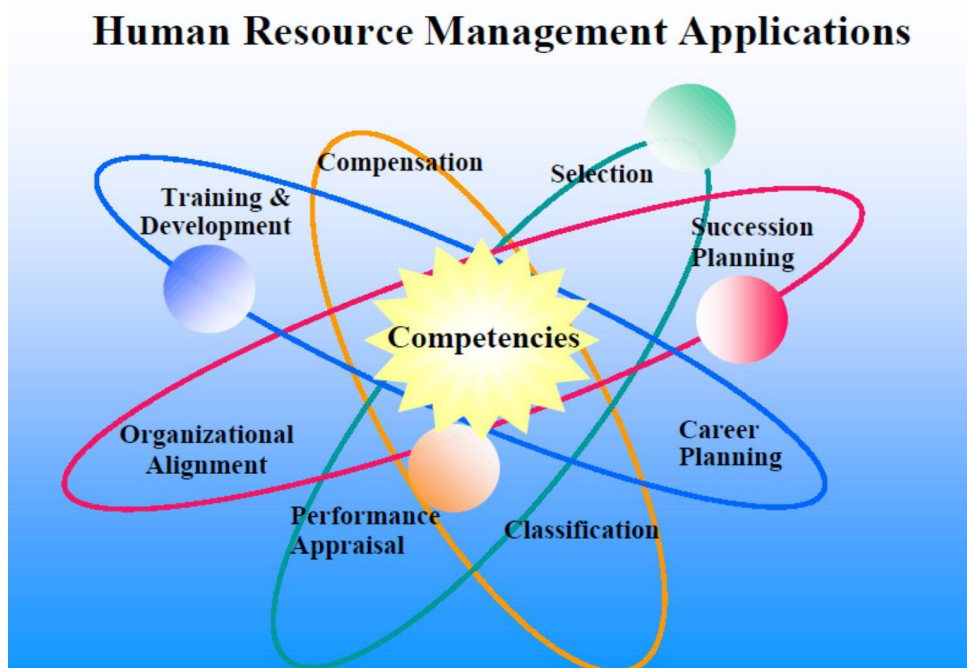
What is a competency model?

A competency model is a group of competencies believed to be relevant for successful work performance in a career field.

Why develop and identify the competencies for each career field?

Competencies are developed for each career field to address the following (refer to graphic below):

- Selection criteria
- Performance-related applications
- **Training and Development applications: Competency models provide a basis for the individual and organizational needs assessments, individual development plans, organization training plans, and a variety of organization assessment and development activities including career planning.**
- Succession Planning
- Organizational Alignment
- Compensation
- Classification



Competency-Based Training

Competency-based human resource systems represent the industry and government standard and outline the knowledge, skills, abilities, and behaviors that are required for employees to perform duties at a defined level of proficiency.

Competency based training provides employees with outcome-based, learner-driven tools that help to improve their overall job performance as determined by competencies.

Competencies are designed to provide clear performance measurements and stimulate professional growth by encouraging individuals to take charge of developing their own skills and abilities. Through basing training and development courses on well-defined, established competencies, employees are provided with a clear vision of which specific skills and abilities they need to develop in order to successfully fulfill their roles and responsibilities.

In addition, competencies increase accountability by providing a standard of measurement against which the learner and worker can be evaluated. The National Park Service targets competency-based training through the Learning and Development branch of Workforce Management.

Appendix B

Competencies Development Process

Public Affairs Technical Core Competencies

Five public affairs technical competencies were identified:

- Communications Strategy
- Message Development
- Message Delivery
- Data Gathering & Analysis
- Federal, Departmental and Agency Policies and Procedures Knowledge

The first half of this document focuses on the five public affairs technical competencies. The second half lists the OPM leadership competencies of most importance to NPS public affairs career field. Each competency is defined and lists measurable knowledge, skills, abilities, and behaviors (KSABs) for a public affairs employee in the National Park Service.

These Public Affairs (PA) competencies and their descriptors can be used in many ways as described in Appendix A. For learning and employee development the focus is on:

- Training & Employee Development
- Career Planning

These technical competencies were developed through subject matter experts Jennifer Mummart, NPS Office of Communications and Roberta D'Amico, Communications Director for the Division of Fire and Aviation Management, and vetted through the NPS Office of Learning and Development, training manager Demica Vigil. The process began in the summer of 2012

through the subject matter experts and in coordination with the NPS Communication Council. The competencies will serve as the basis for a needs assessment in partnership with Clemson University. The competencies which serve as the basis for employee development may undergo periodic review and revision to accurately define and describe what it takes to be an effective and successful employee in the career field of public affairs and communications in the National Park Service.

Leadership Competencies Development Process

Through the organic development of public affairs core competencies there were important KSABs identified that matched with leadership descriptions within the Office of Personal Management (OPM). Leadership competencies in this document refer to the competencies that OPM has validated for the federal government and are not exclusive to any particular career field. OPM lists a total of 28 leadership competencies in its current *OPM Executive Core Qualifications (ECQs)* and are further defined in the *OPM Competencies Dictionary* and *The Proficiency Levels for Leadership Competencies*. Eight specific OPM leadership competencies were accepted by the public affairs subject matter experts as especially pertinent to the NPS Office of Communication.

Appendix C

Reference materials including list of SMEs

List of Subject Matter Experts:

Jennifer Mummart, Public Affairs Specialist, Office of Communications, WASO

Roberta D'Amico, Communications Director, Division of Fire & Aviation Management, Visitor & Resource Protection, WASO

And informal consultation with the NPS Communication Council and Chief of the Office of Communications, Sue Waldron

Reference materials to describe and define the public affairs competencies include:

- NPS Universal Competencies (which apply to all NPS employees and addressed through the Fundamentals training program) http://www.nps.gov/training/comp_unc.htm
- Learning and Development competency materials: <http://www.nps.gov/training/>
- Leadership & Management (OPM ECQs)
 - <http://fehb.opm.gov/ses/recruitment/ecq.asp>
- OPM Leadership Competencies (OPM Competency Dictionary and proficiency levels)
 - [https://apps.opm.gov/ADT/\(S\(dwgthf55xsmz5flpx1nsq45\)\)/ContentFiles/Leadership_pCompProficiencyLevels.pdf](https://apps.opm.gov/ADT/(S(dwgthf55xsmz5flpx1nsq45))/ContentFiles/Leadership_pCompProficiencyLevels.pdf)
- OPM Standards for GS-1035 Series, see: <http://www.opm.gov/fedclass/gs1035.pdf>
- OPM Handbook of Occupational Groups and Families (p. 81):
<http://www.opm.gov/fedclass/gshbkocc.pdf>

03 - Strategic Communications Planning

A strategic communications plan will help us help people discover the depth and breadth of the NPS mission, which is set out eloquently in the 1916 Organic Act. We employ various communication strategies to provide useful, timely, high quality information that will help people understand the mission as more than parks and camping, and *will* invite them to be our partners in stewardship.

Based on this broad goal of fostering public understanding and support for the National Park Service, a strategic approach to communication provides the overarching context, the big picture, from which we tailor communication plans for specific internal and external audiences, based on regular and unexpected park events and issues.

Take the time to build a strategic communications plan and you create the opportunity to think about goals, messages, audiences, and methods BEFORE an event as opposed to reacting to a directive to “pull together a news conference for tomorrow afternoon.” There is an example of a strategic plan in the [Tools and References](#) section.

The strategic communications plan helps with daily chores, too. From the plan, flows a guide for daily park communication activities, all the way up to a special or VIP event and crisis communication.

A strategic communications plan takes advantage of a strong “company brand.” The NPS arrowhead, the green and gray clad park ranger and the flat hat are readily identifiable icons. The brand also includes identifiable slogans (Experience Your America!) and key messages. Director’s Order 52B (<http://www.nps.gov/policy/DOrders/52B--60-day.pdf>) has additional information about our graphic identity and our “brand.”

A solid communications plan is flexible and requires periodic evaluation. Engage your stakeholders in your communications plan since they often help promote the message. The evaluation process will help you gauge your success in helping people discover and understand the National Park Service mission and become partners in that mission.

Evaluation has several components. Analyze media coverage. Listen to friends groups, partners, concessioners, and critics. You’ll identify messages that work and learn why others failed. It is important to be able to adjust communication strategies in the midst of a lengthy effort, such as a general management plan, or during an ongoing incident. This will help your park and program office improve your messages to better meet the needs of the media and the public.

The Plan within the Plan

Certain events or issues will run more smoothly if you develop a communications plan for a specific event or issue. This event or issue communications plan follows the “big picture” communications strategy but has the depth and detail to help support an important park or program event or to launch a communications effort on an issue or initiative. This document summarizes the situation and divides tasks. It identifies the official spokesperson and lists subject matter experts so you are prepared with background information on the event or issue, have key communications messages, talking points, potential questions from the media (and answers for same), a media advisory, news release, a social media plan and a timetable for how a project or communications effort moves forward to completion. See the [Tools and References](#) section for the Communications Planning Document.

A Call to Action

In its first century, the National Park Service focused on stewardship and enjoyment of special places, reflecting the core mission articulated in the NPS Organic Act. America has changed dramatically since the birth of the National Park Service in 1916.



National Park Service Director Jarvis, far right, with other NPS employees and National Park Foundation President and CEO Neil Mulholland, on stage at Ford's Theater in Washington, D.C., during the August 2011 Call to Action Town Hall Meeting.

In our second century, the *National Park Service must recommit to the exemplary stewardship and public enjoyment of these places*. We must use the collective power of the parks, our historic preservation programs, and community assistance programs to expand our contributions to society in the next century.

A Call to Action charts a path toward that second-century vision by asking our employees and partners to commit to concrete actions that advance the mission of the Service.

The heart of the plan includes four broad themes supported by specific goals and measurable actions. Through these actions, we will work together to set a new direction for the National Park Service in its second century.

- Connecting People to Parks
- Advancing the NPS Education Mission
- Preserving America's Special Places
- Enhancing Professional and Organizational Excellence

A Call to Action is available at

http://www.nps.gov/calltoaction/PDF/Directors_Call_to_Action_Report.pdf. Action strategies and updates on actions are reported on InsideNPS at <http://inside.nps.gov/calltoaction/>.

The National Park Service Centennial

The goal of the National Park Service Centennial is to connect with and create the next generation of park visitors, supporters and advocates. Learn more about the NPS Centennial at <http://inside.nps.gov/waso/waso.cfm?prg=140&lv=2>

The National Park Service Audience

Our target audience is large, and diverse. It is important to “know your audience” and anticipate their information needs. [Director's Order #75A, Civic Engagement and Public Involvement](#) identifies our audience as

“...all of the individuals, organizations and other entities who have an interest in or knowledge about, are served by, or serve in, the parks and programs administered by the NPS. They include (but are not limited to) recreational user groups, the tourism industry, Tribes and Alaska Natives, environmental leaders, members of the media, permittees, concessioners, property owners within a park, members of gateway communities, and special interest groups. The public also includes all visitors-domestic and international; those who come in person and those who access our information on the World Wide Web; those who do not actually visit, but value, the national parks; and those who participate and collaborate with the NPS on a longer-term basis. For potential visitors, civic engagement and public involvement are significant tools that offer the opportunity for people to become familiar and engaged with the meanings and significance of park resources.”

Pay particular attention to relationships with partners who help get out the message about activities, programs, park closures, and incidents.

All of these members of the National Park Service audience can affect the way the media report on the NPS and how the public views us.

Let's not forget that our audience also includes NPS employees!

Working with the National Park Service Audience

A public affairs strategy is more than media interviews, speeches, FOIAs, and public meetings. Our messages will be lost if people have an underlying negative attitude about a park or the National Park Service. Consider this: automobile manufacturers spend millions of dollars to convince you to buy their newest car. But all of their best work can be for naught if the salesperson is rude.

The keys to responding to public questions are to be courteous and provide informative answers. This needs to happen whether the requests come by phone, by mail or email, in person, or online. It is okay to say, "I don't know the answer to (XXX). Let me look into it and I will get back to you." You don't have to be "all knowing" but you must follow up when you say you will.

Here are some valuable tools to help you be more effective.

Contact Lists: Develop a list of media and community contacts. It should include phone numbers, email addresses, website addresses, and sometimes, mailing addresses. It is extremely easy to use Google Groups for this purpose. This helps ensure that you do not have to be at your desk to release information. This is especially helpful for breaking news or incidents. Be sure to include the local news directors and editors, as well as the beat reporters who report on tourism, recreations, public lands, and the environment. Community contact lists should include local city, town/township, and county officials; state representatives; local Congressional staffers; chambers of commerce; convention and visitor authorities; partner groups; and advocates. Your contact list should also have current lists of authorized concessioner and commercial use permit holders. This group usually wants to be kept informed of all park announcements and may need targeted information from time-to-time.

Voice Mail and Out of Office Calendar Tools: Most people prefer to speak with another human being, but accept voicemail as a reality of today's world. Periodically, call into your park as a visitor would. Are you voicemail prompts working? Are the messages up-to-date? Listen to your park voicemail system as if you were a first-time caller. Are you able to get to a real person quickly? Is your menu of choices reasonable? Can a person for whom English is a second language (more than a third of the U.S. population in many instances) understand the choices or find a non-English set of instructions? If you're transferred to an extension that doesn't provide necessary information, can you get back to a real person? Out-of-office calendar tools

are helpful to let the media, partners, public, and other employees know when you are out of the office. Your message should include when you will return and be able to respond, or if you are gone more than one day, who is an alternate contact for issues that need more immediate or prompt attention.

Media Information Kits: Create an information kit with basic details about your park or program. Think about your audience and develop media or community information kits tailored for them. Kits should include a fact sheet with details on visitation, economic impact, popular park activities, and program services; frequently asked questions (FAQs); positions on current issues; a list of upcoming events; and high-resolution photos and video. Use the NPS graphic identity standards to format your kit materials.

Many inquiries ask the same question, and a “FAQs” publication is a handy way to respond. Your colleagues in Washington, share “About the National Park Service.” Read some of your FAQ materials as if you just received a form answer. Are you satisfied? Do we confuse or intimidate with jargon, technical terms, abbreviations, or condescending remarks?

The National Park Service has many talented writers; some may be hiding in plain sight at your park or office. Put their talents to use, even if an FAQ topic isn’t in their realm of expertise. Writers can help proofread information to ensure it is easy to understand and makes sense.

Be sure to review the contents of your media information kit on a regular basis and make sure the information is up-to-date. Many parks post their media kits on their websites.

Examples of online media kits can be found on these park websites:

Everglades National Park - <http://www.nps.gov/ever/parknews/presskit.htm>

Lake Mead National Recreation Area - <http://www.nps.gov/lake/parknews/presskit.htm>

National Mall & Memorial Parks - <http://www.nps.gov/nama/parknews/presskit.htm> (example of a media kit for the Washington D.C. area Healthy Parks Healthy People initiative)

04 - News and the Media

The term news media refers to all types of news-gathering organizations and their employees, but you’ll hear other terms—press, journalists, reporters—used almost interchangeably. Here’s a tip: no news organization cares about the label as much as the content. If you issue a news release or hold a news conference, you must have real news. If you have no news this time, you’ll have no news coverage next time.

This section describes gives an overview of different types of media. The next section, [Shaping the Message](#), describes engaging with different types of media in more detail.

Building Relationships with the Media – including bloggers

The key to relationships with the media is to be engaged before members of the media are camped at your doorstep to report on “bad” news.

One of your first duties at your park is to introduce yourself to local reporters. Don’t forget to meet the editor and the editorial page editor, the reporter who covers your park, and any senior reporters who carry the “institutional memory” of the paper, radio or television station.

Public information officer Scott Gediman of Yosemite National Park works with hundreds of members of the news media and works diligently at building relationships with reporters, editors, producers, sound and camera operators.



Offer local news media members a tour of your park. In many smaller gateway communities, the media will want to interview the new superintendent or other key staff as they change. Public affairs professionals may want to consider offering quarterly or semi-annual orientation tours to the media, especially if there is regular turnover of the reporters and producers that work in your market. This helps them have some background about your park, its resources, and issues before an incident or “hot” news story.

Citizen journalists and bloggers can be as important as traditional media. People with an interest in your park, national parks, and the National Park Service follow issues that affect parks. They find people with similar interests and concerns at local coffee shops, grocery stores, and through online social networks. They have plenty to say about national parks. When an issue reaches critical mass in the community or on social networks, it spills into the traditional

media—and it can happen quickly. Follow the issues in your park communities and know what topics people are talking about downtown and online. It's up to you to be informed, involved, and ready to engage supporters and critics.



Washington, D.C., journalists take part in a media panel during The Managers Institute, a training program for park and program managers new to management levels of the National Park Service. These national level news reporters describe their work and offer tips on developing relationships with the news media during the discussion with class participants. The panel is part of strategic communications training hosted by the Washington Office of Communications during The Managers Institute. From left, Noelle Straub, E&E News, Michael Ruane, The Washington Post, Michelle Basch, WTOP Radio. NPS Photo by Jeffrey Olson.

When it comes to media calls, respond as soon as you can. Provide information in a timely fashion. Ask about deadlines—when the information is needed for editing, print, or digital publication. Be professional and proactive. When you respect reporters and their deadlines, they will respect you.

If you're new to media relations, watch how reporters and editors do their jobs. It's a great way to understand what they do and how you might work well with them.

Who's who and what they do

The people who gather and produce the news are professionals. Treat them as such. Their job is to get the story. If you do it well, and are mindful of your key messages and their deadlines, the park message will get out to the public. Do your homework before you talk to a reporter or grant an interview. What type of media outlet is it? Have they done stories about this subject before? Does this story fit into a larger story? Do some research about the reporter and the types of stories he or she writes.



Jody Lyle, Washington Office of Communications during a strategic communications session at The Managers Institute, a training program for park and program managers new to management levels of the National Park Service. The Washington Communications Office along with regional communications offices are good places to turn for guidance on working with the news media and other communications issues . NPS photo by Jeffrey Olson.

There are four traditional media outlets – wire services, print (newspapers, magazines and trade publications,) radio, and television. The Internet combines aspects of all three and introduces bloggers (some bloggers are citizen journalists and other bloggers are pros). Because each medium has its own strengths and weaknesses in terms of the kinds of stories it tells and the kinds of audiences it attracts, each has its own needs.

Newspaper and magazine editors and reporters want information that can be presented well in print, accompanied by such visual elements charts, graphics, and photographs (and video for their online editions). Print media typically demand more detail than broadcasters do.

Radio stories, outside of top-of-the-hour headlines, can include considerable depth. Therefore, radio news reporters and producers want a variety of voices and sounds and are able to cover complicated stories.

We watch television for color, movement, sound, and brief news stories. TV news people want pictures with action, succinct sound bites, and a pithy story.

The Internet is a mixed bag. Most traditional media have online versions of their newspaper, magazine, television or radio station. Some newspapers have transitioned to online versions only. Larger media outlets separate their traditional newsrooms from the online newsrooms and often include content from new and emerging news aggregators (like the Huffington Post) outside of traditional newsgathering organizations like the Associated Press.

Internet media offer still pictures, sound, and video and they “publish” as quickly as their reporters, editors, photographers, videographers, and graphics people can pull a story together. They often publish before traditional “top of the hour” broadcasts and their “virtual” stories appear as quickly as any network television newsbreak. These stories also create online dialog and can quickly be shared worldwide.

At times referred to as citizen journalists, bloggers can also be professional journalists. The line is becoming more blurred each year. Typically, bloggers have a niche focus when it comes to issues. Audience sizes can range from millions of unique monthly visitors to just a handful of faithful followers. They cater to passionate audiences who often provide both negative and positive feedback to article topics. Bloggers can mix fact with opinion and often do. Bloggers are gaining more respect in the media world, and courts have ruled that, in some cases, they have the same First Amendment rights as journalists.

No matter the media format, learn about the journalists you work with. Read, watch and listen to their past stories. Find out what topics interest them and their audiences. This will help you find ways to pitch stories that they are more likely to cover.

Newspapers

Newspapers are the medium many National Park Service staff deal with most frequently. In larger urban markets, newspaper and television coverage are almost equal. Newspaper reporters are usually assigned to “beats” or news tracks such as business, the environment, or congressional affairs. The National Park Service and national park and program issues may surface on these, and many more news beats.

Reporters from smaller, local newspapers are important to communities and the Service. They will cover small stories and big stories. If you are a park or program office that mainly deals with local reporters, do not ignore them when the regional or national newspapers call. Savvy national reporters and producers look to local reporters to quickly learn the “lay of the land” and as information sources. Your local news reporters will let major market reporters and producers know how to interact successfully with the park, or conversely, what issues or problems they have encountered in the past.

Newspapers may develop in-depth, multi-part stories, but their news operations are increasingly 24/7 to compete with radio, television, and other online media. Some newspapers have only an online presence. Some other tips:

- Newspaper reporters usually have simple logistical requirements. They usually carry no more than pen and reporter's notebook, or a tablet and smartphone to quickly send text, and may take their own still photos and video.
- Smaller newspapers with limited graphics and photography staff may appreciate high-resolution charts, graphs, and photographs to illustrate stories and to help audiences understand concepts.
- Newspapers become historical record once they are published.
- Newspapers are also more likely than radio or television to publish corrections to errors.

Opportunities at newspapers also include letters to the editor and opinion and editorial pieces. Remember that letters to the editor or an op-ed piece from a park-identified employee need to be cleared through your regional public affairs office and then WASO Communications.

Magazines

Magazines have similar needs to newspapers; however, their deadlines are much different. Magazines set annual editorial calendars and design issues around certain topics each month. They assign stories to meet this calendar, often months in advance. If you would like your park's winter activities featured in a magazine, you should contact the magazine six to nine months in advance. Magazines are very visual with photography, graphics, and maps to illustrate stories for their published and online versions. When you pitch stories, suggest unique visual opportunities at your park that can help tell the story.

Trade Publications

A trade publication, or journal, is a type of publication targeted to a specific industry, or trade. Articles are written by, and for, other members of the trade. Their needs are similar to newspapers and magazines, but they have a relatively narrow or specialized focus when it comes to issues.

Wire Services

The Associated Press is likely the best known wire service. It provides news content – on its web site and to other news organizations – from its reporters who are scattered around the United States and across the world. The AP updates stories regularly and also provides video news stories. AP members also contribute stories. Their reach is far and wide. For example, if there's a big news event in your park, the AP may "pick up" the local reporting on the issue or incident and share it around the world. Other wire services include Reuters, UPI and PR Newswire.

Radio

Radio is a resurgent media for many reasons, including demands of 24/7 news deadlines.



NPS Director Jon Jarvis radio interview along the shores of Lake McDonald in Glacier National Park. NPS Photo.

Radio reaches diverse audiences, and most stations tailor their programming to a specific audience (country music, oldies, news, talk). Radio segments can vary from 30-second news stories to lengthy, in-depth features. In news stories, the reporter is looking for succinct facts that explain the who, what, where, when, and why. Reporters and producers provide information and use background sound to help the listener visualize the story. Radio news value increases with a few still photos and video for the station's online presence. Radio reporters and producers have far fewer logistical needs than television. Radio and social media are the most accessible tools for public service announcements and emergency information broadcasts (road closures, facility closures, and special announcements).

Television

Television is a powerful communications tool when it comes to lasting impressions and large audiences. No matter the story or message, television likely has more impact than radio, print,



or the Internet. Conversely, no medium can make you look as bad if you're not prepared for the harsh reality of the lens (Think about all those sweaty, nervous people you've seen on CBS's "60 Minutes" over the years.).

Dealing with broadcast media, as opposed to print, requires some changes in your planning. Stories are brief, usually 15 to 90 seconds long. Your message (sound bite) must be succinct.

Like newspapers, parks work most frequently with their local network affiliates and cable stations. Good working relationships with the local crews are valuable.

Think visually

Action and emotion-provoking video images drive television news. Television news crews will cover an important "talking head" news conference or interview, but they will want their own

one-on-one interviews. They will also use additional B-roll video to illustrate the park, issue, or problem. Schedule time and suggest places for videographers to shoot B-roll before or after the news conference or interview. Invite the media to return and shoot B-roll at different times of the year. If you can provide unique opportunities for each of your local affiliates, they will appreciate the diversity, so their footage is not the same as the other networks.

Television news deadlines

Television newsrooms are on what seem like constant deadlines. They need brief, succinct story pitches. They follow government agencies, especially those that are popular with the public, like the National Park Service. Make sure news directors, producers, and reporters receive advance notice of stories you want them to cover. In some cases, media will want to “go-live” from the park. Ask the reporter or producer what their expectations are, so you know if you or a ranger needs to be on-hand when they “go-live.”

In February, May, July, and November, Nielsen measures TV station viewership and defines their place in the market. During this “sweeps” period, stations are looking for longer news and feature stories that will increase their ratings. They promote these stories to increase viewership. Pitch the more in-depth, interesting park- or program-related stories a month before sweeps. Keep in mind that each station will want something different, so be ready to offer a different angle on the same story to each station.

Handouts and fact sheets

Most television news reporters cover many beats: a fire, the school board, city commission and your park all in the same day. When they arrive, it’s important to hand them a fact sheet to provide background information that will help them put the story together. Include information on the issue and standard statistics about your park: acreage, visitation, and the names and titles of people they will interview. More information about fact sheets and media kits is in [Stock Information Needs](#).

Television logistical needs

For special events and news conferences, give some extra thought to visual images. Outdoor locations generally are best, with a park-like background. Visitor centers, historic structures, or even entrance signs are also good backgrounds. Crews don’t often have time to scout locations. Your knowledge of the park will help them do a better job.



Television satellite trucks parked next to the Lincoln Memorial in Washington, D.C., for the 50th anniversary of the March on Washington. Jeffrey Olson NPS photo.

At a news conference, reserve a section for television cameras. Pick a position that puts natural light on the podium and speaker. If several camera crews are expected, rent a multiple connection or “mult-box,” a device that lets camera operators connect their audio cables to the main sound system.

Let the news crews park their trucks as close to the action as possible. Don’t suggest any five-mile hikes—the gear gets very heavy. If parking is limited, have trucks come early and unload, and then return after the event. Depending on the distance and type of equipment used, media crews may need to make long cable runs away from the main event. They’ll need to provide cable troughs or similar safety measures if there is pedestrian traffic in the area.

Most stations don’t want to commit to the time and expense of sending you a copy of the story. Simply check the station’s website. They’ll have it posted as soon as it runs on-air. Consider following the station and a reporter through social media and/or Google News Alerts. They often share larger stories with links through Facebook and Twitter.

Technical standards

Television stations have technical broadcast standards, which is a polite way of saying that they are usually not interested in the footage you have taken with your smartphone. They may use it if it is something spectacular like a bear attack or a dramatic rescue. Do not attempt to build a library of stock footage with inexpensive and unsophisticated equipment. Please don’t attempt to make your own podcast, public service announcements or video news releases without the right equipment and adequate know-how. Unless you have experience as a writer, editor, videographer and video editor, the effort will look amateurish.

For more information about technical standards, see [Photography and Videography](#).

With the explosion of cable television, there’s a much bigger market for travelogues and reality television shows. By policy, the National Park Service doesn’t usually take part in reality television programming. Travel shows and other features are usually commercial productions that require commercial film permits. [Director’s Order](#) and [Reference Manual #53: Special Park Uses](#) contains detailed guidance on commercial filming and permit requirements. See [Other Public Affairs Considerations](#) for a section on commercial filming.

The Internet

NPS websites are a gateway for journalists.

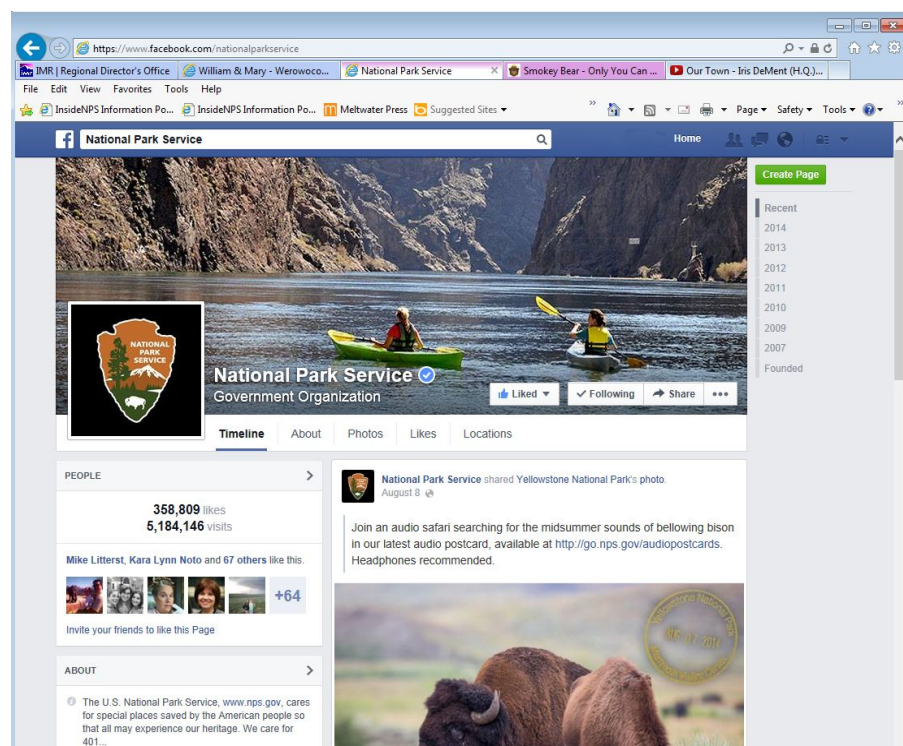
Reporters often check park websites first to find information about each park. Therefore, it's critical that information is accurate and up-to-date. Public affairs professionals should review this information frequently, even if another office has the responsibility to maintain the site.

The Internet continues to evolve and its applications continue to expand at the National Park Service. Our portal, www.nps.gov, is one of the busiest federal websites. In addition to individual park and program websites, nps.gov/news contains timely news headlines, releases, and media contacts around the Service. Many parks maintain Facebook pages and take part in other social media such as Twitter, Instagram, Flickr, and Tumblr.





It is clear that www.nps.gov and Internet communication tools change the way we conduct business. Today, visitors can plan every aspect of a park visit – from simple information such as hours, maps, closures, directions and services to more extensive information on the park's features, characteristics, special events or programs, and commercial services offered in the park. A functional web presence assists the park and increases visitor satisfaction long before they actually visit.

The www.nps.gov website uses a Content Management System (CMS), which allows parks and program offices considerable flexibility in content development while retaining a standard design.

Social Media



Screen shot of the National Park Service Facebook page.

Social media offer new and expanded opportunities to communicate about, and build public support for, the National Park Service. Tools like Twitter , Facebook , Flickr , and YouTube  are ubiquitous social network sites. The National Park Service uses them to engage familiar and new audiences. Social media encourage people to post their favorite park photos, write songs about parks and park rangers (and perform and post them on YouTube), “chat” about park issues, and the things they like and dislike about the NPS.

Journalists today use social media posts and comments in news reports. It’s important that what NPS employees say online is no different than what they would appropriately say to a reporter.

[*Policy Memorandum 11-02: NPS Social Media – Interim Policy*](#), in conjunction with the [*Department of the Interior Social Media Policy*](#) and [*Social Media Guidebook*](#), provide guidance for the development and use of social media by the NPS. The *NPS Guide to Social Media Tools and Strategies* discusses the creation and management of social media sites. You will find these documents, and other updated information about digital communications on the NPS Digital Community Google site, <https://sites.google.com/a/nps.gov/web-community/>. You’ll find NPS Best Practices and Getting Started Guides for Facebook, Twitter, Flickr, YouTube, Instagram, Tumblr and Foursquare at: <https://sites.google.com/a/nps.gov/web-community/resources/socialmedia>

05 - Shaping the Message

The media, by necessity, is re-inventing itself. They have down-sized to remain profitable in the face of declining advertising revenues. There are thousands fewer reporters, editors, and photographers working in the media with no apparent decrease in demand for news. This new model of journalism includes citizen journalists and bloggers. Much like the old model, reporters and editors will be open to our messages when they are thoughtful, informative, contain real news and are presented in a form the media are accustomed to producing themselves: a news release that reads like a news story. Audio and video news media will be open to our messages, too, when we present our message to fit and enhance their formats.

Pitching Stories to Reporters

Reporters don’t automatically write stories about national parks on a slow news day. They will write about national parks—slow news day or not—when you give them a good story and good information. When you have real news, prepare a news release.



Here's how to pitch stories to reporters: get 50 of them in a group and take them on a tour of the park. This scene from Everglades National Park was during the 2011 Society of Environmental Journalists Conference in Miami, Florida. Park superintendent Dan Kimball and NPS Director Jon Jarvis led the tour with other park staff and answered reporter questions on a variety of story ideas. NPS photo by Jeffrey Olson.

Media don't have to visit your park to publish or air a story. They can often turn a story based on a news release or a quick phone interview, especially if you include a graphic element with a release. A news release may focus on breaking news about an incident or softer news, such as implementation of a new green energy program at the park. It could also be a release announcing upcoming events or a media advisory, inviting media to the park. If you include an image, you are more likely to get TV coverage if the image is horizontal (like a TV) and in high-resolution.

In small markets, a follow-up call is a good idea. In major metropolitan news markets, it can be a mixed bag. Larger media outlets dislike follow-up calls; with others it may be appropriate.

If you're not in a large media market, it is easier to develop a relationship with individual media and reporters and producers. You will get beyond an anonymous relationship, and those reporters, editors, and producers will look to you for good story ideas, quotes, anecdotes, and the facts and figures to give their story depth. Be ready to pitch your ideas when there is an opening on that slow news day—or any other day for that matter.



Encourage members of the news media to get out in the park. Here a National Park Service ranger and airboat operator talks about the "River of Grass" that is the Everglades. Photo for NPS by R.L. Chaplin.

When you are about to call the reporter, editor or producer, remember to

- Let the reporter know why this story is worth covering and how it will be of interest to his or her audience. Most media need compelling images, especially for their online sites.
- Be sure to let reporters know who will be available for interviews and when.
- Have a plan for what you want the story to be and where you want it to go before you call a reporter. Keep in mind that once the reporter is interested, the story will take on a life of its own and may very well head in a different direction than you had imagined.
- Have fact sheets and an executive summary available for large documents available online and it may be advantageous to have paper copies available. Write down key facts—especially numbers and statements that need to be carefully worded—to help you organize your thoughts. Putting information in writing also gives you a record of what you have said. These notes can also be used for future interviews.

Writing for the media

Newspapers and wire services have a writing style that is different from the government. The National Park Service adheres to this writing style, known as Associated Press or AP Style, for written materials distributed to the media because it increases the chances that our news releases will be printed with few changes. The *AP Stylebook* is available in bookstores or online, for a fee, at <http://www.apstylebook.com/>.

The National Park Service has its own style guide, the HFC Editorial Style Guide, with terms and phrases that are specific to national parks and programs. It is used for unigrid brochures, waysides, exhibits, and other park media. The HFC Style Guide is available at <http://www.nps.gov/hfc/products/pubs/pubs-04d.cfm>

Use the full proper name of a person, or of a thing, only once. For example, Superintendent Jane Smith on first reference, and just Smith, on subsequent references. Write out Kenai Fjords National Park on first reference, and “the park” or “Kenai Fjords” on second references. Don’t use our four-letter park code such as KEFJ, YELL or WASO. The public doesn’t know what they mean and most publications use few acronyms, codes or abbreviations. The most common are FBI or AFL-CIO. If an abbreviation needs to be explained, don’t use it.

Most publications do not use courtesy titles. You shouldn’t either. It’s Horace Albright on first reference, and Albright (not Mr. Albright) on subsequent references. The exception is when saying Mr. or Ms. will prevent confusion when several people have the same last name. Use Miss or Mrs. only if that is the known preference of the subject.

If you need to identify a medical doctor, then “Dr.” is appropriate. It is not necessary to use Dr. with subjects who have a PhD; although you may want to note that a person has an advanced degree if it is relevant to the story.

Formal titles are capitalized (Superintendent Sally Jones), but lower case if they follow the name (Sally Jones, superintendent). Titles are lower case if used without a name (The superintendent will speak at noon).

Spell out numbers nine and below and use numerals for numbers 10 or greater. Ages are always numerals.

Don’t say 11 a.m. in the morning. When else could it be? It’s 11 a.m. To avoid confusion, use noon and midnight, not 12 a.m. or 12 p.m. General interest publications don’t use military time. Use AP format to list time, date, and place (in that order) for events, meetings, etc.

News Releases

First, make sure you’re the right person to put out the news release. Is this park-level news? Is the subject matter more appropriate for the regional director to release? Should this come from the National Park Service Director? The Secretary of the Interior? If you are not sure, ask. Remember, “No Surprises.”

Newspaper and magazine editors and broadcast assignment editors receive far more news releases than they can schedule for a story. They can be quick to hit the “delete” button when seeing your email. Understand the following key elements to avoid the death of a news release.

Newsworthiness: If the release is not news it is bad news for you and the life expectancy of your release.

Audience: Don’t send a release of purely local interest to a distant media outlet. A journal of historical research won’t care about new traffic patterns at the park. Different local media may be interested in different news. Some small papers may run every upcoming ranger-led hike, while others only want the big stuff. Try to focus your releases to news they can and want to use.

Good Writing: A great release may receive a light editing touch. A good release is headed for rewrite, usually to conform to that media outlet’s style and story length requirements. Copy editors and reporters on rewrite don’t mind if your composition isn’t a prize winner, but they do mind not getting all the facts.

Headline: Include a short one-line headline that summarizes the news release. It should be written using sentence structure, omitting words like “the”, “a” and “an”.

Dateline: The text of the release should start with a dateline. This is the city name followed often by the state (see AP Style) where the story primarily occurred or the city of the park headquarters. It should be written in capital letters.

Lead: The first paragraph, or lead, contains the attention-getter piece of news. The lead should be one sentence and no more than 15 words. If you need to say more, write a two-sentence lead. Focus on the most important element of the story first and follow with remaining details – who, what, when, where, why, and how much – in following graphs.

We often have many important details to share. After you write your lead sentence, read it aloud. If you run out of breath trying to read it, it's too long. You can still include the information, but break it down into several sentences, if necessary.

If there's no drama to lead with, don't exaggerate. Be straightforward. Many of the news releases we prepare are about important, but non-controversial topics. You should strive for an engaging one-sentence lead; however, leads should be no longer than 1-3 lines.

Here is an example of a two-sentence lead:

Come celebrate Hispanic and Southwest Indian culture during the Coronado International Historical Pageant, from 10:30 a.m. to 5 p.m. this Sunday (date) at the Coronado National Memorial in Hereford, Arizona. The event is free and open to the public.

This is a routine lead. It answers all the important questions: who, what, why, where, and when, but we break it up into two sentences because of the amount of information.

Here are more examples of leads dealing with lots of information:

Wrong: *Three mountaineers, two from California and one from England, were killed in separate avalanches on Denali Tuesday night, while three others from France were injured and rescued by the National Park Service after a third incident this morning, mountain rescue rangers at Denali National Park and Preserve reported.*

Whew! Just try reading the preceding graph aloud, with one breath, and you'll see you're in trouble. The next version is better:

Better: *Avalanches on Denali late in the day (date) and early Wednesday (date) left three climbers dead and three more injured but safe with rescuers.*

The first of three avalanches happened about 8 p.m. [insert date] on the mountain's Orient Express route and claimed the lives of two California climbers. Just 30 minutes later, a nearby avalanche killed a climber from England.

The third slide injured three French mountaineers early this morning (date). The trio survived a 120-foot fall at Denali Pass. They were rescued by a National Park Service crew about 9 a.m. (insert date).

When there are too many related facts, you need to break information out piece by piece. It won't win any writing awards, but you will win friends among journalists by being clear about what happened in each instance. While the fictional example is from climbing, any park with widespread flooding, multiple fires, or simultaneous law enforcement troubles will recognize the pattern.

Inverted Pyramid: Use the inverted pyramid style to organize the rest of the story. The most important information should appear at the beginning of the story, followed by the less important details. This serves two purposes: 1) when editors cut stories to fit space, your most important information is likely to stay in the story and 2) if readers only read the first two paragraphs of the story, they will leave knowing the most important information.

Stick to the facts: It is our job to report the facts, not our opinions. Avoid using opinion adjectives like greatest, best, spectacular, beautiful, etc. Instead impress media with factual adjectives like largest, longest, and colorful.. The only place where opinions should be offered is in direct quotes.

Quotes: Quotes bring your story to life. When quoting someone, place their sentence in quotes. End the sentence with a comma inside the quotes. Follow the quotation marks with attribution in past tense using said, name, title.

"We will waive entrance fees to celebrate National Park Week," said John Doe, park superintendent. "We expect to see hundreds of local residents in the park this weekend."

Write in the active voice: kill every "–ing" word possible; keep the use of articles (a, an, the) to a minimum. Stick to the news with a key supporting message or two.

Art. High quality photographs, charts, graphs, and video will interest an editor. Offer what you have and let editors know about story art opportunities their staff people can pursue.

News Release Template and Distribution

Media releases are distributed three common ways: via email, park websites, and social media sites. Because of computer viruses often sent via email, news agencies do not like to open emails with attachments. Therefore, it is best to paste the text of your news release directly into an email message or deliver it through a media service such as Meltwater. For information on Meltwater, used by WASO Communications, contact Barbara Baxter by email: barbara_baxter@nps.gov. If you choose to paste a basic news release into the body of an email, try this as a template (fill in red text with your local information):

National Park Service

U.S. Department of the Interior

PARK NAME News Release

For Immediate Release: **[DATE]**

Release No.: **YYYY-##**

Contact: **[NAME, PHONE NUMBER]**

HEADLINE

Byline (not always used)

DATELINE – **news release text**

-NPS-

If the news release is going to be printed, use the National Park Service news release templates available from the WASO Office of Communications. Examples are listed in the [Tools and References](#) section.

The standard template is attractive and provides a strong agency identity. It incorporates standard news release elements, such as a banner/header, agency contact information, date, headline, body text, and footer. But, there are a few things that you need to know about its use.

The template uses the two standard fonts used by the Service for official publications and public documents: NPS Rawlinson and Frutiger. It is important to know that many people outside the agency do not have these fonts on their computer. If you were to send your news release electronically as a Word document, it is possible that it would appear as gibberish for some recipients. Therefore, when using this template, it should only be printed for distribution or saved as a pdf to preserve fonts. The pdf can be emailed to recipients who are comfortable receiving and opening attachments.

Don't forget to provide your news release on the park webpage. Parks do this in a variety of different ways including posting PDFs, creating a new webpage, using social media sites like Twitter and Facebook, or adding the text to a running blog. You may not be the one uploading the information, but you should still make sure it is done.

The NPS Content Management System (CMS) that governs our website (www.nps.gov) offers the ability to setup RSS feeds so that people can subscribe to your news releases. If you are interested in doing this, there are instructions in the CMS Manual found on InsideNPS at <http://inside.nps.gov/waso/custompages.cfm?prg=236&id=7333&lv=3&pgid=2902>.

You can also use RSS feeds with social media. For example, every time a news release is posted on your park website, an automatic tweet can be sent out.

The link to the national news release web page is <http://www.nps.gov/news/listing.htm>.

See an example of a one-page news release on the next page.



National Park Service
U.S. Department of the Interior

Office of Communications
1849 C Street NW
Washington, DC 20240

202-208-6843 phone
www.nps.gov

National Park Service News Release

Release Date:

Contact: Park contact, email address, phone number

Headline (Set in 15 point NPSRawlinsonOT – bold)

CITY, State: Replace this text with your text set in 10.5/18 point NPSRawlinsonOTold, or the text style “Content” in the Style menu. Paragraphs are not indented but are separated by a full return. The rest is dummy text. Poet, minstrel, lecturer, biographer, and Pulitzer Prize-winning author, he had spent his lifetime championing social justice and the American people through his writings and his singing. Although, at 67, he was at an age when many people retire, Sandburg was still actively working. Sandburg’s wife, Lilian, had discovered the mountain farm named Connemara with their youngest daughter, Helga.

The farm had everything the family wanted, including a gentle climate and ample pasture for Mrs. Sandburg’s goat herd and seclusion for her husband’s writing. Carl Sandburg would call it home for 22 years. The estate had a long history—an ironic history for the biographer of Abraham Lincoln—for Christopher Memminger, who built the main residence around 1838, had served from 1861 to 1864 as Secretary of the Confederate Treasury. The second occupant was textile tycoon Ellison Smyth who named it Connemara to honor his Irish ancestry. Smyth’s heirs sold it to the Sandburgs. The Sandburgs moved from Michigan with their three daughters, two grandchildren, a library of more than 14,000 volumes, and the Chikaming goat herd.

www.nps.gov

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EXPERIENCE YOUR AMERICA™

The National Park Service cares for special places saved by the American people so that all may experience our heritage.

Media Advisories

The media advisory provides a brief, orderly communication tool for the public affairs officer who needs to reach the mass media with a set of instructions and lead time to be aware of the pending news and/or news event. This is information to help assignment editors, photo editors, producers and reporters plan their work schedule.

The media advisory includes the *who, what, when, where, why, and how* of information necessary to encourage the media to attend the event. It also includes logistical information such as any necessary event credentials, placement of live broadcast trucks, availability of camera platforms and camera placement (particularly if Secret Service sweeps are mandated,) mult boxes, lights, pool coverage, schedules for placement of cables, directions to the event and where to park.

In addition to distribution to regular media outlets, always provide the advisory to wire services for inclusion on their “daybook;” it lists all news events on a given day and is provided to all news outlets that subscribe to the wire service. It is a valuable tool in assuring that word about the event reaches all media in the geographic area.

Page Format. The page header uses the same format as a news release. Instead of News Release, it should state clearly that the document is a Media Advisory and should list the date and contact name and number for members of the media to contact for follow-up information. That contact should be the public affairs officer or the key person assigned to handle media arrangements.

Summarize key points. List clearly the time, date, place, and key participants identified by full name, title and role in the program, if needed, and other relevant information. Remember to include a brief description of the event.

Media availability. If any participant or a “behind the scenes” person would make a good interview and/or be available for media interview, include instructions on how interviews can be arranged. Generally, a schedule is established. The statement may read something like: “Reporters who wish to interview John Doe, concerning the development of the dinosaur exhibit, should contact Betty Smith for arrangements by Nov. 1 at 555-555-1212.” Or, if not in wide demand, include this kind of statement: “John Doe, National Park Service scientist who headed the development of the dinosaur exhibit, will be available for interviews prior to and following the 10 a.m. ceremony.”

Advance interviews are a good way to bring *advance* attention and increase attendance at your event.

Here’s an example media advisory:



National Park Service
U.S. Department of the Interior

Office of Communications
1849 C Street NW
Washington, DC 20240
202-208-6843 phone
www.nps.gov

National Park Service Media Advisory

For Planning Purposes Only, Not For Release

Contact:

[Phone/email]

Headline: NPSRawlinsonOT 15 point type

WASHINGTON – Replace this text with your text set in 10.5/18 point NPSRawlinsonOTold, or the text style “Content” in the Style menu. Paragraphs are not indented but are separated by a full return. The rest is dummy text.

Who: Carl Sandburg

What: The farm had everything the family wanted, including a gentle climate and ample pasture for Mrs. Sandburg’s goat herd and seclusion for her husband’s writing.

Where: Carl Sandburg would call it home for 22 years.

When: The estate had a long history—an ironic history for

Why: The biographer of Abraham Lincoln—for Christopher Memminger, who built the main residence around 1838, had served from 1861 to 1864 as Secretary of the Confederate Treasury.

Editor’s note: This may include special post-event photo and interview opportunities as well as logistical information for media attending a news event or news conference or other event such as where to park satellite trucks and other media vehicles and whether or not there is parking. We also put specific web addresses for media information here.

www.nps.gov

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EXPERIENCE YOUR AMERICA™

The National Park Service cares for special places saved by the American people so that all may experience our heritage.

Special photo or video. Alert the media to any special photo or video opportunities so they can be prepared with the appropriate equipment.

Credentials. Most parks will only need to use existing media credentials that legitimate news media members will possess. When media credentials are required, include information on what kind of credentials will be honored for the news media area and/or if special credentials will be issued. Include information on how to apply and the deadline for application for these special credentials.

Letters to the Editor and Op-ed Pieces

In addition to letters to the editor, most newspapers and many other publications print longer articles. Whether they're labeled "Guest Editorial" or "Guest Column" they are generally called op-ed pieces (they traditionally appear OPposite the EDitorial page.)

Opinion or editorial page editors reserve more space for letters and less space for submitted op-ed pieces. Regardless of name and placement, they offer a chance to thoughtfully explain topics the news editor might not consider Page 1A material.

If the editorial page editor offers you a guest column or op-ed piece, put your best writers to work on it. Again, be clear if this is an official National Park Service position or an opinion you hold as a private citizen. If you represent the bureau, you are required to clear the column or letter to the editor through your regional office to the Washington Communications Office.

TIP: make your point quickly. Even leisurely Sunday readers may move on to the next page if your column is, well, dull.

Most newspapers and many other publications print editorials to express the official view of the publication. This part of the paper is meant to be biased. Effective editorials take a strong stand on issues. How the editor (or group of editors) reaches the official opinion varies. Some topics are universal: honor veterans on Veterans Day, encourage people to vote.

At other times, editorial boards will invite contrasting voices to lay out their side of an issue. These are excellent opportunities to help inform readers and influence public opinion. Come to the editorial board armed with facts and a clear understanding of the National Park Service position. These are not sessions in which personal and agency views should be mixed.

Too often we wait until mid-crisis to meet writers. Going to editorial boards (and other forums, such as community groups) before there is a controversial issue should be part of your public affairs program.

Public Service Announcements

Although no longer required by law, radio and television stations still broadcast a few public service announcements (PSAs) or public calendar items for nonprofit groups and government agencies.

A PSA can be a good way of getting free publicity for an event. Before you go to the work of putting together PSAs, make sure the stations will use them. Advance publicity is not easy to get from traditional media. PSAs should be produced to meet ad space time. Stations may use 10, 15, 20, and 30-second PSAs to fill airtime. This open air time is often, but not always, in the middle of the night. Local news broadcasts sometimes post “Community Calendar” events on air and on their web sites. Write it as you would speak it — in 30 seconds you’ll say about 80 words.

Check with stations on how far in advance they want to receive PSA copy; five weeks is a typical lead time. Also, chat with the person who’s in charge of PSAs to find out what format they need. The more you can meet their needs and requirements, the more likely your product will be used over someone else’s. Most stations receive far more copy than they can use. A personal contact can help your item reach the airwaves.

PSA copy must be clearly marked with start and stop dates. This tells the announcers when the message is timely, and, with luck, the station will pull the announcement at the right time.

For radio stations, you will usually produce a timed script rather than an actual audio tape. The latter are expensive to produce, and you probably don’t have the professional equipment needed to meet the station’s standards.

An example of a National Park Foundation PSA on YouTube is at:

<http://www.nationalparks.org/connect/npf-kids>

If you do want to produce a major PSA campaign, contact your regional or the Washington Communications Office. The Department also has audio and video production capability and contracting expertise.

Community Access Television

Most municipalities have community access television stations. This is not PBS but true non-commercial, local television paid for with local taxes (usually paid by cable television franchise fees.) It features government meetings and locally generated programs. These stations rarely have enough programming to fill airtime. They look for 30- and 60-minute programs but also for short pieces, from public service announcements to content that is just a few minutes in length. This is an ideal place for park video podcasts (if they were created professionally) or other high-quality video programs that are valuable to educate gateway communities about park information, business, and issues.

Speeches

Speechwriting is not news release writing, nor is it news writing. For starters, the topic must be suited to the audience and the speaker. The purpose of a speech is to deliver information to your audience, confirm their positive feelings about national parks and the National Park Service, cultivate those feelings in fence-sitters and critics, promote understanding of the Service point of view, and ask them to take an action. Delivery enhances content.

When you write a speech, it is essential to remember your audience. Ask yourself these basic questions before you start writing:

- Who will be in the audience?
- How large will it be?
- Are these friends groups, or otherwise?
- How much do they know about the National Park Service?
- What is the length of time the speaker is afforded?

Before you get started, you also must know the appropriate format of the speech, such as a keynote address, an introduction, a toast, or a dedication. Know the key messages you want to communicate and the goals you want to accomplish.

Once you have this information, you are ready to write. The basic structure of a speech begins with an introduction, followed by the body of the speech and the conclusion. In short, tell the audience what you're going to tell them, tell them and then tell them what you just told them.

It's essential to keep in mind the audience does not have the chance to re-read a passage that was not clearly understood. The speaker must make allowances for this.

The two principal devices used by speechwriters are pauses and repetition. Speeches employ "heavy" punctuation. This extensive use of punctuation signals the speaker when to pause and for how long. These pauses let the audience catch up — giving a little extra time to absorb what's been said, and to set them up for what comes next. Repetition is still a key to successful speeches. Remember, the audience lacks a text and must absorb the message purely from what is heard. So repeat key elements, varying the phrasing, but repeating the message. You may want to include phonetic spellings of any unusual names or phrases.

In addition, because the audience is working without a script, detailed information can fail to impress.

Wrong: *"Backwater National Monument had 489,143 recreational visits for the fiscal year ending September 30, 1996, according to our latest statistics."*

Better: *“Nearly half of a million people visit Backwater every year; that’s almost the whole population of Wyoming coming to your park.”*

The hazards in giving a speech are similar to those in giving an interview — things like careful pronunciation and carefully formulated thoughts are essential.

The speaker has some advantages not available to the interview subject. A scheduled speaking engagement affords the opportunity to review a speech text and to practice giving the speech aloud with the clock running. That last bit of advice should not be considered optional—always read a speech aloud before delivering it to an audience.

In speechwriting, a double-spaced page of average size print will take about two and a half minutes to deliver. Therefore, a 20-minute speech requires about eight pages. For delivering the speech, you may want to boost the type size for easier reading. Always number the pages.

For many speaking engagements, it is a good idea to allow time for questions and answers. In fact, the audience may expect it. At informal meetings, speakers can encourage Q&A during their talk. For formal engagements, reserve Q&A time at the end. Make sure you time the speech to allow adequate time for the audience’s comments or questions.

Ensure that you, and the speaker, are prepared to answer questions. You may want to develop some Q&As that are likely to be asked. Do your homework. It is okay if you can’t answer every question. If you do not know the answer, commit to getting back to a representative of the group, or the individual asking the question, and ensure you follow up with the information.

06 - Photography and Videography

Good graphic elements, including photographs and video, are in high demand, especially in smaller media outlets.

Photography

Larger outlets may use your photographs but more often send their own photographer. Broadcasters may be interested in photos, especially if they are doing a quick reader on the evening news about an event that happened in your park that day. Stations also upload stills to their websites. Filmmaker Ken Burns makes great use of still photos in his award-winning films. Broadcasters know the technique and may use your photographs as a point of reference and a place to send their camera crew to capture moving video.

News photographers from the U.S. and abroad came to Gettysburg National Military Park for the 150th anniversary of the Battle of Gettysburg. NPS photo.

You can attach photographs with every release you email to the media. You can also add an “Editor’s Note” at the end of the news release describing high-resolution still photos and video available at the park’s website or Facebook page. Provide link(s) in the release.

Media outlets will also visit photography social network sites like Flickr, and they still use stock photo agencies. Make sure you keep high quality, interesting and relevant photographs on your media sharing sites.

When it comes to park-provided photographs, quality should be your guide—a muddy or blurry picture will hurt interest in your story. The minimum resolution for digital images for print is 300 pixels per inch with an image size about 5 inches by 7 inches. Internet photos are 72 pixels per inch. This means making a low-resolution copy of your high quality image. Ask your webmaster for help in this area.

Avoid providing photos of people looking and smiling at the camera. Journalists prefer action shots of people doing something in your park. If you have a check presentation or a groundbreaking, think of a better photo opportunity than a line of people holding a giant check or turning dirt with gold-painted shovels. If employees are in uniform, make sure they are wearing it correctly. Take a quick look at your background to be sure it is suitable and enhances the message you are trying to convey.

People in photographs

More than 280 million people visit national parks each year. National Park Service photographers document stunning landscapes but we struggle to show people enjoying national parks. Those are important images if we expect to educate the public about the national park mission and about what our parks and programs have to offer.

Larry Perez, an interpretive park ranger at Everglades National Park is having a great moment with these young park visitors. NPS photo.

Great people photos are a lot of hard work and most NPS photographers have other duties that take away from the time necessary to find and capture great people pictures. Nonetheless, we must improve.

People in park photos can be a sensitive topic, especially when it involves children. Please use this approach with park visitors and photography and videography: shoot photos first and ask questions, politely, later. National parks are public spaces where a lot of people are taking a lot of pictures. Personal privacy expectations are limited when a person enters a public space.

When you see a good “people in the park” photo, shoot it. Then approach the subjects of the picture. Be thoughtful. Your conversation should begin with something like this, “Hello, I’m Peter Petersen with the National Park Service. I’m taking pictures of Ranger Bob’s talk along the trail. You and your family seem to be having a great time and you are in some of my pictures. Would it be OK with you if we used the photo in a park newsletter, brochure, or on our web page?”



Interpretive park ranger Dick Toll is engaged with a couple of junior rangers at Arches National Park. NPS photo by John Chao.

If the people in your picture say yes, take down their names and contact information. Offer them your contact information and double-check their information to make sure you've spelled everyone's name correctly. As a courtesy, when you believe you have an exceptional photo, you may want to send them an email with a low-resolution copy of the photo and a thank you note.

There may be an instance when you approach the subjects of your picture and they make it clear they don't want to be in a park publication. Let it go at that. Delete the photo. Get on with your day. There are many more people having fun in the park who will be willing to be in a National Park Service photo.

There is a National Park Service model release form on the following page. Keep a few copies in your camera bag and share with interpretive ranger staff. They may come in handy when you work with school groups where teachers are required to have signed releases from parents so that students may take part in the field trip and related activities such as a park photo. The form is available online from the Harper Ferry Center website, <http://www.nps.gov/hfc/products/av/> or <http://www.nps.gov/hfc/pdf/release-form-sep12-2008.pdf>.



National Park Service
U.S. Department of the Interior

National Park Service Release Form

I hereby grant the National Park Service, or its authorized representatives and contractors, the right to make visual recordings, audio recordings, still images, and/or to otherwise capture material of me and any minor child under my control at the time the material is collected.

I hereby agree that the material will become the property of the National Park Service and will not be returned. As such, I agree that the National Park Service and its assigns have the right to reproduce, prepare derivative works of, distribute or display and use these materials in whole or in part, for government and non-government purposes, in any manner or media (whether now existing or created in the future), in perpetuity, and in all languages throughout the world. Use of this material shall include, but not be limited to, audiovisual programs; museum exhibits; websites; publications; product artwork; and project publicity. Additionally, I waive the right to inspect or approve any use of the material and any right to royalties or other compensation arising or related to the use of the material.

I hereby hold harmless and release and forever discharge the National Park Service from all claims, demands, and causes of action which I, my heirs, representatives, executors, administrators, or any other persons acting on my behalf or on behalf of my estate have or may have by reason of this authorization.

I am 18 years of age or older and am competent to contract in my own name. I have read this release before signing below and I fully understand the contents, meaning and impact of this release. I agree to indemnify and hold the Government harmless for any and all losses, claims, expenses, suits, costs, demands and damages or liabilities on account of personal injury, death, or property damages of any nature whatsoever and by whomsoever made, arising out of the activities associated with the project in which I am taking part.

Description of Material: _____

Signature/Date: _____

Printed Name _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone (please include area code): _____

Organization/Group Name (if applicable): _____

If the person signing is under age 18, there must be consent by a parent or guardian, as follows:

I hereby certify that I am the parent or guardian of _____, named above, and do hereby give consent without reservation to the foregoing on behalf of this person.

Parent or Guardian's Signature/Date _____

Parent or Guardian's Printed Signature _____

For NPS/Contractor Administrative Use Only:

Park	Project	Location	Date	Contractor	NPS COR

Privacy Act Statement: This information is provided to comply with the Privacy Act (PL 93-579), 5 U.S.C. 301 and 7 CFR 260 authorizing acceptance of the information requested on this form. The data you furnish will be used only to provide the National Park Service with contact information pertaining to this release form.

NPS Release Form 09/12/2008

NPS employees in photographs

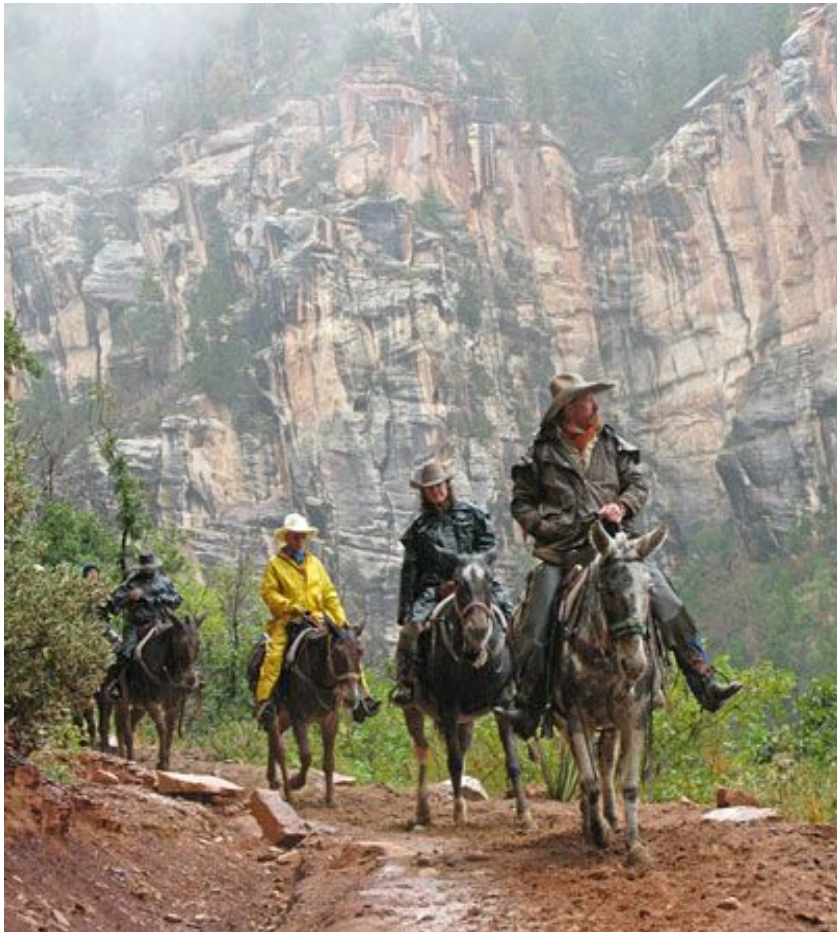
If you wear a uniform as part of your National Park Service job, wear it in photos. Wear the complete uniform according to uniform standards. If you, in the course of your NPS job, wear personal protective equipment (PPE), such as a hardhat, safety glasses, or firefighting gear, make sure you wear them properly in photos. These things contribute to your safety and you are a role model for safety equipment and clothing.

Don't wear sunglasses or ID badges like smartcards in the photos. Put them away until the photographer leaves.

Now that you're thinking images, what format should you pursue? A few suggestions:

Photo archive

Keep a file of images to help you work with media outlets, especially smaller publishers. You do not need to have copies of every picture in the park's collection ready to give out—a representative sample of the key resources, including NPS personnel working with visitors, is what's needed.



Here is an example of a great people picture. Mules and riders are coming down the trail in Grand Canyon National Park *toward* park photographer Michael Quinn. Nice shot Mike!

We recommend having quality photos available on the park web page or as handouts on CDs or thumb drives. Online photo sharing and management sites, like Flickr, are another way to make photos and video available to the media. Digital photographs, podcasts, videos, and other multimedia presentations of national parks, programs, and events are also available on the NPS Photos & Multimedia web page at <http://www.nps.gov/photosmultimedia/index.htm>. Just be aware that some of the materials are not in the public domain.

The NPS.gov Photos & Multimedia website, <http://www.nps.gov/photosmultimedia/index.htm>, and the Harpers Ferry Center Historic Photos Collection website, <http://www.nps.gov/hfc/cfm/npsphoto.cfm>, are good sources of digital images for park and media projects.

Copyright and the public domain

Copyright law is complicated; therefore, this section presents only a few of the basics.

Copyright. According to the U.S. Copyright Office, [copyright](#) is “A form of protection provided by the laws of the United States for ‘original works of authorship’, including literary, dramatic, musical, architectural, cartographic, choreographic, pantomimic, pictorial, graphic, sculptural, and audiovisual creations.”

Public domain. What is the public domain? The Copyright Office says, “A work of authorship is in the “public domain” if it is no longer under copyright protection or if it failed to meet the requirements for copyright protection. Works in the public domain may be used freely without the permission of the former copyright owner.”

Copyright law ([17 USC 105](#)) **does not** protect the works of government employees (and volunteers) created as part of their official duties. These works are in the public domain and may be freely used. However, the U.S. Government may receive and hold copyrights transferred by assignment, bequest, or another transfer method. In addition, work produced by government contractors may have copyright protection—it depends on the terms of the contract.

More information is at [Copyright and Other Rights Pertaining to U.S. Government Works](#) (http://www.usa.gov/copyright.shtml#Learn_More_and_Ask_Questions)

Photographs are not snapshots

Use a camera with about at least 10 megapixels and set it to the highest picture quality and resolution settings. If you don't have much camera experience, set the controls to automatic and keep the sun behind you.

If your park or office has a collection of high quality prints and slides and hasn't converted them to a digital format, please do. These are great projects for volunteers. It requires a flatbed scanner for prints and a slide scanner for slides and negatives, although many new scanners can scan prints, slides, and negatives.

Today's smartphone camera take pictures adequate for social media use. Resolution is not as critical in this medium; however, content is equally important.

Timeliness

Digital images can be distributed shortly after an event via email or posted on the park's webpage or Flickr site for the media to download.

Photo captions

Write complete captions for every photo or video sequence distributed. Remember these points when writing a caption:

- Never write a caption without seeing the picture or video.
- Write the caption in a complete sentence in present tense.
- Use complete names and titles, spelled correctly.
- List names in an identifiable order (left to right, top to bottom, etc.).
- Fully identify the date and location the picture was taken.
- Ask yourself, "Does it fully identify what's going on?"
- Ensure the news release and picture are not leading separate lives.
- Photoshop and other photo editing software programs have tools for recording caption information and metadata.
- Place caption information in easily accessible format when you post photos on the park website.

Photo credits

At the end of the photo caption, identify the photographer. The Harpers Ferry Center Editorial Guide has guidelines for photo credits in NPS publications. You should use the HFC credit styles for photos, video sequences, and other graphics you distribute to the media and the public. Here is the link to the guidelines: <http://www.nps.gov/hfc/products/pubs/pubs-04d.cfm>

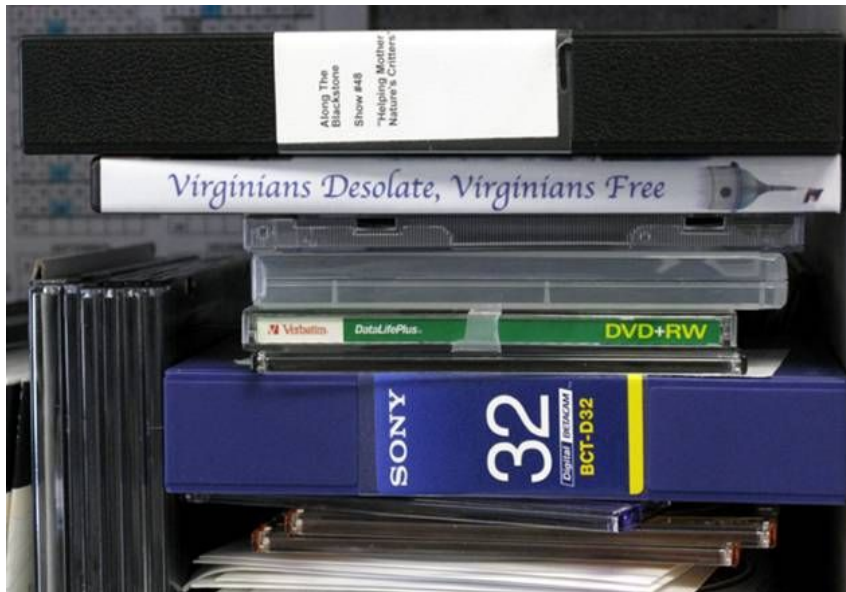
The forms you will most likely use are:

- NPS commissioned work and owns all rights: NPS / John Doe
- NPS employee or volunteer created work as part of their duties: NPS / Jane Doe
- NPS employee or volunteer takes photo or creates art on their own time with their own equipment: © Baby Doe
- NPS owns photo or artwork, which is in its collection, but original maker is unknown: NPS
- **Note:** there is a space before and after the / . See the "credit lines in publications" section of the Style Guide for the complete list of preferred credit styles.

Videography

Photography also means videography and television isn't the only outlet that uses video. High-definition or HD is the standard and there are a variety of formats, including .mov, .avi, mpeg-4. The emergence of inexpensive and high-quality HD video cameras means we should use the new video tools. Video can be uploaded to computers, edited to provide appropriate B-roll, and exported to the format requested by media.

The media love beautiful video of your park, but they're rarely in the right place at the right time to record the special moments that you see. Please take the time to capture these beauty shots, what the media call B-roll. Archive your videos as you would still photos. Type up a shot list or other description of the video, identify the people in the video, and include a note about what is going on. You can post B-roll video on your website.



Video can be recorded on a variety of formats.

Remember, as in still photographs, wear the NPS uniform and appropriate PPE properly. Put your sunglasses away.

Consult Mathew John, mathew_john@nps.gov in WASO Communications for guidance on video camera quality standards. And be sure to go to <https://sites.google.com/a/nps.gov/nps-communications-office/video-production-tips-tricks> for information on camera gear and other tips. Bottom line remember quality, quality, quality. Your video represents the National Park Service.

More information about commercial filming and photography is addressed in [Other Public Affairs Considerations](#).

07 - Interviews

Public affairs professionals are the faces and voices of the National Park Service. They, and other park officials, represent the National Park Service when the news media ask questions. This ranges from simple telephone interviews to live radio and television. The guidance offered here is applicable to any medium.

Basics

When the news media calls, be sure you know your subject and your subject matter experts whether they are in the park or a National Park Service program.



National Park Service public information officer Mike Litterst gives a television interview. NPS photo.

Besides having a handle on park and/or program issues, take the time to learn about the reporters who cover your park or program. How many stories have they done about the your park or program? Do they cover other natural resource and conservation issues? What exactly are they calling about today? Is this part of a larger story? Who else will they interview for this piece?

Reporters are rarely specialists. Good ones do research before an interview but even those reporters may have little knowledge of park operations or the reasons a particular park or program exists. It is your job to make certain the reporter understands what you are communicating. If you don't know the reporter or producer you are about to work with, look them up. Visit the newspaper, radio station or television station website. Look them up on Meltwater, Google, or another media service.

If you know the focus of the interview in advance, jot down three or four bullets. These are the main points you want to make even while you answer questions. Have your message firmly in mind before the interview starts. This reduces nervousness and keeps your responses succinct. Share the most important information early in the interview. If the reporter pays attention, those first answers can influence the rest of the interview. Transition or return to your main points whenever possible.

During an emergency that affects the public, such as a road or temporary area closure, use a simple formula to craft your message:

- What happened?
- What is the impact on visitors or the public?
- What are we doing about it?



Yosemite National Park public information officer Kari Cobb gives an interview to Telemundo. NPS photo.

Begin your remarks with a brief, clear statement that indicates or acknowledges concern, summarizes the accident or incident and its impacts, and describes the National Park Service's

plan of action. Make your important points at the beginning of each response. For example, saying, “Extinguishing the fire and evacuating the hotel are the two things we must do,” is more effective than “There are two things we must do.”

You may hear terms such as “off the record,” “on background,” and “not for attribution.” These are used to describe an interview, or portion of an interview, where the information given will not appear in print, or will not be attributed to an individual. When a reporter wants to go off the record, don’t. If you are not prepared to see EVERYTHING YOU SAY in print or on television, or hear it on radio, don’t say it. Stick to the facts and figures you know.

The sure way to avoid being quoted on something you don’t want on the public record is to avoid saying it.



National Park Service public information officer doing a live radio interview. NPS photo.

Don’t do interviews for an ego massage. During an interview, your job is to explain National Park Service policies, plans, programs, events, and services. Unless you are the subject of a personal profile - this usually happens with new personnel in key assignments or those departing such positions - your preference in china patterns or love for baseball trivia is not relevant. Your role is spokesperson for the park, the program, and the National Park Service. It doesn’t even matter if your name appears in the finished story.

Be accurate. Manufactured facts give the media two stories instead of one. Their first story is what happened or what is happening. The second story is your effort to be evasive and manipulate facts. The second story may become bigger than the first. One poorly understood fact is that the public and the media do understand human frailty. They don’t expect you to be perfect. An admission of error is rarely important news - unless it is preceded by a denial of error.

If you don't know the answer to a question, say so. Even experts need to refresh their memories. However, get the answer as soon as possible. If circumstances permit, have other staff find the answer, while you continue the interview. Don't be afraid to refer questions about other bureaus, neighboring parks, or the regional office to appropriate public affairs offices. Answer only those questions within the scope of your position.

Every reporter has a deadline for the story you're involved in. The daily media, especially on fast-breaking stories, have immediate deadlines because of the 24/7 web version of the publication. If a broadcast reporter must file a story at 4 p.m. to get on the 6 o'clock news, don't delay the interview until 3:30. The reporter needs time to return to get the story ready to air.



NPS public information officer doing an on site interview with the news media at Gettysburg National Military Park. NPS photo.

Even magazines have deadlines. Just because a story won't be published for six weeks, don't assume the reporter has six weeks to write it. Magazines often stop taking material months before the publication date. The rest of the time is taken up by printing, layout, design, and editing—all beyond the reporter's control.

Do's and Don'ts

Reporters have a job to do. Our job is to give them timely and accurate information about the National Park Service. When we understand this, we have a much greater chance of getting our messages to the public.

Some questions are so obvious you should always have the answers. This information should also be on a fact sheet and on your park web site. Some common questions include:

- Why is this place a park? What are the reasons it was set aside?
- What are your responsibilities in the park?

- Where does this park rank in the National Park System? (acreage, visitation, annual budget, and other simple facts and figures)
- How does the park benefit the local community? The nation?
- What is there to do here?
- Where do visitors come from?
- What are the park's challenges?

Provide maximum disclosure with minimum delay. When an incident or bad news happens, share as much as you appropriately can as quickly as possible. The more you can provide up front, the quicker the media will move on to another story. However, never let speed or media pressure force you to speculate, release inaccurate information, or give out information that is not yet authorized for release.

Rarely will reporters try to trick or trap you. Their credibility is tied to their byline in print and online or their performance on radio or television. They want to get the story right because failing to do so makes them look bad. They don't want to antagonize you because they know they probably will have to deal with you on some future story.



National Park Service law enforcement ranger during television interview. NPS photo.

The record is clear: most misquotes are the result of one of two failures on the part of the person interviewed. It is not a misquotation if you regret what you said once you see it in print. It is not misrepresentation if you failed to explain your point clearly, and left the reporter to interpret erroneously what you meant.

Don't let the reporter form your words for you. If the reporter says something like, "Then what you mean is..." pay attention! You are about to hear how you'll be quoted unless you correct any mistake in your next statement.

Likewise, if an interviewer tries to cut off your answer, be assertive! Say that you'd like to finish your answer before moving to the next question.

On rare occasions, you'll face a hostile interview. Your only option is to play ball and practice some damage control. If you can show a good reporter that he or she might be misinterpreting the facts or missing the facts entirely, he or she might adjust the conclusions. This isn't guaranteed. If you know a hostile story is in the works, practice fielding tough questions. Someone on the staff can play the role of the reporter.

Stop talking once you have answered the question, even if there is an awkward silence. This is how reporters will get you to offer more information than you had planned. Just smile politely and wait for the next question.

Don't repeat a hostile question. While you might not make lemonade out of lemons, you can move toward a positive response. For example:

Reporter: "Sally, your campground staff is ignoring safe water rules and letting people get sick and maybe die, aren't they?"

Wrong: *"No, we're not ignoring safe drinking water standards in our campgrounds, and I don't think anybody is going to die."*

Better: *"We're very concerned about public health. Our campground water supply is safe. We test it daily, and we've begun an investigation into what else might be causing the illnesses we've had reported."*

Acknowledge serious issues. If you are asked a loaded question, answer the question you want to be asked. Keep your message simple. (Given the complex resource and people management issues with which you deal, that's not always going to be easy.) Keep coming back to your message.

Don't overreach in trying to spin a bad situation. It is better to admit mistakes and take action to correct them. You'll get points for credibility and candor. Sometimes we make mistakes and we must own them. Here is an example statement:

"We believe a mistake has been made and our number one priority is to find out what happened and make sure it doesn't occur again. When we have completed our investigation, we will brief you on the findings and our plan to ensure this does not happen again."

Be professional with reporters and respect their time and deadline constraints. Keep appointments or provide a solid explanation if you can't. When a reporter schedules an interview, ask what subjects he or she wants to cover. That allows you time to prepare properly. Find out if the interview fits into a larger story—NPS public affairs professionals need to be well-versed in current events that could have a local angle. It is okay to ask for interview questions in advance. And, don't be surprised if the reporter comes up with additional questions during the interview.

Never argue with a reporter. It doesn't matter who wins, everybody looks bad.

Listen to the interviewer. You will not be able to answer intelligently unless you have fully listened to and comprehend the question.

If you have a schedule to keep, remind the reporter at the start of the interview. That way, no one is caught off guard when you say, "I'm sorry, but I have to leave now." In emergencies, it is understood that NPS staff time is very limited.

Word Choice for Interviews. Word choice is important for every interview and public speaking opportunity.

You may sound less credible when you use phrases like:

- "It seems to me . . ."
- "Perhaps . . ."
- "Sort of . . ."
- "I am no expert, but . . ."

How you sound:

- Be confident
- Show you care
- Control your voice
- Use rate and pauses when you speak
- Talk to the interviewer
- Use simple non-jargon language
- Do not use acronyms
- Do not be hostile or antagonistic

No Comment!

Q: A reporter asks a question and you say, "No comment." What is the reporter's reaction?

A: Suspicion. What are you hiding?

The terse “no comment,” even when said with a smile, is not acceptable. It may just blow a small story out of proportion. There are exceptions. As a matter of policy, the National Park Service does not publicly comment on personnel issues and matters that are the subject of ongoing investigations or litigation.

When there is bad news about your park or our employees, the media and the public need to hear about it from you first. If you stall or try to hide the information, you will damage the credibility of the National Park Service.

In addition, until you have confirmed information about the issue or incident, you may discuss the management process or steps being taken to resolve the problem, such as administrative responsibilities during an investigation, standard operating procedures, technical experts and/or outside organization with whom you are working, and if available, a general timetable.

What you can say instead of “No Comment”

Reporters often listen to scanners and may hear of a park incident before you are notified. Perhaps you are asked a question and don’t know the answer. In these situations, simply say “Let me check into the situation and I will get back to you as soon as possible.”

If it is a breaking story about an emergency, you need to let the public know that the NPS is competent and dealing with the situation. A response along the lines of one of these responses could be appropriate:

“The National Park Service/or PARK NAME places the safety of our visitors and employees as our top priority. Our investigators/emergency response personnel are on scene/or headed to the scene. Our attention and resources are focused on the XXXXX situation. We will have more information at XXXXX, or as more information is confirmed we will distribute it via twitter, Facebook, and/or a news release or news briefing.”

“The family or families affected by what has occurred in the park are our top priority at this time. We will provide more information to you (later today, or a specific time, or via social media XXXX).”

The NPS may be involved with a multi-agency response to an incident. Make sure you know who has the lead to speak to the media and release information. Never speak for another agency—EVER. You can talk about how the NPS is assisting the lead agency. You can talk about the special skills NPS employees have or the special equipment the NPS has deployed to support the lead agency. The exception could be when the lead agency asks the National Park Service to serve as the lead spokesperson for the event.

Wrap it up. Many interviewers wrap up with an offer of “Anything else you’d like to add?” This is the perfect opportunity to wrap up your three key messages in a 10-15-second sound bite. After

hearing all of the questions, you now know the angle of the story and you can make all your points at once.

Media Specifics

You should always ask the reporter what types of questions he or she plans to ask. While the reporter will likely ask a few different questions, you will have a general idea of the focus of the story, and you will be able to advise the reporter, in advance, if there is a question you don't have the answer to.

Take time before the interview to decide the main ideas you want to convey. This will help you stay on message during the interview. Speak in complete sentences and be concise.

The final news story won't likely include the reporter's question, so you should answer the question using full sentences repeating the premise of the reporter's question in your answer. For example: Reporter: "Why is the sky blue?" PAO: "The sky is blue because..."

With all interviews that are not live, it is okay to ask if you can answer a question again. If you know you can do a better and more succinct job, reporters will most likely welcome the opportunity for you to try again. Likewise, if you make a mistake in your response, it's okay to ask the reporter if you can start that answer over. They don't want to report incorrect information because it will negatively impact their credibility, too.

Reporters will often ask you the same question in a slightly different way, or ask you to repeat an answer, just so they can get a different angle or perhaps additional information.

Print Interviews

For a print media interview, learn about the publication's readership. Newspapers and magazines have a great capacity for reporting detail. Know the relevant details about your park or program.

When possible, you should allow extra time for the interview. Use fact sheets or other written materials that give the details of, say, budgets and staff levels. These can bog down an interview.

In larger markets or for bigger stories, a photographer or even a videographer (for their online version) will often accompany reporters.

Radio Interviews

Keep these tips in mind when preparing for a radio interview: Have a clear message in hand and be brief. While radio interviews, particularly on public radio, tend to be longer than television

stories, short “sound bites” are still appropriate. Avoid long strings of numbers and technical jargon. Listeners drift off. Weave statistics into the story or interview.

Many radio interviews take place over the phone. Don’t use your speakerphone. The sound quality is poor and background noise is a problem. Avoid portable or cellular phones for the audio quality reason.

Radio interviews via telephone — whether live or taped — are often comfortable because you can spread notes across your desk. Don’t get too comfortable and ramble but be natural enough so you don’t sound like you’re reading a news release.

With in-person interviews, the reporter will decide where the microphone is located. You only need to concentrate on clear, concise communication.

Television Interviews

This applies to any NPS employee who goes on camera. Wear your uniform to present a professional, official, and authoritative image. Before the interview, take a look in a mirror and check your grooming. Remember that gig line—make sure your shirt placket, belt buckle, and trouser fly are in a straight line. Wear your flat hat if you’re outside, but if the camera operator or reporter asks you to remove your hat because of lighting conditions, hold it in front of you while you speak. They can take other “cutaway” shots of you out in the park, with your flat hat in place, to use as a visual cover for other quotes you may have in the story. Take off the shades, especially those mirrored sunglasses. Be engaged. Smile when it’s appropriate.

Remember, anytime you have a microphone on, you are being recorded. After the interview, the camera operator may want to take a two-shot of you and the reporter talking or walking in the park. If you still have the microphone on, the camera operator is recording your conversation.

Be yourself. Think of the interview as a conversation between you and the reporter. Fake expertise or sophistication will be painfully apparent when you watch yourself on video. The camera loves people who are natural and open.

In a five-minute interview, you might get 10 seconds of actual airtime. Still, don’t just give “yes” or “no” answers. Add some detail, and when you’ve made your point, stop talking. Let the reporter fill the silence with another question.

As a rule, you should not look at the camera while you are being interviewed. Look at the reporter. Be mindful of your posture, body language, and facial expressions.

On occasion, you may be asked to do an interview and the media outlet only sends a videographer to interview you. In this situation, you may have to hold the mic and look into the camera while you give your statements. Remote interview: In rare instances, you may be live in

the studio with one reporter, and asked to look at a camera to “speak” to a reporter at another location.

Pay attention to the background. If possible, you should pick the interview site. Is your office tidy and professional? The same image considerations should be made outside. Don’t set up an interview only to have a smoke-belching park dump truck rumble by in the background. Choose a background that projects park qualities and is relevant to the story.

Student or Visitor Interview Requests

Sometimes students or visitors ask to interview a park ranger “on the spot” for YouTube or other social media sites. These types of requests often occur after ranger-led programs. Parks should apply the same guidelines used to evaluate media interview requests and to decide who will speak for the park. In many situations, the park rangers that give interpretive programs are authorized to speak about those topics to the public. However, it would not be appropriate for an employee to speak off-topic. Employees should know when to refer questions or issues to the park public affairs professional. Most student or visitor interview requests are not considered commercial filming activities that require a permit; however, the park’s public affairs and special park uses staff should be consulted if there’s any doubt.

Skype and FaceTime Interviews

At some point, you may be asked to give an interview via Skype or FaceTime. Many television outlets are using these video chat applications to capture news stories and video from remote locations or when it isn’t possible to send a live crew. At this time, the National Park Service does not have the protocols and clearances in place to do interviews with this technology.

08 - Stock Information

Your files hold a variety of informational materials that will help you work with the media and other groups. Although some of this section has been mentioned previously in this reference manual, it is grouped here for easy access. Here are four items we recommend as stock information:

The Fact Sheet

Parks should have multiple fact sheets for different topics. A fact sheet is a one-page sheet of basic information, formatted as a list of bullets. At a minimum, the park’s primary fact sheet will have the park’s age, size, budget, visitation, staffing levels, contact name and number and brief descriptions of the primary natural and/or cultural features. If a particular program has substantial public interest, such as flood repair on a major canal, a separate sheet may be needed.

The Media Kit

Each park should have a media kit. It can be printed and posted on the park website under the news section. The media kit should include a park fact sheet, historical information, the park map, media tour options, annual events, high-resolution, photos, and video B-roll.

Additionally, media kits can be assembled for specific events. Event media kits should include, at a minimum, a news release about the event, any fact sheets about the park or the specific news topic, the park brochure or park newspaper, background on speakers or program participants, and additional information reporters might need (a map with telephone and power outlets highlighted, for instance).



NPS press kit

Since having a reporter at the park to cover one event is a good chance to tell a broader story, this is a good vehicle to include recent news releases, story tips, materials on concession services and other partnerships. Don't just add items to the kit because you have them on hand. Too much information will drown out the important information. Only provide what is useful to media and what is important to your message.

The Information Packet

This differs from the media kit in that it is not prepared for a specific event, and can be used for non-media recipients. These have more emphasis on visitor services, safety tips, accommodations, food service, partnerships, and community connections. They rarely include news releases or media-specific information, but will likely include common elements like your park newspaper, fact sheet and maps.

Yellowstone National Park's summer newspaper includes a list of 10 things park visitors should know.

These packets are great for tour leaders, dignitary visits, and community outreach. They often contain briefing statements prepared by the park or regional office. Briefing statements follow a standard format. Focus on the most important information your visitor should know.

Here are two example fact sheets, one with no formatting from the WASO Communications Office and a formatted fact sheet from Cuyahoga Valley National Park.

National Parks and the American Economy

- Every dollar invested in the National Park Service returns \$10 to the U.S. economy.
- National parks play a major role in the dynamic economic engines of communities within 60 miles of a park. These engines are fueled by taxpayer investment and park visitors. Congress provides annual appropriations to create and operate national parks. People are attracted to the parks and their spending - for food and drink, lodging and other items - churns through local, regional and the U.S. economy to produce the 1:10 return on investment.
- About 273.6 million people visited a national park in 2013. They spent \$14.6 billion in park gateway communities supporting 237,600 jobs in the U.S. economy (197,000 of those jobs are in gateway communities) and visitor spending had a \$26.5 billion effect on the U.S. economy.
- Most visitor spending was for:

- Lodging, 30.3 percent
 - Food and beverage, 27.3 percent
 - Gas and oil, 12.1 percent
 - Admissions and fees, 10.3 percent
 - Souvenirs and other expenses, 10 percent
- Largest Job Categories:
 - Restaurants and bars, 50,000 jobs
 - Lodging, 38,000 jobs
- Annual visitor spending reports:
http://www.nature.nps.gov/socialscience/docs/NPSVSE2013_final_nrss.pdf
- More about NPS economics: <http://www.nature.nps.gov/socialscience/economics.cfm>
- For state-by-state information about national parks and how the National Park Service works in communities, go to [http://www.nps.gov/\[statename\]](http://www.nps.gov/[statename]), for example:
<http://www.nps.gov/virginia>



National Park Service
U.S. Department of the Interior

Cuyahoga Valley
National Park

Mailing Address:
15610 Vaughn Road
Brecksville OH 44141
Visitor Center:
1550 Boston Mills Road
Peninsula, OH 44264
www.nps.gov/cuva

Cuyahoga Valley National Park FACT SHEET

Media Contact: Mary Pat Doorley 440-546-5995, 440-343-7355 (cell), mary_pat_doorley@nps.gov

Description

Cuyahoga Valley National Park (CVNP) protects ~33,000 acres along the banks of the Cuyahoga River between Cleveland and Akron, Ohio. CVNP combines cultural, historical, and natural resources and visitor activities in one setting. CVNP is managed by the National Park Service, a bureau of the U.S. Department of the Interior.

Superintendent:

Craig Kenkel

FY14 Base Operating Budget:

10.7 million

Employees:

95 permanent; 25 temporary

Volunteers:

6,281 volunteers; 208,895 hours

Visitation:

2,103,010 (FY13)

Size:

approximately 20 miles long; from 0.5 to 6 miles wide

Acreage:

~32,950 acres total (~19,113 federal and ~13,837 nonfederal [8,962 other public land; 1,638 private; 1,321 private with NPS easements; and 1,423 private institutional ownership, such as Hale Farm & Village and Blossom Music Center])

Community Overlays:

CVNP exists within a broader context of 2 counties (Cuyahoga and Summit), 15 cities, villages and townships; 7 school districts and 2 metropolitan park districts.

Park Creation

Enabling Legislation December 27, 1974, P.L. 93-555 (Cuyahoga Valley National Recreation Area)

Name Change Legislation October 11, 2000, P.L. 106-291 (Cuyahoga Valley National Park)

Purpose

To preserve and protect for public use and enjoyment the historic, scenic, natural, and recreational values of the Cuyahoga River Valley and to maintain the open space necessary to the urban environment.

Mission

To preserve and protect for public use and enjoyment the historic, scenic, natural, and recreational values of the Cuyahoga River Valley, to maintain the open space necessary for the urban environment, and to provide for the recreational and educational needs of the visiting public.

Vision Statement

By fostering a culture of excellence, innovation, and superior public service, CVNP will be widely recognized as a leader among national parks.

The public will see CVNP as a major regional asset and national tourism destination. We will:

- Be a destination park for visitors from all 50 states.
- Provide value and positive financial impact to the region.
- Foster safety in everything we do.

-more-

- Be considered a leader and innovator in:
 - Education
 - Stewardship of resources in an urban setting
 - Visitor experience
 - Embracing and leveraging park partners for success
 - Environmental sustainability

Features/Programs

Cuyahoga Valley National Park is located within a one-hour drive of the four million people in the greater Cleveland/Akron/Canton metropolitan area. Some 250 historic structures, including residential and farming properties, are located in the park, in addition to the nationally significant Ohio & Erie Canal and the Valley Railway. Protection of NPS-owned historic properties continues with a focus on rehabilitating historic structures and the railroad, and the restoration of disturbed areas. The natural resources of the park include a remarkable and thriving wildlife population in an urban area where development continuously reduces the amount of available open space. The park offers visitors over 140 miles of hiking, bicycling, and horseback riding trails. Visitor services include the Boston Store Visitor Center and the soon-to-open Canal Exploration Center, a new attraction for in-depth canal experience and learning. In addition to regular public interpretive programs, the park also offers focused educational programs, including the Junior Ranger Program, the residential Environmental Education Center, and a strong school services program. Each winter the park hosts the Ohio Special Olympics and the Towpath Marathon. In summer 2014, CVNP and its partners will host the international Gay Games in Akron/Cleveland.

Partnerships

NPS has three main non-profit partners that assist and support the visitor experiences in CVNP. The Conservancy for Cuyahoga Valley National Park, CVNP's friends group, provides assistance with the park's cultural arts and education programs. The Cuyahoga Valley Scenic Railroad provides opportunities for scenic excursions and as an alternative means of transportation through the national park. The Cuyahoga Valley Countryside Conservancy works to manage cultural landscapes in the park through the Countryside Initiative, a long-term agricultural leasing program. Within park boundaries are numerous other publicly oriented operations, including Blossom Music Center (the summer home of The Cleveland Orchestra); Hale Farm & Village (operated by The Western Reserve Historical Society); Boy Scout and Girl Scout camps; Cleveland Metroparks; Summit Metro Parks; Boston Mills/Brandywine Ski Resorts; golf courses; and other facilities that offer opportunities compatible with NPS goals.

Ohio & Erie Canalway National Heritage Area

The Ohio & Erie Canalway National Heritage Area is designated by Congress to help preserve and celebrate the rails, trails, landscapes, towns and sites that grew up along the first 110 miles of the canal that helped Ohio and our nation grow. Visitors can experience the heritage area and CVNP using the Ohio & Erie Canal Towpath Trail, the Cuyahoga Valley Scenic Railroad, and America's Scenic Byway.

Visitation Statistics

2010	2,492,670 (#10 most visited national park site in 2010)
2011	2,161,185 (#10 most visited national park site in 2011)
2012	2,299,722 (#10 most visited national park site in 2012)
2013	2,103,010 (#11 most visited national park site in 2013)

For More Information

Cuyahoga Valley National Park: www.nps.gov/cuva

Conservancy for Cuyahoga Valley National Park: www.conservancyforcvnp.org

Cuyahoga Valley Scenic Railroad: www.cvsr.com

Cuyahoga Valley Countryside Conservancy: www.cvcountryside.org

Ohio & Erie Canalway National Heritage Area: www.ohioanderiecanalway.org

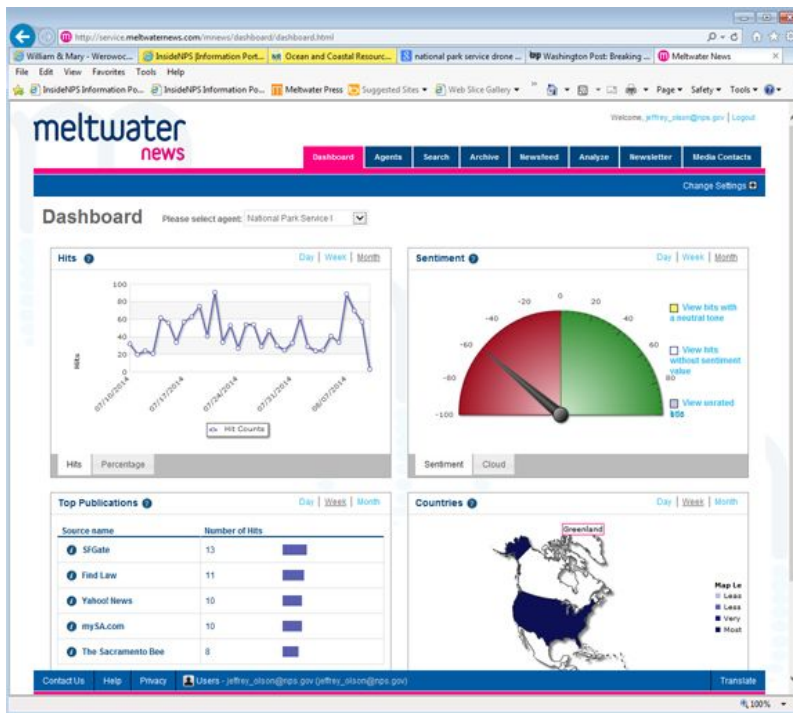
Updated 3/25/2014

Distribution of Public Affairs Materials

Who should receive your news releases? We'll assume that your audience is fairly local and that you're announcing new summer hours, not naming a new director. Please remember to inform or share the news release with NPS employees, concessioners and other partners.

Media Lists

Before you start a media list, check with your regional public affairs office to see if they can build a list in Meltwater or another subscription service. WASO and regions subscribe to Meltwater.



The National Park Service uses Meltwater News services to identify news media to target for news releases and to track news media coverage.

If you start from scratch be sure to find out which newspapers are sold around your community. Include weeklies and “shoppers” if they run local news. The same goes for radio and television, including cable stations and community access stations. Add bloggers to the list at your discretion. Make sure your regional public affairs officer is on your list, too. For regional, national, and international news outlets call on the regional office for contacts. Don’t forget foreign language media outlets. Additionally, you may want to build a trade media list. For instance, you may want to send information about new trails to hiking or outdoor recreation publications.

The primary media list is an email list. Reporters like to get information by email. It’s easy to send, reporters can read (or delete) quickly. What’s the downside of email? Your park reporter may be off that day. Be sure to have a back-up contact at each media outlet.

Use your website and social media sites to post news releases, photos, current park conditions, and other information. The WASO Office of Communications executes social media posts at the same time news releases are emailed to reporters and editors and posted at nps.gov. Archive news releases when they are no longer newsworthy.

Let reporters, editors and producers know the information is on your website by including your web address at the bottom of the release.

09 - Staging Special Events

Special events are designed to bring public attention to a new facility, program, policy change, or plan that otherwise might not attract the immediate attention of the media and public.

News Conferences

News conferences offer the opportunity to bring the National Park Service message to a wide audience. The format increases the odds that many, if not all, local media outlets will attend because none of them will want to miss a chance at news the others may cover. It's a time when reporters ask wide-ranging questions.

When to hold a news conference

Hold a news conference when you have actual news to share with more than one audience. Reporters will not come to your next news conference if you do not have real news this time. If you can easily sum up your main points in a simple news release, do not hold a news conference.



Golden Gate National Recreation Area Superintendent Frank Dean talks with reporters during a new conference to announce alternative energy projects at Crissy Field. Alexandra Picavet, NPS photo.

What to do before scheduling a news conference

- Know who your spokesperson is going to be and what points they are going to make
- Prepare responses to questions you expect to be asked, just as you would for an interview
- Have your spokesperson practice for the news conference with public affairs staff playing roles as reporters
- Choose your date, time and location carefully. Make sure there will not be any conflicting events that will draw the media attention away from your story. Due to media deadlines, mid-morning or early afternoon news conferences work best for reporters. The location must be easily accessible to the media and able to support their equipment but should also showcase the natural and cultural resources that make your park special
- Invite the media. Be sure to remind them about the engagement the day before the news conference.
- Have media kits available for reporters shortly before the news conference begins, and you may post the information online after the conference. If you post it early, they media may be less likely to cover your event

- If necessary, have the necessary logistical equipment, such as multi-boxes or lighting platforms, ready before the news conference begins

The news conference

- Keep track of the reporters in attendance. Use a sign-in sheet to get their contact information and add it to your media list.
- Keep statements short and to-the-point.
- Let reporters know how much time you have for questions.
- If the PAO is not the spokesperson, have them facilitate the news conference by introducing the speaker or speakers with the full names and spell them in the order they will be speaking.
- When participating in a multi-agency news conference make sure each agency knows their roles, who has the lead, and who will be speaking about what.
- As mentioned in the previous chapter, never speak for another agency. There may be times that the lead agency may not speak first. For instance, if there has been a major accident on a highway that goes through your park, the state or federal highway representative may speak first. The general rule is whoever has the newest most important information speaks first.
- The public affairs professional will also set the ground rules and alert the media when there is time for only one more question.

After the news conference

- Distribute any helpful background materials and follow up with any reporters who have asked for additional information.
- Analyze the coverage to see if you were effective in communicating your message. If you were not, evaluate what could have been done differently, if anything, so you are more effective next time.
- Immediately address any errors or misstatements by reporter(s). First, call the reporter(s) and explain what you think is the error so there is time to fix the story before the next news cast or before it is uploaded to their web page. If the reporter refuses and you feel you are on solid ground, call the news director and make your succinct case with facts to back it up. This should be done only on rare occasions and only when there is an error. Never call the news director simply because you or other spokespersons did not “like” the story.

Public Meetings

We hold public meetings to inform and hear from the public and stakeholders about pending park decisions. Some meetings are required by federal law. NPS policies and guidance on

civic engagement and public participation and involvement are found in chapters one and two of [*NPS Management Policies*](#) (2006); [Director's Order #12: Conservation Planning, Environmental Impact Analysis, and Decision-Making](#); and [Director's Order #75A: Civic Engagement and Public Involvement](#).

listens to two guests at a public

Kerry Vincent, Cuyahoga Valley National Park,

meeting. Dennis Hamm NPS photo.

Our job as public affairs professionals is to help park managers plan and conduct public meetings and interact with the news media. At times, the planning division may handle most of the logistical considerations and the PAO's role will be to guide management. More often than not, the public affairs professional will have to do both.

Planning is essential! Create a checklist (use the Special Events Checklist Sample in the [Tools and References](#) section) and timetable for the details to suit your park and revise it as your meeting plans become more certain. They are the basic means to check and double-check every facet of the program.

Use a news release to announce and explain the purpose of your meeting. In addition to a news release, public meetings may require a legal notice in news outlets and may allow purchase of display advertising. Refer to the Department of the Interior policy on advertising in [470 DM 1, section 1.6 \(M\)](#) and consult with your regional public affairs office for advice on how this is done. Also consider other ways that you can use (or that may be required) to reach your audience — the park website, the [NPS Planning Web Page](#), the Federal Register, bulletin boards, friends groups, using local organization newsletters, and online social networks.



NPS staff at Jefferson National Expansion Memorial hold a public workshop in the Old Capitol in St. Louis. NPS photo.

A public workshop is an informal gathering. It typically involves the park staff associated with the project and perhaps a specialist (say, a Denver Service Center planner) who talks one-on-one with workshop attendees about their ideas.

A public meeting has an agenda. It usually calls for a presentation of the document or topic by an NPS official, followed by questions and comments from the public and the media.

An open house is a public meeting with a variety of subjects and no set agenda. Often several subject matter experts staff information tables with maps, posters and fliers. This format fosters dialogue and public participation. Media may cover the meeting, and look for projects that warrant further coverage at a future date.

A formal public hearing is one of the few times it may be prudent to hire a court reporter and to establish guidelines for speakers. For details about the planning process and National Environmental Policy Act requirements, refer to chapter two in ***NPS Management Policies*** (2006) and [Director's Order #12: Conservation Planning, Environmental Impact Analysis, and Decision-Making](#).

Be prepared - expect the media to look for you or a subject matter specialist before or at the end of a meeting or during a break. Television stations might cover your meeting live, or plan to put a report on the late evening news. Designate a spokesperson to go on camera or work with print reporters. As a rule, you should grant additional interviews along with the formal presentations. There may be times, for instance during an emergency, these requests would not be granted.

Other Special Events

This category includes park anniversaries, dedications, grand opening of new facilities, and reopening of restored or rehabilitated facilities.

It is NPS policy to manage events, particularly large-scale events, using the Incident Command System (ICS). Refer to [section 8.6.2.1](#) of *NPS Management Policies* 2006, along with [Director's Order #55: Incident Management Program](#) and [Reference Manual #55](#). Decide early in your planning if the park will manage the event or request one of the NPS Incident Management Teams.

Time, Date and Place

As early as possible, select a time and date for the event. This should fit the schedule of the key speaker or participants. Reserve the location and make a tentative list of people to be invited as guests. Make sure your program date does not conflict with other events that might siphon off media or key guests.

The PAO may serve as a member of a team, or may be asked to develop, plan, and manage the event. Outline a program, planning how you'll handle guests, who will be asked to speak, what if any entertainment needs to be arranged, and the logistics—things like hotel space, parking, and equipment rentals. This is also the time to plan for weather contingencies. Even indoor events can be affected by weather. Are you planning to have people park on soggy grass? Walk or stand outside through inclement weather? Provide a shuttle service?

The Lincoln Memorial a few hours before the program to commemorate the 50th anniversary of the March on Washington. Jeffrey Olson NPS photo.

the

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Involve the WASO [Office of Legislative and Congressional Affairs](#) and your regional legislative affairs person if the event will (or should) involve members of Congress or local congressional staff.

Invitations

Speakers and other dignitaries deserve a special invitation with an RSVP. Make sure your invitation list is complete, but keep in mind the platform requirements and the length of the program. Only the very rare program will run more than 60 minutes. If your event warrants the appearance of the NPS Director, other members of the WASO Directorate, the Secretary of the Interior, or members of Congress, their letters of invitation should be coordinated through the regional public affairs office. Invitation letters should not only include the time, date, and place of the event, but the role you want the invitee to play. Include a description of the event, its significance, anticipated audience size, other speakers, media coverage and related events such as lunch, tours or receptions.

Protocol

Protocol often dictates who will be the master of ceremonies. Generally it is the highest ranking National Park Service official. This is an important role and one that might not be determined until a few weeks or even a few days before the event. Speakers should be chosen for their relationship to the project, their position, and their interest in the event. Be sure to consider their ability to speak.

Obtain firm commitments from the speakers, then follow up to provide additional information, such as the expected length of their speech, a topic, details of transportation, accommodations, and any special needs. (Don't forget to find out if they will be accompanied by spouses, children or others who might need special seating or transportation.)

Prepare a scenario for the program and related events, keeping in mind that someone must be in charge of each aspect of the program. It doesn't need to be the same master of ceremonies, but someone must be responsible for moving the crowd from the ribbon cutting to the tour to the food and so forth.

Prepare a detailed, timed script for the program. This will almost always be a work of fiction, but it helps keep everyone on track. This script is for the master of ceremonies and other park officials who have event management roles.

Assign people to meet arriving guests. These escorts should be in uniform. It's our show, and we want to look our best. If you are short on staff, use volunteers to help direct traffic or seat other visitors.

Always allow speakers time and a place to rest before they appear on stage, especially if they are traveling some distance. Let them know where the bathroom is if they need to freshen up or change clothes.



Exiting the green room at the Lincoln Memorial in Washington, D.C.

Always set aside a "green room" for speakers and platform guests to gather before they go on stage. Make sure they know to be at this location. A green room gives the event coordinator a sure way of knowing everyone has arrived and a place to inform guests of any last minute program changes. The green room could be the superintendent's office, a neighboring building, or even a quiet, roped-off area behind the platform.

Media Arrangements

Lead time for special event planning varies. We may have months to plan park anniversaries and only a week to prepare for a visiting dignitary. Alert the media as soon as possible.

If possible, issue a general news release about two weeks before the event. This will alert the media and the public that an event is scheduled.

About a week before an event, issue a media advisory describing the elements of the event that most merit media attention. This will provide the basic outline of the event and describe any special information such as media parking, satellite truck parking, availability of audio feeds and any special news conferences or press availabilities for the principal guests.

A few days before the event, send out a media advisory dealing with equipment placement, credentials, and other issues. Prepare a press kit to give to those covering the event. You may

want to notify some types of media even sooner. Magazines usually require a longer lead time to publish event information.

The Platform

Platforms are used so the audience can see and hear the speakers. They are usually raised off the ground. One of the first considerations is a platform large enough to handle the principals.

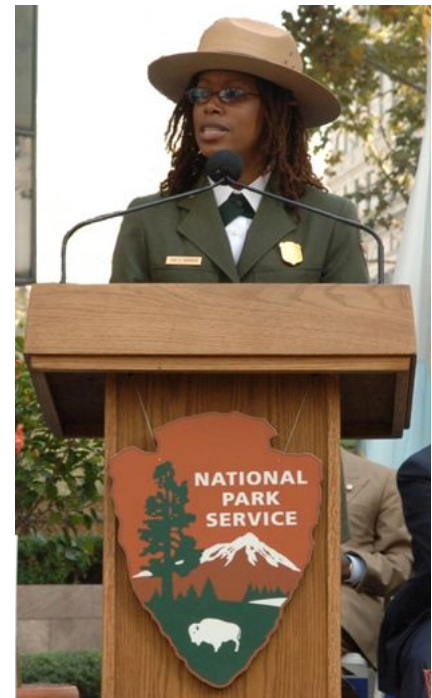
Keep the number of speakers to a minimum; find other ways to recognize “second tier” guests. Remember that each platform guest must be introduced. This takes time, even if the introduction is brief.

Be sure lighting is adequate across the entire platform. If the event is outside, consider where the sun will be at the time of the event. Consider the speakers and the audience; no one wants to squint into the sun.

If photographers or television crews will cover the event, make sure the lighting meets their needs, and are not trying to add light stands at the last minute.

The **dais** (Day-iss) is the raised platform for guests. A **podium** is a small platform where the speaker stands.

A **lectern** is a slant-topped desk, often equipped with a light, on which the speaker can rest their notes and a glass of water. The lectern may be on an open pedestal or be an enclosed stand. Part of your planning is to determine what is required. Your decision will also affect the choice of a sound system and will affect media coverage as well.



Rock Creek Superintendent Tara Morrison.

A word of advice on sound systems: You may think your park owns an adequate system that's compatible with modern media needs and produces clear sound for a large outdoor crowd. Check if this is really true. You may find yourself breathing easier if you contract out the sound portion to a company that specializes in staging outdoor public events. The sound system should also be able to meet the media needs to install a mult box.

Special Needs, Accessibility, and Safety

Plan for a special media section if you're expecting large numbers of reporters or several television cameras. If you're unsure what the media needs, invite them to come out ahead of time and work with you on pool equipment, locations, utility needs, and lighting. Make sure the media do not block the view of the audience.

You'll often need special items such as scissors, a shovel, ribbons, plaques, awards, bunting, and other decorations. Get a list of these together well in advance of the event. We can all find scissors, but does your town sell red, white and blue flag bunting in January?

Line of port-a-potties on the National Mall in Washington, D.C. NPS photo.

Make sure there are restrooms nearby. If you're going to use the visitor center or campground restrooms, don't expect an extra 750 people to wait in line. Rent some portable toilets and hand-washing stations. Provide extra trash cans.

If you've set up special parking arrangements, make sure you've set aside adequate space for accessible parking and adequate accessibility. Wheelchairs and those attendees using walkers or canes will need a reserved seating area with room for their equipment. Does the situation warrant an interpreter for the hearing impaired? Make sure that medical attention is available. This means not just a first aid kit, but room for an ambulance to get to the event. Outdoor events might benefit from a tent or canopy so that guests or visitors can be protected from hot sun, rain or other inhospitable conditions

Ensure there are no tripping hazards from power cords or other equipment.

After the Event

You may consider having refreshments. At a minimum, water should be available. Make certain that any perishable food can be properly stored. Check with your administrative officer to ensure you are able to fund refreshments for the event. There are strict guidelines about this and what we can ask our partners to do.

You may plan for tours or other programs after the event. If your visiting dignitaries decide at the last minute that they would like a tour, make sure you have transportation or escorts available.

Forward news links to your speakers, especially those from out of town who might not otherwise see the local paper. Always follow up with thank you letters to participants, volunteers, and visiting NPS staff.

After the last paper cups have been picked up, evaluate your efforts, and ask what went right and what went wrong. Write up a simple report and offer it to other parks or the regional public affairs office. Your experiences, good and bad, may help other parks.

10 - Crisis Communications

Note: This section does not describe the NPS Incident Management Program (and use of the incident command system-ICS) or Wildland Fire Communication and Education techniques in detail. More information about these programs and procedures is in [Authorities, Policies and](#)

[other Guidance](#) and [Tools and References](#). Communications in the Law Enforcement Reference Manual can be found at <http://classicinside.nps.gov/documents/RM-9%20May%2020092.pdf> (RM-9)

This chapter provides an overview about crisis communication that every public affairs professional needs to be equipped to handle. It also provides templates to guide your actions during a crisis. The templates also give you a chance to practice crisis communications.



The explosion, fire and months of crude oil gushing into the Gulf of Mexico in the spring of 2010 was an environmental crisis that affected the National Park Service and the natural, cultural and historic resources along the Gulf shores in our care. US Coast Guard Photo.

So, what is a crisis? A crisis is a significant threat to operations that can have negative consequences. The consequences may be of short duration or long lasting. The BP Oil Spill in the Gulf of Mexico (above photo) was a crisis. Hurricanes smashing park structures and endangering the lives of employees and visitors are crises. When park visitors lose their lives climbing mountains or rafting in white water or in an automobile accident - these are crises too. We can cause a crisis because of actions employees take that may be poorly planned and executed or that are perceived as poorly planned and executed. And the consequences of self-created crises may last for years.

There's nothing like crisis and controversy to alter the life of a park and its employees, concessioners, contractors and visitors.

Much as the automobile mechanic has tools to make repairs, communicators have tools to deal with crisis and controversy. The first tool is the ability to keep cool.

Crisis communication is just part of your overall strategic communications plan. When a crisis happens, remember the mechanic, and use the tools to keep people informed.

Crisis communication is still part of the overall goal to ensure that the public understands and supports what we do on their behalf.

Remember that perception is reality. *“We may have control of an incident operationally, but if we don’t communicate effectively with the public, we may be perceived as being inept, ineffective or the cause of the incident.”*(Barb Stewart, NPS employee, now retired)



Workers from many local, state and federal agencies, including the National Park Service, worked on the Deepwater Horizon oil spill recovery. Here a team of workers scoops up crude oil on June 23, 2010, from a beach at Pensacola, Florida. USAF Photo.

Just as it’s a good idea for superintendents and public affairs professionals to get to know the local media before a crisis, it also makes sense for the park staff that will be on the front lines of an emergency to know how to deal with media. Reporters and photographers are in a competitive, deadline-driven world. Confrontations with rangers or others at an incident can turn ugly in a hurry, and the ill effects can last long after the incident.

When the response team practices the medical or logistical steps needed to respond to an incident, ask a public information officer or public affairs person to help by playing the role of reporter. Practice how you’ll respond to requests to get close to the action, interview survivors, fly in your helicopter, walk the fire line, or photograph the flood damage. Make sure the staff understands why you make the media-related decisions you make, and that you appreciate the consequences.

Before a Crisis Develops

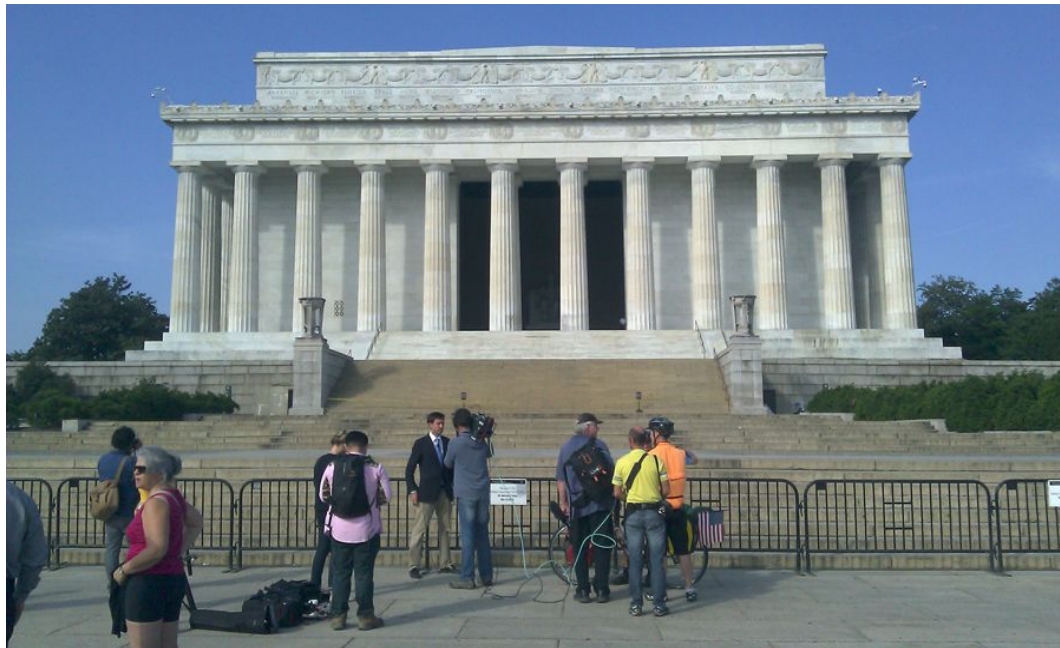
Please get to know reporters before a crisis occurs. There is a tremendous advantage for you if you have a positive relationship with the media before times of crisis. When difficult or bad things happen in your park, reporters will have previous positive experiences with you as a backdrop to going to work on a disaster or crisis. You’ve given them solid, accurate information in the past so you will be looked at as a trusted source.

If you are new to your park or office and haven’t introduced yourself to the media yet, do so as soon as possible. Offer them a tour of the park or office facilities. Let reporters know your credentials—your background and current duties. If you haven’t met reporters before the crisis

you *will* have a relationship with them. You'll be the new guy or gal on the block, the untested and maybe the yet-to-be trusted source. This is territory you can easily avoid.

Managing media access

We have a job to do in an emergency or crisis and accommodating the news media, while important, is not the first priority. Park managers are first concerned with securing an accident or incident scene, employee and visitor safety, and resource protection. If and when the news media arrive, have a designated area for them to park satellite trucks and, if possible, an area for them to interact with a park spokesperson for briefings.



The news media was quick to arrive at the Lincoln Memorial in Washington, D.C., as the Federal Government shut down Oct. 1, 2013, due to a lack of funding. NPS Photo by Jeffrey Olson.

Timely response in a crisis

When controversial news happens in your park, you must work with facts and you must work quickly and efficiently. Rumor often outruns reality and you must overtake gossip. It's your job to get people—including reporters—back to the facts. As mentioned previously, provide maximum disclosure with minimum delay.

First: Designate one spokesperson. If this is a major crisis involving other agencies, determine if the NPS has the lead.

Second: Your spokesperson must be fully informed and credible. He or she should be the quintessential “quick study.” The spokesperson’s qualities include the ability to retain detail and to react smoothly in pressure situations.

Third: Give your chosen spokesperson a chance to function in the role before disaster strikes. Emergencies are lousy training grounds.

Fourth: Make sure your employees know who the spokesperson is and that the spokesperson is the only one who speaks to the media or the public for the National Park Service. Your employees should know this from the day they start work at the park. Public affairs professionals should work with their HR counterparts to ensure this is included in new employee orientation. Employees should all know what to do if approached by a media representative.

A single source of information is essential in an emergency. It sharply reduces the likelihood of conflicting or confusing “official” statements. The spokesperson is only as good as the information he or she gets. The public information officer is usually the proper spokesperson. If you choose someone else, his or her information comes from the information officer, not the field staff at work on the problem. The information officer, in consultation with top management, knows what information should be released.



Sea turtle experts engaged in the response clean a small Kemp's ridley turtle with a toothbrush. There were many wildlife rescue stories in the news media in the aftermath of the Deepwater Horizon oil spill. Photo by University of California, Davis. June 6, 2010.

Initially, reporters will accept the fact that one person speaks for the National Park Service on this crisis. They will soon want to talk to the people involved with the crisis: the firefighters, the park ranger who discovered a tragic car wreck. They quickly want a story beyond basic facts. They want drama because their editors and producers want drama because drama draws viewers, advertisers and profits. The superintendent is responsible for management of a disaster situation. This responsibility may be delegated to a chief ranger or other official. That may mean the activation of a park incident management team or bringing in a team. In any case, the public information effort supports and explains the management program.

In some cases, a reporter's first contact with a park comes during a crisis. The reporter will be impressed, positively or negatively, depending on how we react to the crisis, and how we supply information. The alert spokesperson will cultivate these “new” reporters after the crisis has passed. Have fact sheets or media kits on hand to answer the basic questions for the media.

First word of disaster doesn't always come from us. When we are in a position to make first contact with the media, be sure to have enough information to convey the scope of the calamity. You'll have that information when you know what happened, who was affected, when it happened, how it happened, where it happened and if possible, why it happened. Reporters will also want to know the human and capital costs of the crisis.

Don't forget: Your crisis is a reporter's crisis, too. Reporters are under pressure to give clear, concise, up-to-the-minute reports. Regardless of the medium in which they work, reporters have deadlines.

Tips to Remember When Dealing with Crisis

Be the first and best source of information - for the news media and NPS employees.

- You will have the first and maybe the only chance to define the issue and shape the message so the media understand the National Park Service side of any story.
- Good sources are always in short supply. They're invaluable in crisis because a reporter has time to interview only two or three people.
- Provide timely, accurate, consistent, and complete information to all media.
- Identify unique story angles. If the incident is prolonged, media need new and different angles.

Work with the community to get important information out. Tools include:

- Visitor centers, web sites and email.
- Community leadership, community meetings and tours.

Reporters look to other sources for information about the crisis:

- Victims tell compelling stories but may not be wholly accurate
- Interest groups will have their point of view and agendas
- Eyewitnesses may provide views similar to victim descriptions
- Subject experts may have an agenda if tied to interest groups
- Local residents may be friend or foe for reasons unrelated to the incident
- People working on the incident who may not have the latest information

Other ways the story might reach the media:

- Cellular and satellite phone calls from public
- Eyewitness video and still images,
- Internet and email links
- Emergency communication scanners

Establish positive media relationships (reminders of major points):

- Respond promptly. Old news is bad news
- Lead them to good sources of information outside the NPS

- Anticipate the hard questions. Anticipate incident information needs with general fact sheets, pictures, maps, etc.
- Structure your response
- Know your messages
- Put complex information and figures on paper
- Talk to the reporter before the interview. Find out areas of interest, let them know what kinds of things you're prepared to talk about or unable to talk about (names of victims, for instance).
- Never go off the record
- Your appearance and voice should reflect the seriousness of the situation, so be in full uniform or other proper attire
- When you're done with your message, stop talking
- "No comment" is not an answer NPS public affairs professionals or spokespersons should use

Predictable Demands

Radio stations will want tape-recorded interviews. They can usually get these by phone.

Newspapers and wire services will want facts in depth.

Television and still photographers will want to take pictures. Depending on the incident, maps are often very useful in communicating information.



Public affairs specialist Bobbie Visnovske of Grand Teton National Park on June 23, 2010, at Langdon Beach in Gulf Islands National Seashore, answering media questions after a baby dolphin washed ashore and was transported to a recovery center. The dolphin, found by a family of visitors, died enroute to the center an hour away from the park.

The spokesperson can expect to spend a lot of time on the telephone. Especially at rural parks, most reporters will be too far away to cover an emergency in a timely manner, unless the emergency is expected to last for more than a day. In urban parks, news crews may arrive along with the first rangers.

The public information officer will need exclusive access to a telephone and a computer terminal with email capability. (A printer can be shared, but must be nearby.) He or she must be able to work away from the eager eyes and ears of reporters.

The media will need an “information central.” If a couple of local reporters show up, “information central” might be as simple as a quiet corner of the visitor center. In a big event, you may set up a formal briefing area. Regardless of the scale, there should be a space that allows reporters to work without interfering with the emergency or normal park operations. Before any incident, know how, and if, you can provide reporters the basics: phones, good lighting, work tables, chairs, and electrical outlets. It is our responsibility to tell reporters where they can find the nearest phone (because some parks do not have good cellular access), where a satellite truck might get the best reception, or where to find the best view, an electrical outlet, vending machines, or the rest room. They are on our turf, doing a job that will help us if we help them do it right. The more complete their information, and the sooner it is available, the better they can inform the public.

In short, have a plan. Crises don’t conveniently happen when the right people are at hand. Preparation can minimize problems when another person must step in (whether that is an acting superintendent or an acting media officer.) Make media training available to all employees who might have to work with the media before a crisis occurs.



A serious automobile accident can quickly turn to crisis in a busy national park at the height of the summer travel season. NPS photo Grand Teton National Park.

Here are some commonly asked questions. Experienced NPS employees in crisis communications use these when gathering information about the incident.

- What happened?
- How did it happen?
- Where did it happen?
- When did it happen?
- Were there any fatalities?
- Was anybody hurt?
- What happened to them?
- What are their names?
- Where are they now? Are they receiving treatment?

- Whose fault is it?
- What are you doing about it? What are you going to do?
- Was your facility damaged? How badly?
- Were other structures/areas damaged?
- Is it over? What else could go wrong?
- Has it happened before? When? Where?
- Why didn't you prevent it from happening again?
- Did you know it might happen again? Why didn't you warn people?
- How is this going to affect your park?
- What are you hiding?
- Who is going to fix it?
- Are other authorities involved?
- Could it have been worse? How?
- Could it happen again? Will it?

The Usual Sequence of Events

Incidents often follow the same sequence regardless of the nature of the crisis. Here's a typical sequence:

- You recognize an event has happened.
- Your public information officer gathers as much information as possible and heads to a computer to create a news release. This won't be fancy but it must be accurate. It needs to have the basics known at that point — who, what, when, where, why and how — if that information is available for release. It can acknowledge that more information will become available.
- If some of the basics have been broadcast over park radios, the park is likely to receive inquiries before the release is complete. Have someone other than your PIO answer the calls to collect names, email addresses, and phone and fax numbers. This person should not answer questions related to the incident or confirm information. They should advise the reporter that the PIO will have information to them shortly and will continue to update the information. It is important for the park to manage information and how it is released, whether through news releases, briefings, press calls or social media. Several parks regularly update the media through Twitter, which cuts down on the number of press calls.
- With serious ongoing incidents, a daily briefing combined with social media is effective in keeping the media apprised of the situation.
- Here are your most likely "customers" in a crisis:

Wire Services: The Associated Press (AP), Reuters, and United Press International (UPI) reach almost all news media. Put their local bureaus at the top of your list since they reach the most people.

Radio Stations: They deal in instant news and are the quickest ways to spread news fast. Call the local ones. Call the all-news radio for your area first.

Newspapers: Reach the daily papers first, unless the weeklies are the closest media outlets. Almost all newspapers report breaking news online now.

Television: Local stations only. They'll feed to the network for a really good or really big event. They might interrupt regular programs to report news of a breaking incident.

Internet: Work with the regional public affairs office to decide if the incident warrants attention on a regional or WASO public affairs home page. Follow established procedure to add it to your park's home page.

The first inquiries usually come by phone. If the disaster is serious enough, the media arrive in person. Be ready for them. Have a place for satellite trucks to park. Have them parked where **you** want them, not where they want to park. Figure out the best location for photographs and potential backdrop for a news briefing.

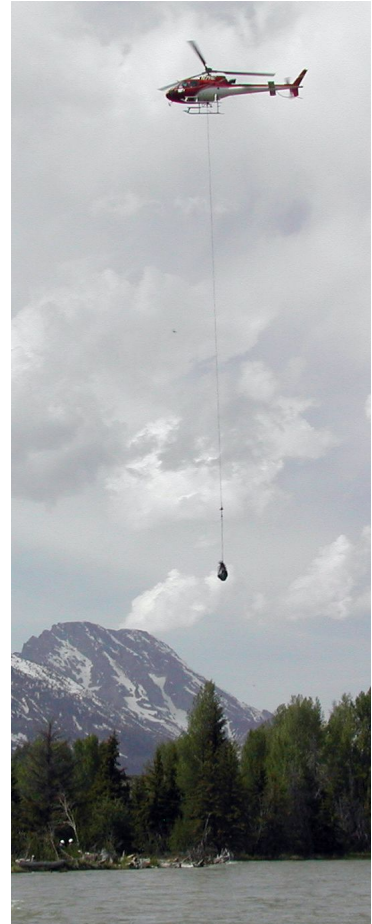
As media arrive, be aware of the incident scene. Law enforcement and emergency responders will have set up a perimeter to keep people out of an accident scene.

For multi-day incidents, establish a briefing schedule so the incident managers can cover basic updates once for a group of reporters. Individual interviews with principal incident managers will also need scheduling.

After a long or serious incident, expect media post-mortems. As the incident winds down, think ahead about how the park will answer questions: Why did this happen? Was there an adequate response? Will it happen again? Is the public safe?

Information and message management

As noted, sometimes it is desirable to hold a news briefing, rather than individually answer questions from several journalists. This is particularly true if you want to make available the incident commander or another top management person who has too many other responsibilities to conduct lots of individual interviews.



Pick a convenient place and time for this gathering. Spread the word. The wire services can distribute an “editors advisory” for you or post it on a “daybook.” Daybooks are used by larger media organizations to list important news events. Also, notify the offices of the news organizations you know are covering by phone. Try to schedule the briefing so it meets the deadline needs of the greatest number of news outlets. Otherwise, you’re not helping the media or your park.



The news conference or media briefing offers some message control capacity during a crisis. Once-a-day briefings during a crisis allows the communications staff to focus on gathering facts and staying on message instead of doing dozens of interviews with individual media outlets. NPS Photographs.

It’s smart to make a separate media advisory to announce this briefing. Make it clear that this is a news conference, not a public meeting. Make sure all news releases or advisories on the event have a different and pertinent headline, release date, and if necessary, time.

At a news conference (see [Staging Special Events](#)), hand out a news release shortly before the speaker begins. The information in the release will parallel the prepared statement you give at the start of the conference.

After giving a statement, allow time for questions from the media. You can have more than one speaker or subject matter expert on hand to answer questions, but keep the numbers small. You’re adding confusion rather than value by having several speakers.

Have an exit strategy—know how much time you’ll spend, and let the media know when it’s over by saying “I’ll take two more questions.” Keep in mind the earlier advice for interviews; a news conference question session is simply a series of several short interviews. And like an interview with a single reporter, rehearsing the likely questions before the news conference will allow you to be more relaxed and credible.

Pooling

Sometimes it is impossible to transport all the media to the scene of a disaster or for reporters to get there on their own. Common practice in these cases is to establish a “pool.” The reporters who get to go share their information and pictures with those who are left behind.

In certain instances, when the number who can be accommodated is small, the pool might be restricted to a television camera operator and a newspaper or wire service photographer. Usually the pool will include representatives from each type of media. Call the media together. Tell them there is a pool opportunity. Ask them to work out among themselves who will go and how they will share afterwards.

The media compete with one another. They don't like pools, and you will suffer if you have created an unnecessary pool situation. However, if there are no reasonable alternatives, they will understand your decision.



NPS public information officer answering questions from a television news reporter. NPS Photo.

If you are stuck with selecting the pool representatives, go with the largest organizations on the theory they are better equipped to provide timely duplicates for the rest—but make sure they agree to do so! It is also advisable to select one representative from your local media who probably knows the park and its day-to-day workings. That way you cannot be criticized for ignoring your communities. If the event lasts for multiple days, consider rotating different media in and out of the pool or drawing media outlets randomly each day.

If transportation is required—such as beyond a roadblock or into the backcountry—consider who will provide transportation and address any safety issues. If we fly them in our helicopter (a contract ship, most likely), don't charge them for the ride. If there's time, tell reporters what

safety gear or other items they need to bring—otherwise the park may need to come up with extra personal protective equipment (Nomex or hardhats).

Remember, too, many of the reporters have been to more catastrophes than you—and maybe more than the park’s emergency responders—have. They do not want to be injured or killed. They do want a story. Various state laws protect them from being prohibited from going places to do a story. You do the National Park Service a disservice by unnecessarily restricting access.

You should give reporters warning of hazards they may encounter, and make sure they know of any required or recommended protective equipment. When access restrictions are imposed, work to make sure the media understand that there are compelling reasons (such as a crime scene investigation or an air space closure to ensure the safety of aerial tankers during a fire.)

Credentials

Large, complicated events with multiple organizations and public information officers may push us to limit media activities and require the media to prove who they are. Think hard before requiring credentials other than the normal business identification that most legitimate news organizations issue. Doing your own credential work isn’t easy, can quickly cause more problems than it solves, and is not recommended.

Incident Management Teams

When the emergency is a big one, the superintendent may activate or call in an incident management team. If it is your own park-based team, make sure that it includes a public information officer. This may be you or someone else in your park. If the team is being called in from “away,” it is likely the team will have a public information officer, but make sure; some “short” teams don’t. If the incident is at all likely to interest the outside world, we recommend a PIO.

Having an incident management team with a PIO from outside the park allows a park public information officer to:

- Continue his or her usual tasks—an emergency doesn’t often affect the normal flow of visitors or park programs.
- Serve as a liaison between the team and the superintendent (such as attending planning meetings, deciding who will do the interviews—remember we like the NPS uniform out there on the news).
- Strategize with the superintendent on the public affairs aspects of the disaster (such as, can you use the disaster to tell other park messages and when and who notifies the Congressional delegations?).
- Provide support and local knowledge to the team information function (such as community relations, internal park communications).

The team information officers can take the burden of providing factual information to inquirers, while park and regional management take on the more sensitive policy questions from the media and elected officials.

Spokesperson: Do This – Don't Do That

- **Don't delay.** Time is crucial to you and the media. Beat the rumors.
- **Don't speculate.** Speculation that proves wrong can be interpreted as a lie. Your job is to reduce chaos and misinformation—not to contribute to it.
- **Don't keep secrets.** Where facts are known, tell them, unless you have a good reason not to. If there is reason to withhold facts, tell the reason.
- **Don't ad lib.** You may think there isn't time for a formal news release, but there must be time to organize coherent notes so you can tell the story correctly. Use these notes to make a statement and prepare a quick advisory to fax out.
- **Don't joke.** They fall flat and rarely translate well in print. Morbid humor may relieve tension, but the official spokesperson must reflect the solemnity and severity of the situation. The friends and relatives of victims are rightfully intolerant of those who make light of their troubles.
- **Don't neglect to follow up.** Note every question for which you have no immediate answer. Get the answer at the earliest opportunity and give it to the reporter who asked.
- **Don't "stonewall."** "No comment," like "I take the Fifth Amendment," is perceived as an admission of guilt, even if unintended. Practice answers such as:
 - "We won't know until the investigation is complete."
 - "I don't have that information yet; so I'll have to get it for you."
 - "Our policy prohibits release of the names of juvenile victims (or suspects)."
 - "I am waiting for the answer to that myself—you'll get it as soon as I have it."
- **Follow NPS policy on release of information at this [link](#).**
- **For the deceased consider the media's right to know versus need to know.** In most cases, the details are not pertinent to the actual news story. Until autopsies are done, the initial details reported at an incident may be wrong.
- Don't make ethnic or racial references unless they are absolutely essential to the incident. Always avoid slang.
- **Don't convict suspects.** Never say, "John Jones set fire to the hotel, but we caught him." A better statement is, "We believe the hotel fire was caused by arson. We have a suspect, John Jones, in custody and are continuing our investigation." If formal charges have been brought, you can say, "John Jones has been charged with the crime of arson in the first degree in connection with the hotel fire. First degree arson is defined as..." Don't say, "John Jones has confessed." Rather, "John Jones has offered a confession and we are investigating (or, we have brought charges,) based on that." This is extremely important. Violation of this policy can jeopardize any expected legal case against John Jones.
- **Don't assign liability.** It is inappropriate to say either "the park failed to warn visitors of the danger," or "the visitors ignored the park's warnings." Why? Because such

statements assign responsibility and liability. These matters are better left to formal investigative findings or courts of law.

- **Don't confirm or deny information released by other sources** unless you confirm it with the source or determine it is releasable by the NPS. Otherwise, you may compromise an investigation or other legal proceedings.

Risk and Crisis Communication Templates

The templates below are based on research and best practice found in social, behavioral, and communication science. A further elaboration of the templates is shown in the tip sheet developed by Dr. Vincent Covello and the Center for Risk Communication.

- **27/9/3** – 27 Words, 9 Seconds, 3 Messages (Rule of 3) – Objective – Deliver messages that are concise, clear, and actionable. Social science research has shown that people have difficulty processing information, hence, the need to follow the Rule of 3 – e.g., Am I Safe?; Are My Loved Ones Safe?; What Should I Tell My Children?
- **AGL-4** – Average Grade Level – 4 – Objective – An average 12 year old should be able to hear, understand, remember, and act on our message/s
- **TTT** – Tell Them; Tell Them More; Tell Them Again – Objective – Tell Them—Deliver your three key messages; Tell Them More—Provide supporting facts for each key message; Tell Them Again – Repeat your three key messages
- **CCO** – Compassion, Conviction, & Optimism – Objective – During times of crisis, acknowledge and lead with emotion that is supported with timely and accurate information
- **KDG** – Know/Do/Go – Objective – What should the public KNOW; what should they DO; and where can they GO for more information and updates (e.g., agency web site, hotline, shelter, etc.)
- **3D** – What We’re Doing/What You Can Do/What We Can Do Together and Triple-R – Shared Risk; Shared Responsibility; & Shared Result – Objective – These two templates shift the focus from distinct individuals and groups to “shared interests” and “mutual interdependencies” among and across groups
- **IDK** – I Don’t Know—Objective – A 3-part approach: 1) I don’t know; 2) This is the reason/s I don’t know; and 3) Here is how and when I will provide you the information
- **TBC** – Trust/Benefit/Control – Objective – Describe how we will increase audience trust, show clear benefit, and provide an increased sense of control
- **Message Amplifiers** – Objective – Further strengthen your message by using individual or a combination of strategies including Visuals & Images; Stories, Examples, & Testimonials; Strategic Questions; Statistics & Numbers; and Analogies

Risk & Crisis Communications Templates

<p><i>Use these templates to create effective messages in high concern, high stress situations</i></p> <p>CCO TEMPLATE Use when asked a question with high-emotion Steps:</p> <ul style="list-style-type: none"> · Compassion · Conviction · Optimism <p>Example: (1) "I am very sorry to hear about....; (2) I believe that...;(3) In the future, I believe that</p> <p>"WHAT IF" TEMPLATE Use when asked a low probability "what if, what might happen" question Steps:</p> <ul style="list-style-type: none"> · Repeat the question (without negatives) · Bridge to "what is" · State what you know factually <p>Example: (1) "You've asked me what might happen if....; (2) I believe there is value to talk about what is, what we know now; (3) And what we know is..."</p> <p>----- -----</p> <p>*Source: Dr. Vincent T. Covello , Center for Risk Communication, Copyright 2007</p> <p style="text-align: right;">5</p>	<p>BRIDGING TEMPLATES Use when you want to return to your key points or redirect the communication</p> <ol style="list-style-type: none"> 1. "And what's most important to know is..." 2. "However, what is more important to look at is..." 3. "However, the real issue here is..." 4. "And what this all means is..." 5. "And what's most important to remember is ..." 6. "With this in mind, if we look at the bigger picture..." 7. "With this in mind, if we take a look back..." 8. "If we take a broader perspective, ..." 9. "If we look at the big picture..." 10. "Let me put all this in perspective by saying..." 11. "What all this information tells me is..." 12. "Before we continue, let me take a step back and repeat that..." 13. "Before we continue, let me emphasize that..." 14. "This is an important point because..." 15. "What this all boils down to is..." <p style="text-align: right;">6</p>	<p>1N=3P TEMPLATE (ONE NEGATIVE EQUALS THREE POSITIVES) / BAD NEWS TEMPLATE Use when breaking bad news or stating a negative</p> <p>Recommendation: Balance one bad news or negative message with a least three or more positive, constructive, or solution oriented messages</p> <p>AGL-4 TEMPLATE (AVERAGE GRADE LEVEL MINUS FOUR TEMPLATE) Use when responding to any high stress or emotionally charged question</p> <p>Recommendation: Provide information at four or more grade levels below the average grade level of the audience.</p>
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<p>GUARANTEE TEMPLATE Use when asked to guarantee an event or outcome</p> <p>Steps</p> <ul style="list-style-type: none"> · Indicate that the question is about the future · Indicate that the past and the present help predict the future · Bridge to known facts, processes or actions <p>Example: (1) "You've asked me for a guarantee, to promise something about the future; (2) The best way I know to talk about the future is to talk about what we know from the past and the present; (3) And what we know is..."</p> <p>OR</p> <p>"What I can guarantee [assure; promise; tell you] is..."</p> <p>Yes/No Template Use when asked a yes/no question that cannot be answered yes or no</p> <p>Steps</p> <ul style="list-style-type: none"> · Indicate you have been asked a yes/no question · Indicate it would be difficult to answer the question yes or no · Indicate why it would be difficult to answer the question yes or no · Respond to the underlying concern <p style="text-align: right;">2</p>	<p>IDK (I DON'T KNOW) TEMPLATE Use when you don't know, can't answer, or aren't best source</p> <p>Steps</p> <ul style="list-style-type: none"> · Repeat the question (without negatives) · Say "I wish I could answer that"; or "My ability to answer is limited by ...;" or "I don't know" · Say why you can't answer · Provide a follow up with a deadline · Bridge to what you can say <p>Example: (1) "You've asked me about...; (2) I wish I could answer; (3) We're still looking into it; (4) I expect to be able to tell you more by ...; (5) What I can tell you is..."</p> <p>FALSE ALLEGATION TEMPLATE Use when responding to a hostile question, false allegation, or criticism</p> <p>Steps</p> <ul style="list-style-type: none"> · Repeat/paraphrase the question without repeating the negative; repeat instead the opposite; the underlying value or concern, or use more neutral language · Indicate the issue is important · Indicate what you have done, are doing, or will do to address the issue <p>Example: (1) "You've raised a serious question about "x"; (2) "x" is important to me; (3) We are doing the following to address"x."</p> <p style="text-align: right;">3</p>	<p>27/9/3 TEMPLATE Use when responding to any high stress or emotionally charged question</p> <p>Recommendation: Be brief and concise in your first response: no more than 27 words, 9 seconds, and 3 messages</p> <p>PRIMACY/RECENCY TEMPLATE Use when responding to any high stress or emotionally charged question</p> <p>Recommendation: Provide the most important items or points first and last</p> <p>RULE OF 3 TEMPLATE Use when responding to any high stress or emotionally charged question</p> <p>Recommendation: Provide no more than three messages, ideas, or points at a time</p> <p>Example: My three main points are: (1) ...; (2)....; and (3)....</p> <p style="text-align: right;">4</p>
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Additional Best Practice Templates

- **Audiences** – Advocates, Antagonists, & Agnostics (AAA) – Who are they?; Are they a critic or supporter?; What's their position (right or wrong?); Whom do they trust? Where do they get their information?; and What information do they need/want from us?
- **Effective Messages** – The most effective messages are Short, Simple, Accurate, Authentic, Relevant, Factual, Motivating, Persuasive, Specific, Actionable, and Repeatable.
- **Control (Three Types):** 1) Control – e.g., “We have 2 hotshot crews, three engines and a helicopter working a 150 acre fire 5 miles west of Boise. Firefighters are working to put a line around the fire and keep it away from the Sunrise subdivision; 2) Limited Control – e.g., “We have ordered 2 more hotshot crews and 10 engines;” and 3) No Control – e.g., “Thunderstorms are forecast this afternoon at 1600, accompanied by strong, gusty winds.”
- **Apology** – Explain how we corrected the problem; Explain how we will make up for it; and Explain how we will check up on it.
- **Correcting Misconceptions** – Clearly state the misconception; Provide facts to counter the misconception; and Show how these facts will lead to benefits.

11 - Other Public Affairs Considerations

Personal Opinion and Freedom of Speech

All National Park Service employees have a Constitutional right to express their views. However, any view that a park superintendent or public affairs officer expresses will commonly be interpreted as that of the National Park Service. Other employees and volunteers may be in the same situation, especially if they identify themselves as park employees, volunteers or residents.

Anti-war protest near the National Mall and U.S. Capitol in Washington, D.C. Jeffrey Olson, NPS photo.

If the opinion expressed is not the official NPS position, you must take unambiguous steps to avoid it being interpreted that way. It is essential to take every precaution to separate personal and professional opinions when dealing with the media or in public situations.

Your personal opinion is not appropriate to express from behind your office desk, in your uniform, on official stationery or when using your title to accompany your signature on a personal letter.

The NPS regulation governing the expression of views is found at [36 CFR 2.51](#). A closely related regulation, governing the sale or distribution of printed matter, is found at [36 CFR 2.52](#). Policy Memorandum 14-01 further clarifies the distribution of message-bearing materials; it is online at http://www.nps.gov/policy/PolMemos/PM_14-01.htm.

The superintendent must designate suitable locations within the park where assemblies, demonstrations, and other public expressions are allowed. Individuals and organizations that wish to exercise their rights must obtain from the park superintendent a permit to use those locations. Such activities which occur in parks subject to the National Capital Region's special demonstration and sales regulations are governed by [36 CFR 7.96\(g\)](#) and (k). Once a superintendent has permitted or informally allowed a specific location to be utilized for the public expression of views, that location must always remain available for that purpose.

Commercial Filming and Still Photography

Commercial filming

Commercial is defined as a project intended to generate income. A permit issued to a not-for-profit entity, does not automatically qualify as not commercial. If the finished product will be used to generate income, the project requires a permit for commercial filming.

By law, all commercial filming requires a permit, and permits are subject to cost recovery charges and location fees. Cost recovery ensures a park is reimbursed for the actual cost of processing the permit and facilitating the activity. Location fees are based on a schedule and provide a fair return to the U.S. for the use of Federal lands.

This dolly shot was done at Navajo Point on the South Rim of Grand Canyon National Park. The 2004 Warner Brothers release was directed by Michael Mayer and starred Robin Wright and Colin Farrell. Note the National Park Service ranger, in uniform, who served as film monitor. NPS photo by Michael Quinn, Grand Canyon National Park.

There are however some filming activities that are **not** commercial in nature, the primary one being student film projects. If approved by the park, these types of student activities can be issued a special park use permit for filming are not subject to location fees.



Commercial film project at Santa Monica Mountains National Recreation Area. NPS Photo.

At most parks, the public affairs or public information officer does not process or approve commercial filming permits. Nonetheless, public affairs professionals should work closely with permits and special park uses staff, for certain types of commercial filming and photography projects, to ensure the producers receive accurate information about park resources and activities and are able to meet with appropriate subject matter experts within and outside of the National Park Service.

Still photography

For the most part, still photographers do not require a permit. A permit is needed only if the activity employs models, sets or props, requests use of an area closed to the public, or requires NPS management to avoid damage to park resources or conflict with other user groups. **The intended use of the image, whether for commercial or noncommercial use, is not a factor in deciding whether the activity requires a permit.** If a permit is required, and issued, it will include provisions for cost recovery charges and location fees.

News gathering

News gathering activities fall outside of commercial filming and still photography. They may require a permit if the activities are of such size and scope that a permit would help manage the activity to minimize possible damage to park resources and visitor use conflicts or authorize entrance into a closed area. Even when the above circumstances are present, permits will be required only if there is sufficient time to issue the permit without impeding the crew's ability to gather the news. If there not sufficient time to issue a permit, visitor and resource protection will be managed verbally in the field. There are no cost recovery charges or location fees for permits issued for news gathering activities.

Photography with unmanned aircraft

The National Park Service, through closure language in each park compendium, has prohibited the launching, landing and operating of unmanned aircraft in the national park system. The unmanned aircraft, or drones, are popular with photographers and videographers. Director Jarvis issued [Policy Memorandum 14-05](#) on June 19, 2014 with guidance to park managers to close national parks to unmanned aircraft. The National Park Service expects to craft a special rule for unmanned aircraft within approximately 18 months of the June policy memo.

Wilderness exception

Commercial filming is considered a commercial service for the purposes of the Wilderness Act. Parks must apply the same two legal requirements for commercial services to any commercial filming request in wilderness. For example, is it necessary, why does the commercial filming need to take place in park wilderness? If necessary, what wilderness purposes (recreational, scenic, scientific, educational, conservation and historical) will be realized from this use? In most cases, park managers should work with the applicant to find locations outside of wilderness that can accommodate this use. If wilderness locations are justified, then the activities should minimize impacts to other visitors' enjoyment of wilderness and only use the minimum amount of the wilderness needed for the activity for the shortest possible period of time.

Commercial still photography activities that include the use of models, sets, or props, or promote a product or service, are prohibited in wilderness. If someone is taking pictures or video in the wilderness, without use of models, sets or props, and later sells those images or video, that is allowable since the actions of this photographer are the same as any other visitor taking photos or video during their time in the wilderness. Our concern is for the models, sets and props of commercial photography.

The National Park Service has a Wilderness Permit Checklist. You will find it in [Tools and References](#).

Law, regulations, and policy guidance

Public Law 106-206 governs commercial filming and still photography on Department of the Interior-managed lands, including national parks. The regulations that govern audio recording, commercial filming, and still photography are found at [36 CFR 5.5](#) and [43 CFR Part 5](#). Permit requirements for news coverage are also in [43 CFR Part 5](#).

National Park Service policies for commercial filming and still photography are found in [section 8.6.6](#) of *NPS Management Policies* 2006 and in [Director's Order #53: Special Park Uses](#). [Reference Manual #53](#) contains the detailed procedures for managing commercial filming and photography activities.

Limitations on Paid Advertising

The National Park Service follows Department of the Interior guidance on paid advertising, found in [470 DM 1.6M](#).

The Department's general policy is not to use paid advertising in any publication in connection with its programs and activities, except where special legal requirements and authority exist. In the event that any bureau or office believes paid advertising is necessary or beneficial, because of the significant benefits it affords in enhancing public participation, the following apply:

- (1) Paid advertising requires prior written approval by the bureau public affairs office or WASO Office of Communications (OCO), in consultation with the Office of the Solicitor.
- (2) No paid advertising will be approved or authorized without strong justification that supports a critical program or activity.
- (3) Bureau public affairs offices must determine when review is required by OCO. OCO can relieve the bureau public affairs office of approval authority upon discovery of inappropriate or improper justification.
- (4) The prohibition of paid advertising does not apply to sponsorship of conferences in which an agency advertisement may be featured in conference materials or to the use of paid advertisements for recruitment purposes.

Freedom of Information Act

Depending on the structure of your park, the public affairs office may or may not handle Freedom of Information Act requests. Regardless of who handles the formal paperwork, an understanding of the principles of the act is essential.

Basic—the public information professional understands the spirit and general provisions of the law and is able to search files to locate information.

Intermediate—the public affairs professional drafts FOIA response letters and understands the act well enough to recommend whether or not documents should be considered for withholding and redaction.

Advanced—professionals develop the justification for withholding and redacting documents or advocate for their release.

Freedom of Information Act Summary

The Freedom of Information Act (5 USC 552), or FOIA, gives citizens the right to access information from the Federal Government. FOIA is described as the law that keeps citizens “in the know” about their government. It requires agencies to disclose any information that is requested—unless that information is protected from public disclosure. Some records, or portions of records, are protected from disclosure by one of nine exemptions or by one of three special law enforcement record exclusions. The public may submit FOIA requests to the NPS online at <http://www.nps.gov/aboutus/foia/foia-contact.htm>.

FOIA requests should be coordinated with and processed through your WASO or regional FOIA officer. Your FOIA officer has the latest guidance on processing requests, as well as Solicitor's Office opinions on how to handle certain requests. The current list of NPS FOIA officers and contacts is online at <http://www.nps.gov/aboutus/foia/foia-officers.htm>.

A Public Affairs Component

Become familiar with the Freedom of Information Act. These are good sources of information

- [FOIA.gov](http://www.foia.gov)
- Department of Interior FOIA webpage, <http://www.doi.gov/foia/index.cfm>— regulations, instructions, and general information (note—DOI issued [new FOIA regulations](#) effective January 30, 2013)
- NPS FOIA webpage, <http://www.nps.gov/foia.htm>—has a library of frequently requested documents

The vast majority of FOIA requests are mundane and don't involve media or a public interest group. People file requests for things like personnel records. But some topics could be of broader interest—a newspaper seeking concession records, requests for several case incident records about a particular ranger district, or requests for travel records. Some FOIA requests are good early indicators of issues that may lead to a significant media story or public involvement.

Who's asking and why must not influence our response; nevertheless, think about how they're likely to be used. If it seems like something that might result in further questions, give a heads up to your regional and Washington public affairs offices (Remember **No Surprises!**).

12 - Authorities, Policies and other Guidance

Internal and External (Public) Communications

Department of the Interior Policies

[110 DM 5](#) DOI, Office of Communications

[145 DM 1](#) NPS, Creation, Authority, Purpose, Objectives, Functions

[145 DM 3](#) NPS Office of the Director

3.3 E Office of Communications and Public Affairs

This office is responsible for developing National Park Service public information policies, implementing Departmental communication policies, and preparing national level media information and public information programs.

[470 DM 1](#) DOI, General Policies and Procedures

[471 DM 1](#) DOI, Audio and Video Tape Recordings, Slide Shows and Public Service Announcements

National Park Service

[NPS Management Policies](#) (2006)

[1.9.4](#) Public Information and Media Relations

The Park 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 them. Every effort should be made to provide early notification of changes in park management practices and conduct active civic engagement pursuant to [Director's 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 the [Freedom of Information Act](#) and the [Privacy Act of 1974](#). (Also see Director's Order #66: FOIA and Protected Resource Information)

[DO #52A: Communicating the National Park Service Mission](#)

I. Background and Purpose

As the challenges of our mission grow, so must our efforts to communicate this mission to the American people. ...If we are to truly play a much more significant role as an education resource for the American people, we must excel in communication our mission clearly and effectively.

K. External Communications

To enhance our ability to reach the public with National Park Service information, every park and program will have, or have access to ... trained public affairs staff. Core competencies already developed for these positions will be adopted. A regional and national network of public affairs staff will be established. Training and tools for all frontline personnel will be offered.

[Director's Order #52B: Graphic Identity](#) (under development)

[NPS Graphic Identity website](#)

[Director's Order #52D: Use of the Arrowhead Symbol](#) (under development)

Director's Order #52F: Formal Title TBD (to be developed; formerly DO #75B: Media Relations)

[NPS Guide to Public Affairs](#)

[Principles of Internal Communication](#)

Civic Engagement & Public Involvement

[301 DM 2](#) Public Participation in Decision-making

[NPS Management Policies](#) (2006)

[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. ...Through its practice of civic engagement, the Service will actively encourage a two-way, continuous, and dynamic conversation with the public.

[2.1.3 Public Participation \[in Park Planning\]](#)

Public participation in planning and decision-making will ensure that the Service fully understands and considers the public's interests in the parks, which are part of the public's national heritage, cultural traditions, and community surrounding.

[Director's Order #75A: Civic Engagement and Public Involvement](#)

... Civic engagement is a continuous, dynamic conversation with the public on many levels that reinforces public commitment to the preservation of heritage resources, both cultural and natural, and strengthens public understanding of the full meaning and contemporary relevance of these resources.

Internet Publishing & Social Media

[386 DM 3 Web Standards and Guidelines](#)

[Web Standards Handbook \(386 DM3\)](#)

[DOI Social Media Policy](#)

[DOI Social Media Guidebook](#)

[Director's Order #70: Internet and Intranet Publishing](#)

[NPS Internet/Intranet Publications Manual](#)

[Policy Memorandum 11-01: Social Media – Interim Policy](#)

Incident & Crisis Communications

Release of Information

[Release of Incident Information to the News Media and the Public](#), 2006 memo from Deputy Director Steve Martin

[NPS Loss of Human Life Handbook, 2013](#)

[Agency Administrator's Guide To Critical Incident Management](#)

Privacy Act of 1974

[5 USC 552a](#)

[383 DM 1](#) Privacy Act Policy and General Provisions

Freedom of Information (FOIA)

[5 USC 552](#) Freedom of Information Act, as amended

[383 DM 15](#) Freedom of Information Act Policy, Responsibilities, and Procedures

[43 CFR Part 2: Freedom of Information Act; Records and Testimony](#)

Other Guidance with Civic Engagement, Communications, and Public Information Components

Fire Management

[DO #18: Wildland Fire Management](#)

[RM #18:](#) (see chapter 21 on Communication and Education)

Incident Management

[DO #55: Incident Management Program](#)

[RM-55: Incident Management Program](#) (2007 draft)

Information Management

[Director's Order #5: Paper and Electronic Communications](#)

[Director's Order #11B: Ensuring Quality of Information Disseminated by the National Park Service](#)

[Director's Order #11D: Records and Electronic Information Management](#) (supersedes DO #19: Records Management)

[Records and Electronic Information Management \(REIM\) Guide](#) (available on InsideNPS)

Legislative & Congressional Affairs

[Director's Order #76: Legislative and Congressional Affairs](#)

Planning & Compliance

[DO #12: Conservation Planning, Environmental Impact Analysis, and Decision-Making](#)

[DO #12 Field Guide](#)

Resource & Visitor Protection

[36 CFR Chapter 1: National Park Service](#)

[DO #9: Law Enforcement Program](#)

[RM-9: Law Enforcement Reference Manual](#) (note: this link goes to the restricted, NPS only-version; an unrestricted version is also available to the public)

Chapter 36 – Incident Notification Requirements and Procedures

Chapter 39 – Public Information and Media Relations

DO #34: Superintendent's Compendium of Designations, Closures, Permit Requirements, and Other Restrictions (under development)

Scientific Activities

[305 DM 3 Integrity of Scientific and Scholarly Activities](#)

Special Park Uses

[Director's Order #53: Special Park Uses](#)

[RM #53: Special Park Uses](#)

[Policy Memoranda 14-01: Interpretation of 36 CFR 2.52 — Free Distribution of Message-Bearing Items](#)

[43 CFR Part 5: Commercial Filming and Similar Projects and Still Photography on Certain Areas Under Department Jurisdiction](#)

13 - Tools and References

This section includes an assortment of communications and media relations tools and references. You will find sample documents and templates. You will also find links to style guides and other sources of information to make your writing better.

Sample Documents and Templates

[NPS Strategic Communications Plan](#)

[Briefing Statement template](#)

[Media Event Checklist](#)

[Three-Week-Out Report](#)

[Communications Planning Document](#)

[NPS Overview](#)

[Fun Facts](#)

[NPS Fact Sheet](#)

[Park Fact Sheet for Media](#)

[4-Wilderness Permit Checklist 9.22.14](#)

[Release of Info Memo 06-13-06](#)

[Template News Advisory](#)

[Template News Release 1 page](#)

[Template News Release 2 pages](#)

[Template News Release 3 pages](#)

Style Guides and Writing References

[HFC Editorial Style Guide, July 2013](#) (http://www.nps.gov/hfc/pdf/HFCstyleGuide_July2013.pdf)

[Editorial Style Guide for Park Science and Natural Resource Year in Review](#)

[NPS Graphic Identity](#) website

Source of Arrowhead artwork, NPS Typefaces, Templates, Style guidelines

[U.S. Government Printing Office Style Manual](#)

<http://www.gpoaccess.gov/stylemanual/index.html>

[AP Stylebook](#)

[The Chicago Manual of Style](#) www.chicagomanualofstyle.org

[Plain Language Guidelines](#) <http://www.plainlanguage.gov/>

[NPS Social Media](#) (old NPS Web Community)

[NPS Digital Community](#) (new NPS Web Community)

Information and tools for creating and managing digital content.

[Social Media](#) resources

<http://www.nps.gov/applications/npspolicy/DOrders.cfm>

Incident and Crisis Communications

[Fire and Aviation Communication and Education](#) InsideNPS page

[Procedural Guidelines, Fire and Aviation Communication and Education](#)

[Fire Information Officers](#) NPS Fire and Aviation website, links to the National Interagency Fire Center



NPS Reference Manual 39-1: Ocean and Coastal Park Jurisdiction

REVISED



Disclaimer:

This RM is intended be a starting point for NPS staff and not as a replacement for the advice of the Office of the Solicitor. This RM does not establish new NPS policy. The RM is intended to give park managers an overview of ocean and coastal jurisdictional concepts, vocabulary, fact situations, existing policy, applicable regulations, and legal considerations, and a framework or references to obtain additional information. The RM is not intended to serve as legal advice, to address case-specific legal issues, or to be an exhaustive review of case law. Legal cases cited here are examples of situations which have involved other coastal park units or illustrate principles of state or federal law. NPS staff should always contact the Department of the Interior Office of the Solicitor for advice and assistance on legal issues.

This Reference Manual is effective as of the date listed below. It will be updated as necessary.

Last Update – 08/04/2015

OUT OF DATE / NEEDS TO BE UPDATED

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OUT OF DATE / NEEDS TO BE REVISED

1. INTRODUCTION

1.1. Background: The Ocean and Coastal Units of the National Park System

The National Park System contains 86 ocean or coastal park units, i.e., park units that have boundaries in or along the shoreline of oceans, the Great Lakes, or tidally-influenced estuaries. These units consist of parks, seashores, lakeshores, recreation areas, monuments, preserves, and historic sites. Appendix A contains a comprehensive list of these units.

The National Park Service (NPS) faces daunting challenges in conserving these parks in a manner consistent with the NPS Organic Act of 1916. This RM was developed to help NPS managers address the issues faced by ocean and coastal park units, understand and apply available authorities to maintain and improve protection of park resources, and enhance visitor enjoyment. Clarifying NPS unit managers' understanding of their jurisdiction was identified as a priority in recent NPS ocean-related meetings and in the 2006 National Park Service Ocean Park Stewardship Action Plan and subsequent regional action plans and is a critical component of the NPS's ability to protect ocean resources consistent with the enabling legislation, the NPS Organic Act, and other legal, regulatory, and policy mandates. In response to this identified need, the NPS Geologic Resources Division (GRD) and Water Resources Division (WRD) provided the funding and collaborated with attorneys in the Department of the Interior, Office of the Solicitor to produce this document.

The information contained within this document is intended only to improve the internal management of the NPS. It is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person.

1.2. Scope and Summary of the Reference Manual

This RM does not provide detailed information on every potential issue faced by ocean and coastal park managers, but it does provide its users with general jurisdictional guidance on a broad array of ocean and coastal topics. In addition to the information provided here, a park's jurisdiction over a particular location and/or activity will depend upon the park's enabling statute or proclamation, jurisdictional agreements with state governments, or other applicable federal and state laws and regulations, deeds, and agreements. Parks should consult with specialists in the Natural Resource Stewardship and Science Directorate (NRSS), the NPS Land Resources Division, the concession/commercial use program, law enforcement, WASO Division of Regulations and Special Park Uses, and with attorneys in the Department of the Interior Solicitor's Office as well as indigenous and tribal groups as you evaluate management options for specific areas and activities.

Management Tip: Implementation of Executive Order 13547

On July 19, 2010, President Barack Obama issued Executive Order (EO) 13547, “Stewardship of the Ocean, our Coasts, and the Great Lakes.” The EO establishes a National Ocean Council, provides for the development of coastal and marine spatial plans, and seeks to ensure healthy and resilient ocean and coastal ecosystems. The EO requires all executive departments and agencies to take such action as necessary to implement the policy set forth in the EO and the Interagency Ocean Policy Task Force’s recommendations. These recommendations include the formulation of a national policy, a strengthened governance structure, a targeted implementation strategy, and a framework for marine spatial planning. All agencies must participate in the spatial planning process and assist in establishing a common information management system. A copy of the Task Force’s recommendations can be found at: http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf

The effect of this EO will be evolving over the next few years as the council meets and begins its work, so parks should stay informed on the National Ocean Council’s progress. Although the EO does not alter the NPS’s regulatory authority, it does provide an important venue for coordination between federal agencies. As you will see throughout this RM, consultation and coordination between federal agencies is one of the most valuable tools for the NPS to better protect park resources and values.

Management Tip: Early Participation, Cooperation, and Consultation

Throughout this document, “consultation” and “cooperation” are mentioned numerous times. Sometimes these are mandatory at a time in a process; however, often they are discretionary. NPS staff can be pro-active in creating these opportunities. Participation is also essential; the earlier the better. Early NPS staff participation in “outside” coastal resource information forums, studies and planning processes is crucial to the long-term strategy of working closely with other federal agencies; tribal, state and local governments; regional planning bodies; citizen groups; and others. Early participation shows that the NPS is interested in others’ agendas and concerns - and that is essential to resolving differences, partnering, and finding planning and funding opportunities.

Building relationships and speaking up for NPS interests outside the parks is emphasized throughout Management Policies 2006. In Chapter 1 alone: Sections 1.6 (Cooperative Conservation Beyond Park Boundaries), 1.7 (Civic Engagement), 1.8 (Environmental Leadership), 1.10 (Partnerships), 1.11 (Relationship with American Indian Tribes), and 1.12 (Native Hawaiians, Pacific Islanders, and Caribbean Islanders). Additionally, Chapter 4: Sections 4.1 (General Management Concepts) and 4.1.4 (Partnerships) emphasize building relationships. For more information, see the MP2006 Index for “Cooperation and Consultation” and Director’s Order 75A: Civic Engagement and Public Involvement.

2. NATIONAL PARK SERVICE JURISDICTION

2.1. Overview of National Park Service Regulatory Authority

Congress directed the NPS to carry out the National Park Service Organic Act of 1916 by promulgating rules and regulations deemed necessary and proper for the use and management of the National Park System.¹

Most ocean and coastal park management issues arise from questions about whether a particular activity is subject to NPS regulations. The following section explains the scope of the NPS regulations and the constitutional and statutory basis for these regulations.

2.1.1. NPS General Regulations

The NPS regulations are found at 36 Code of Federal Regulations (C.F.R.) Chapter I. Most parts of the NPS regulations apply to the entire National Park System and are often referred to as general regulations. Park-specific or special regulations (as discussed in Section 2.1.2) are located in 36 C.F.R. Part 7. Alaska-specific regulations are found at 36 C.F.R. Part 13 and 43 C.F.R. Part 36.

Unless otherwise provided, the general NPS regulations apply to the following areas within a park unit:²

- the boundaries of federally-owned lands and waters administered by the NPS;
- lands and waters administered by the NPS for public-use purposes pursuant to a written agreement, such as a cooperative agreement (36 C.F.R § 1.2(a)(2));
- waters subject to the jurisdiction of the United States within the boundaries of park units, including navigable waters and the areas within the ordinary reach of waters (up to the mean or ordinary high water mark), without regard to the ownership of the submerged lands or the park's jurisdictional status (36 C.F.R § 1.2(a)(3));
- lands and waters in the vicinity of Washington, D.C., that meet certain criteria (36 C.F.R § 1.2(a)(4)); and
- lands and waters in which the United States has a less-than-fee ownership interest, to the extent necessary to fulfill the purpose of the NPS-administered interest and compatible with the nonfederal interest (36 C.F.R § 1.2(a)(5)).

In some situations, the general NPS regulations were tailored to apply within nonfederally-owned areas of park units. For example, 36 C.F.R. Part 6 prohibits the operation of solid waste disposal sites within park boundaries.³ NPS regulations at 36 C.F.R. Part 9, Subpart A, govern mining related activities on both federal (unpatented mining claims) and nonfederal (patented

mining claims) lands.⁴ NPS regulations at 36 C.F.R. Part 9, Subpart B apply to the exercise of nonfederal oil and gas rights in parks.⁵

Some of the general NPS regulations apply to nonfederally owned lands and waters in park units if those lands and waters are under the “legislative jurisdiction” of the United States. These regulations include [36 C.F.R. § 2.2](#) (Wildlife Protection); [§ 2.3](#) (Fishing); [§ 2.4](#) (Weapons, Traps, and Nets); [§ 2.13](#) (Fires); [§ 2.22](#) (Property); [§ 2.30](#) (Misappropriation of Property and Services); [§ 2.31](#) (Trespassing, Tampering, and Vandalism); [§ 2.32](#) (Interfering with Agency Functions); [§ 2.34](#) (Disorderly Conduct); [§ 2.36](#) (Gambling); [Part 4](#) (Vehicles and Traffic Safety); [§ 5.8](#) (Discrimination and Employment Practices); and [§ 5.9](#) (Discrimination in Furnishing Public Accommodations and Transportation Services).

The all-encompassing applicability of 36 C.F.R. § 1.2(a)(3) to “[w]aters subject to the jurisdiction of the United States” operates in addition to the “legislative jurisdiction” provisions of the Part 2 regulations listed above. Thus, if an activity in a park occurs on or in waters, or in areas within their ordinary reach up to the mean or ordinary high water line, then NPS regulations apply, pursuant to 36 C.F.R. § 1.2(a)(3), regardless of land ownership or jurisdiction.

Management Tip: Scope of 36 C.F.R. § 1.2(a)(3)

Pursuant to 36 C.F.R. § 1.2(a)(3), the general NPS regulations can be applied on or in waters that are subject to the jurisdiction of the United States,* or in areas within their ordinary reach up to the mean or ordinary high water line, even if the submerged lands are nonfederally-owned and regardless of whether the park has exclusive, concurrent, or proprietary jurisdiction (61 Federal Register 35133 (1996)). The Department of the Interior’s Office of the Solicitor has interpreted § 1.2(a)(3) to mean that the NPS may regulate activities on the surface of the water, within the water column, in the area below mean or ordinary high water, and in some cases on the sea bed. Of course, this is a general rule. There may be some limitations to this rule in a particular park as the result of language in the park enabling statute, deeds, grants, or other documents.

Resources beneath the sea floor that can be accessed without going through the water column might not be subject to NPS regulations pursuant to 36 C.F.R. § 1.2(a)(3), although they might be subject to NPS regulations pursuant to 36 C.F.R. § 1.2(a)(2) or 36 C.F.R. § 1.2(a)(5).

***Waters subject to the jurisdiction of the United States** refers to three types of waters: (1) navigable (as defined in 33 C.F.R. § 2.36(a), (2) non-navigable but located on lands for which the U.S. has acquired title or control and has accepted or retained exclusive or concurrent jurisdiction, and (3) waters made subject to U.S. jurisdiction by certain international agreements and statutes (33 C.F.R. § 2.38).

Park Examples: Courts upholding the application of NPS general regulations in waters within park boundaries

Voyaguers National Park

The NPS issued citations to businesses that were conducting operations on Rainy Lake within the park without an NPS permit in violation of 36 C.F.R. § 5.3. The NPS was challenged and the court held that NPS's application of its regulations to lake waters was a proper exercise of its jurisdiction under the Property and Commerce Clauses. (United States v. Armstrong, 186 F.3d 1055 (8th Cir. 1999)).

In another case involving Voyageurs National Park, the NPS cited a hunter for violating 36 C.F.R. § 2.11 and § 2.32 (prohibiting the possession of firearms and hunting wildlife) notwithstanding a conflicting state law that allowed hunting in national parks. The hunter, who at the time of the offense was located on nonfederal waters inside the park boundary, challenged the NPS citation. The court found that the "Property Clause is broad enough to permit federal regulation of nonfederal public lands" and held that the issuance of a citation was appropriate because the hunter's actions constituted a significant interference with the prescribed uses of the park (U.S. v. Brown, 552 F. 2d 817 (8th Cir. 1977), cert. den'd 431 U.S. 949 (1977)).

Yukon-Charley Rivers National Preserve

Two recent cases in Alaska, United States v. Wilde and Sturgeon v. Masica, similarly upheld the authority of the NPS to regulate activities in Yukon-Charley Rivers National Preserve on waters overlying state-owned submerged lands. In one case, Mr. Wilde was cited by NPS law enforcement for failing to comply with a requested inspection while boating on the Yukon River. In the other case, Mr. Sturgeon sought to use a hovercraft on the National River. In both cases, the court upheld the NPS's authority. The courts found that NPS regulations at 36 CFR § 2.17(e) (prohibiting use of a hover craft), 36 CFR § 2.32 (prohibiting interference with agency function), and 36 CFR § 3.2 (adopting -- in the Wilde case -- state boating regulations) applied to state-owned submerged lands and waters in parks through 36 CFR § 1.2(a)(3). The Alaska National Interest Lands Conservation Act (ANILCA) did not affect the applicability of these regulations.

2.1.2. What do the Terms "Legislative," "Proprietary," "Concurrent," and "Exclusive" Jurisdiction Mean, How are they Obtained, and Why do they Matter?

There are three types of jurisdiction within park units: (1) proprietary, (2) concurrent, and (3) exclusive. In proprietary jurisdiction parks, the state government has not ceded the state's jurisdiction over the park area to the NPS, meaning that the NPS is limited to enforcement of its regulations (at 36 C.F.R.), certain federal laws, and certain non-conflicting state laws adopted through 36 C.F.R. The state enforces its law but not federal law. In proprietary jurisdiction parks, state law applies fully unless and until it conflicts with federal law or regulations, in which case it is preempted.

The term "legislative jurisdiction," as used in NPS regulations, means exclusive federal jurisdiction or concurrent federal-state jurisdiction. In exclusive jurisdiction parks, including many current or former military bases, federal authority is exclusive and state laws do not apply. In concurrent jurisdiction parks, the state government has ceded concurrent legislative jurisdiction to the federal government, or the United States has relinquished or retroceded concurrent legislative jurisdiction to the state (for areas that formerly were under exclusive federal jurisdiction), so that both federal and nonconflicting state law apply. In the context of criminal law, the Assimilative Crimes Act, codified at 18 U.S.C. § 13, assimilates and

“federalizes” certain nonconflicting state law in areas under either exclusive federal or concurrent federal-state jurisdiction.

Legislative (exclusive or concurrent) jurisdiction may be obtained in the following ways:

(a) Cession to the United States by a State (can result in concurrent or exclusive jurisdiction):

When the United States purchases property, it has proprietary jurisdiction as a property owner, pursuant to the Constitutional authorities described below. To obtain legislative jurisdiction, the United States asks the state to cede either concurrent or exclusive jurisdiction (as the situation calls for), and the state may grant the request in writing. When the state grants the request, or offers the jurisdiction without a request from the U.S., an agency head or delegated agency employee accepts the cession in writing. States pass legislation to facilitate cession to or acceptance from the U.S. of jurisdiction. The legislation may apply to all federal lands within the state, may be specific to one park, or may address many or all of the parks in the state. The legislation may directly authorize the jurisdictional change, allow the governor of the state to transfer authority, or give authority to another state agency (e.g. California Land Commission) to make transfers. Transfers may occur at the time of creation of the park, but most often seem to be done after the park has been created, or after new lands are added to a park unit.

(b) Reservation of jurisdiction by the United States (can result in exclusive jurisdiction): At the time a territory is brought into the Union as a state, the United States may reserve jurisdiction over lands it specifies in the act establishing statehood. As an example, when Alaska became a state, the United States specifically reserved exclusive jurisdiction over “Mount McKinley National Park, as now or hereafter constituted; but exclusive jurisdiction, in all cases, shall be exercised by the United States for the national park, as now or hereafter constituted; saving, however, to the State of Alaska the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State, but outside of said park; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said park; and saving also to the persons residing now or hereafter in such area the right to vote at all elections held within the respective political subdivisions of their residence in which the park is situated.”⁶

Management Tip: If 36 C.F.R. § 1.2(a)(3) Does Not Apply, Check the Park’s Jurisdictional Status

What if you are trying to apply a regulation, such as 36 C.F.R. § 2.2, Wildlife Protection, in an area that is not described at 36 C.F.R. § 1.2(a)(2) through (5)? For example, what if you wish to enforce 36 C.F.R. § 2.2 in a nonfederally-owned area that is above the mean or ordinary high water line, lacks a written instrument for public-use purposes, and/or lacks any U.S. ownership interest? In this situation, 36 C.F.R. § 2.2 may be applied in the nonfederally-owned area only if that area is under the legislative jurisdiction of the U.S.

To find out the jurisdictional status of the area in question, check whether the state(s) in which the park is located has ceded jurisdiction to the NPS, and whether such cession has been accepted by the NPS Director. Some cessions of concurrent jurisdiction contain explicit limitations or are restricted only to certain lands. The areas or functions contained in the limitations or restrictions would remain in either exclusive jurisdiction or proprietary jurisdiction. Sometimes, the cession of jurisdiction may not apply to park areas acquired by the U.S. after the jurisdiction was ceded. Thus, it is important to review the actual cession documents.

After determining jurisdictional status, consult with attorneys in the Solicitor’s Office if you still have questions about the park’s regulatory reach. If the NPS general regulations do not sufficiently protect park resources, the NPS may have the authority to promulgate special park regulations that apply regardless of land ownership or the park’s jurisdictional status.

2.1.3. Special Regulations

Park-specific regulations are found at 36 C.F.R. Part 7 and 13.⁷ Commonly called “special regulations,” a park-specific regulation may be promulgated to amend, modify, relax or make more stringent general regulations, or to implement a statute or another regulation. Park-specific regulations cannot be contrary to Federal statutory law or in derogation of park values. Special regulations may be written to address activities that take place on federal or nonfederal land within park boundaries. See 36 C.F.R. §§ 1.2(b) and (c).

Special regulations can be an effective way to protect resources of ocean and coastal parks that are not sufficiently protected by general NPS regulations. For example, 36 C.F.R. § 2.15 imposes restrictions on pets, but only applies in certain areas of parks. A special regulation could be promulgated to extend these restrictions to other areas of a park such as all nonfederal lands. One example of special regulations is the park-by-park authorization of personal watercraft usage.

Park Example: Dry Tortugas National Park

Dry Tortugas National Park promulgated a special regulation at 36 C.F.R. § 7.27 regarding fishing and vessel restrictions in the Research Natural Area (a no-take zone) of the park, which covers both federal and state submerged lands.

The process of promulgating a special regulation includes a number of policy and procedural considerations and can take several years to complete. It usually involves National Environmental Policy Act compliance and public involvement. The impacts of the current situation must be well documented so that the need for the special regulation is supported by sound information. The nexus between the regulation and the need for the NPS to protect

specific park resources or to fulfill its other statutory purposes must be described. The statutory purposes of the park must be analyzed and the basis for applying any new restriction or lessening existing ones must be explained in any proposal.

2.1.4. Using the Superintendent's Compendium for Resource Management

Pursuant to 36 C.F.R. §§ 1.5, 1.6, and 1.7(b), the Superintendent may clarify NPS regulations or designate, put conditions on, or relax uses or activities in park units in an annual "Superintendent's compendium." A compendium contains numerous specific management measures, such as establishing hours and entry locations, closing areas or seasons, limiting the gathering of wild products such as seashells, and designating areas for particular activities. Examples of compendium restrictions on waterborne activities include location and permit fees for launching of vessels and of car-top boats and gear such as windsurfing equipment; fishing permits and limits; and access, weapons, and areas for waterfowl hunting in parks where such hunting is authorized by legislation.

Generally, a Superintendent may adopt local limits and conditions for activities that are otherwise allowable under the park's enabling legislation, the NPS Management Policies, and NPS regulations, but may not use the compendium to permit activities or uses that are inconsistent with those authorities.

The compendium is mainly for actions that are temporary in nature or may change from year to year (i.e., a closure for nesting eagles). Some permanent actions, such as small area closures or visitor center hours, are permissible to address in the compendium in compliance with 36 C.F.R. § 1.5.

Compendium provisions generally require a written determination and justification by the Superintendent that is made available to the public for review. Compendium provisions have the force and effect of regulation. Therefore, violating a provision of the compendium constitutes a violation of 36 C.F.R. § 1.5.

Park Examples: Use of 36 C.F.R. § 1.5

An example of a park using 36 C.F.R. § 1.5 authority occurred at Glen Canyon National Recreation Area, and was upheld by the court in USA v. Ward 2:09-po-00695-RTB (2009). The park instituted a requirement that all boats must be inspected for the presence of quagga mussels and/or zebra mussels prior to entering Lake Powell. Boaters who refuse the inspection are subject to criminal penalties and fines. This measure was published in an addendum to the Superintendent's compendium. The park cited a boater who refused such an inspection. The defendant was charged with violation of 36 C.F.R. § 1.5(f), not with violating the park's public use limitation or the Superintendent's compendium. The citation went before a magistrate judge in the U.S. District Court for the District of Utah, where the boater was found guilty and fined \$2,500.

Apostle Islands National Lakeshore also serves as an example of proper, non-controversial use of 36 C.F.R. § 1.5. Each year the park initiates a temporary closure to protect nests of the endangered piping plover. Because these closures are temporary and have minimal effect on public use patterns, this use of the compendium is appropriate.

2.2. Overview of National Park Service Constitutional Authority

NPS has broad authority to promulgate regulations under 54 U.S.C. § 100751(a), as well as numerous other NPS authorities and many of the enabling statutes for particular park units. The constitutional basis for these various statutes is primarily found in the Property Clause of the U.S. Constitution, with further support in the Enclave and Commerce Clauses.

The Property Clause provides that “Congress shall have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States...”⁸ Pursuant to the Property Clause, Congress has the power to regulate activities on both federal and nonfederal lands in order to protect the designated purpose of federal lands. The power vested in Congress by the Property Clause to protect federal lands can be delegated to federal agencies. Through the NPS Organic Act, Congress delegated this power to the Secretary of the Interior to protect the resources of the national parks.

Park Examples: NPS Regulations Upheld Under the Property Clause

Ozark National Scenic Riverways promulgated a special regulation that prohibited the delivery or retrieval of rented canoes within its boundary without a permit (36 C.F.R. § 7.83(c)(3)). When the park action was challenged, the court held that the NPS may regulate canoeing activities on state-owned rights-of-way and roads where such activities threaten to over-commercialize park lands. The court based its ruling on the well established power under the Property Clause of the federal government to regulate conduct on nonfederal land that affects the federal interest (Free Enterprise Canoe Renters Ass’n of Missouri v. Watt, 711 F.2d 852 (8th Cir. 1983)).

New River Gorge National River objected to a state-sponsored black fly pesticide spraying program on nonfederally-owned land within park boundaries that would have violated 36 C.F.R. § 2.1(a). When the park’s objection was challenged, the court found that the Property Clause authorizes the Park Service to regulate and protect nonfederal lands within a federal preserve. (U.S. v. Moore, 640 F. Supp. 164 (S.D.W.Va. 1986)).

The Enclave Clause governs those cases where the United States acquires jurisdiction with the consent of the legislature of the State.⁹ Article I, Section 8, Clause 17 of the U.S. Constitution states that the Congress shall have the power “[t]o exercise exclusive Legislation in all Cases whatsoever, over . . . all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings. . . .”

This power arises when the United States acquires legislative jurisdiction over lands and waters through the state’s cession of exclusive or concurrent jurisdiction over lands and waters within park boundaries.¹⁰ The authority under the Enclave Clause is different than the authority granted under the Property Clause, in that it requires the state to cede jurisdiction to the United States before the United States is granted any regulatory authority. Under the Enclave Clause, the NPS

may have the power to regulate activities on state-owned submerged lands within the boundaries of a park if the state has ceded jurisdiction over those lands. However, some cessions only encompass lands actually owned by the United States. Additionally, earlier general cession laws may also apply to park units so it is important to confer with the Regional Solicitor's Office to determine the jurisdictional status of a particular unit.

The NPS derives additional regulatory authority from the Commerce Clause, which authorizes Congress to “regulate commerce with foreign nations, and among the several states; and with the Indian tribes[.]”¹¹ The authority granted by the Commerce Clause is far-reaching, permitting Congress to regulate matters in, or affecting, interstate commerce. This includes the NPS's authority under 36 C.F.R. § 1.2(a)(3) to regulate within the ordinary reach of navigable waters.

Park Example: Resource Protection Under the Commerce Clause

In Cappaert v. United States, 426 U.S. 128 (1976), the U.S. Supreme Court permanently enjoined pumping that would lower the water below a level necessary to preserve the fish population in Devil's Hole, a detached unit of Death Valley National Park, finding that federal reservation of water rights in land withdrawn from the public domain is empowered by the Commerce Clause in addition to the Property Clause.

The Supremacy Clause states, “This Constitution, and the laws of the United States... [and] all Treaties... shall be the supreme law of the land...”¹² Case law has historically affirmed the proposition that “the government of the Union, though limited in its powers, is supreme within its sphere of action.”¹³ The Supremacy Clause forms the basis of the doctrine of federal preemption, which means that federal law trumps conflicting state law that becomes an “obstacle to the accomplishment and execution of the full purposes and objectives of Congress.”¹⁴

2.3. Overview of National Park Service Statutory Authority

2.3.1. The National Park Service Organic Act of 1916

As stated above, the NPS Organic Act of 1916 is an example of Congressional delegation of authority to the National Park Service for the purposes of protecting the resources of the national parks. The NPS Organic Act grants broad discretion to the NPS to determine what actions and activities are best suited to implement its primary purpose of resource conservation. That purpose is set forth at 54 U.S.C. § 100101(a), which states that “the fundamental purpose of the System units, which purpose is to conserve the scenery, natural and historic objects, and wild life in the System units and to provide for the enjoyment of the scenery, natural and historic objects, and wild life in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.”

All park units, including recreation areas, seashores, and lakeshores, are managed to the same high standard. The 1960s-era approach of the NPS, under which parks were managed differently

depending upon categories (natural parks, recreational and historic) was rejected by Congress when it amended the Organic Act in 1970 and 1978 (the General Authorities Act and the “Redwoods Amendment”). In these amendments, codified at 54 U.S.C. § 100101(b), Congress affirmed that:

[T]he National Park System...[include[s] superlative natural, historic, and recreation areas...these areas, though distinct in character, are united through their interrelated purposes and resources into one National Park System as cumulative expressions of a single national heritage;...individually and collectively, these areas derive increased national dignity and recognition of their superb environmental quality through their inclusion jointly with each other in one System preserved and managed for the benefit and inspiration of all the people of the United States;...Congress...directs...that the promotion and regulation of the various System units shall be consistent with...[this] purpose...The authorization of activities shall be construed and the protection, management, and administration of the System units shall be conducted in light of the high public value and integrity of the System and shall not be exercised in derogation of the values and purposes for which the System units have been established, except as directly and specifically provided by Congress.

As explained by one court, the purpose of these amendments “was to bring recreational units (including recreation areas, seashores and lakeshores) into the fold and require that they be managed consistently with the rest of the system. Congress clearly intended and mandated that NPS eliminate the distinctions and treat all units [consistently]...with resource protection the overarching concern.”¹⁵ That court held that the NPS-wide rule prohibiting off-road bicycle use in national parks and applying it equally to national recreation areas was a valid agency decision. In other words, NPS mandates apply equally to all units of the National Park System, regardless of the type of unit.¹⁶

2.3.2. 54 U.S.C. § 100751(b)

In 1976, Congress amended the General Authorities Act of 1970 to clarify authorities applicable to the National Park System. These amendments included the addition of 54 U.S.C. § 100751(b), which authorizes the NPS to:

[P]rescribe regulations...concerning boating and other activities on or relating to water located within System units, including water subject to the jurisdiction of the United States. Any regulation under this subsection shall be complementary to, and not in derogation of, the authority of the Coast Guard to regulate the use of water subject to the jurisdiction of the United States.

54 U.S.C. § 100751(b) was enacted to clarify the authority of the NPS to regulate recreational, commercial, and other uses and activities relating to all waters of the National Park System.¹⁷ While 54 U.S.C. § 100751(b) preserves the authority of the U.S. Coast Guard to regulate boat design and safety, the NPS's regulations may be more restrictive in order to better protect the natural, wildlife, cultural, and historical resources as well as to provide for improved park administration and public safety, use, and enjoyment.¹⁸

2.4. What is the Effect of State Submerged Land Ownership on National Park Service Jurisdiction?

Park managers often ask if state ownership over the submerged lands and seabed resources within parks precludes NPS management and protection of those lands and resources. As discussed above, NPS retains responsibility and authority on and in the water. NPS should seek to work cooperatively with states to protect park resources and values.

Nonetheless, it is important to understand the scope of state ownership and management, in order to enhance NPS cooperation with state agencies and management of visitor use and wildlife protection. See Appendix B of this document for a diagram illustrating the location and boundaries of state and federal submerged lands.

2.4.1. Submerged Lands Act of 1953

The Submerged Lands Act of 1953 (SLA) relinquished to the states all submerged lands from the shoreline (usually the mean high tide line) to three geographical miles seaward of the mean low tide line¹⁹ (and to three marine leagues, or 9 nautical miles, for Texas and the Gulf coast of Florida).²⁰ In addition to lands off the Atlantic, Pacific, and Gulf of Mexico coasts, submerged lands subject to state ownership also include inland navigable lakes (such as the Great Lakes), rivers, and other water bodies.²¹ However, the SLA did not relinquish those lands that were previously reserved by the U.S.

State ownership depends on satisfying one of two criteria: either (1) the water body must have been navigable at the time the state entered the United States, or (2) the submerged lands must be permanently or periodically covered by tidal waters. The SLA also specifies that the boundaries of states bordering the Great Lakes extend to the international boundary of the United States.²²

It appears that a state's seaward boundary under the SLA changes depending on geologic shoreline processes.²³ Non-tidal boundaries are also considered ambulatory, modified by accretion, erosion, and reliction.²⁴

In addition to title of the submerged lands, the SLA also conveys the minerals and natural resources found in those lands and waters. The SLA reserves for the federal government the

right to use, improve, and regulate such lands and the accompanying waters for the purposes of navigation, flood control, or production of power.²⁵ The United States also retains its navigational servitude and rights as well as its regulatory powers and control over these waters for the constitutional purposes of commerce, navigation, national defense, and international affairs.²⁶

With the passage of the SLA, states have the authority to manage, develop, and lease resources throughout the water column and the land beneath it. However, as explained in section 2.1.1 of this reference manual, the NPS may apply its regulations to activities on the surface of the water, within the water column, in the area below mean or ordinary high water, and in some cases on the sea bed, even on state-owned submerged lands, regardless of the park's jurisdictional type. If there is a conflict between state and federal laws, federal law generally overrides the conflicting state laws under the Supremacy Clause as discussed above.²⁷

Park Example: Federal Ownership of Submerged Lands

In some situations, states will dedicate their submerged lands to the NPS. For example, Cape Hatteras National Seashore received submerged lands from North Carolina and Gulf Islands National Seashore received submerged lands from Mississippi. In some situations the state may grant a less than fee property interest to the NPS. For example, Fire Island National Seashore was granted an easement from the State of New York 1,000 feet into the Atlantic Ocean.

In Alaska v. United States, 545 U.S. 75 (2005), the State of Alaska sued the federal government claiming ownership of the submerged lands underlying Glacier Bay National Monument (now Glacier Bay National Park and Preserve (GLBA) and other similar marine areas of Alaska. The Court found that the U.S. retained ownership of the submerged lands by setting them aside as Glacier Bay National Monument before Alaska attained statehood and thus showing an intent to retain federal title.

GLBA is noteworthy because it serves an example of the complexity of submerged lands ownership. GLBA includes some submerged lands that are owned by the federal government and some owned by the State of Alaska. Those submerged lands that were part of the park prior to Alaska statehood (1959) remained in federal ownership. However, in 1980 the park was expanded through the Alaska National Interest Lands Conservation Act (ANILCA), and the submerged lands that were added were in state ownership at the time of ANILCA. The state retained ownership of such lands.

The important point to remember is that the NPS regulatory authority over activities in the waters generally does not depend on ownership of the submerged lands. 36 C.F.R. § 1.2(a)(3) clarifies that the NPS can apply its regulations on and in waters below the line of mean high water within the park boundary "without regard to the ownership of submerged lands."

States have a strong interest in ensuring that the three-mile/three-marine-league line is accurate, because activities beyond that line are subject to the complete and exclusive power of the federal government.²⁸

2.4.2. Territorial Submerged Lands Act – The Territories of Guam, the Virgin Islands, and American Samoa

The Territorial Submerged Lands Act applies to the territories of Guam, the Virgin Islands, and American Samoa. This act transferred all of the U.S. interest in the submerged lands from the line of mean high tide seaward to three geographical miles from the coastlines of the territories to the territorial governments. The line of mean high tide subject to the Act may be modified by accretion, erosion, and reliction and includes artificially-made, filled-in, or reclaimed lands.²⁹

In making this conveyance, the United States retained the following: all deposits of oil, gas, and other minerals; various submerged lands adjacent to areas of U.S. ownership or interest; and submerged lands within Virgin Islands National Park, Buck Island Reef National Monument, and within boundaries of other federally protected areas administered by any agency or department of the United States.

2.4.3. The Territories of Puerto Rico and the Commonwealth of Northern Mariana Islands

The Territorial Submerged Lands Act does not apply to Puerto Rico and the Commonwealth of Northern Mariana Islands (CNMI). In Puerto Rico, the U.S. conveyed all non-reserved interests in submerged lands and natural resources contained in those lands and waters, from the line of mean high tide seaward to three marine leagues, subject to accretion, erosion, and reliction, to the government of Puerto Rico.³⁰ In the CNMI, the U.S. has paramount right seaward of the low-tide water line of the CNMI.³¹ This issue was decided by the U.S. Court of Appeals for the Ninth Circuit, which found that the CNMI was sovereign U.S. territory and there is no indication that the U.S. intended to cede the submerged lands to the CNMI when it entered into the Covenant to Establish a Commonwealth of the Northern Mariana Islands.³²

2.4.4. The Potential for Expansion of the National Park System onto the Outer Continental Shelf

There are currently a number of national monuments located on the U.S. coastline or in waters subject to U.S. jurisdiction, such as Papahānaumokuākea Marine National Monument off the coast of Hawaii, and the California Coastal National Monument off the coast of California. These monuments are not under the jurisdiction of the National Park Service, but rather the U.S. Fish and Wildlife Service (FWS), National Oceanic and Atmospheric Administration (NOAA), the Bureau of Land Management (BLM), or state agencies. However, the President of the United States (under the Antiquities Act) could establish future national monuments on the Outer Continental Shelf (OCS). Management of such monuments would have to be delegated (at least in part) to the Department of the Interior and then could be re-delegated to the NPS. Congress could also establish a new NPS unit of this sort. The NPS should be aware of the possible

establishment of NPS units on the Outer Continental Shelf and use this reference manual if necessary.³³

2.4.5. Importance of Cooperation between the National Park Service and States

If there are legal or practical questions or impediments to the exercise of NPS regulations over the submerged lands and water column within an ocean or coastal park unit, the park should try to enter into agreements or memoranda of understanding with the state as an alternative method for enhancing resource protection. This is discussed in NPS Management Policies (2006) § 3.4. Examples include the agreements forged by Dry Tortugas National Park, Everglades National Park, and Wisconsin Ice Age National and State Scenic Trail.³⁴

2.4.6. The Effect of the Public Trust Doctrine on National Park Service Jurisdiction

The public trust doctrine is a state-by-state doctrine under which a state has assumed the perpetual responsibility to manage state submerged lands in such a way as to protect the ability of the public to use and enjoy these waters.³⁵ The NPS does not implement the public trust doctrine. Instead, the NPS protects park resources via NPS regulations.³⁶ Nonetheless, the NPS can work with a state to ensure that the state's exercise of the public trust doctrine complements the NPS's management of the park units within that state.

Generally, lands and waters subject to the public trust doctrine include submerged lands under navigable waters, lands subject to the ebb and flow of the tide, and submerged lands seaward of the mean high tide line out to three geographical miles.³⁷ In Hawaii, there are entire islands held in trust by the State for Native Hawaiians.

The public trust doctrine is state-specific and therefore there is no one uniform doctrine. Each state can, and does, define the scope and fabric of the doctrine to fit its needs.³⁸ Not every state has adopted the public trust doctrine. States that have adopted the doctrine have applied it for the prevention of pollution, for the protection of natural resources, and to maintain the public's rights of hunting, fishing, and navigation.

2.4.7. Coastal Zone Management Act

The Coastal Zone Management Act (CZMA) encourages coastal states to implement comprehensive Coastal Management Programs (CMP) managing uses and impacts to coastal resources.³⁹ If their programs are approved by the Department of Commerce's National Oceanic and Atmospheric Administration (NOAA), the states receive grants for program administration.⁴⁰

Federal agency activities within or outside a state's coastal zone that affect any land or water use or natural resource of the coastal zone must be carried out in a manner which is consistent to the maximum extent practicable with the enforceable policies of the approved CMP.⁴¹ A federal agency activity includes any function performed by or on behalf of a federal agency in the exercise of its statutory responsibility.⁴²

The process of adhering to the NPS Organic Act and other NPS authorities while maximizing consistency with state enforceable policies is explained step-by-step below.

Step 1: Will the NPS activity have an effect on a coastal use or resource of the state's coastal zone?

- (a) First, evaluate whether the NPS activity will have any reasonably foreseeable effects on coastal uses or resources. The term "effect" is defined broadly to mean both direct (occurring at the same place and time as the activity) and indirect (cumulative and secondary) effects.⁴³
- (b) Second, determine whether the affected coastal uses or resources occur within the state "coastal zone." The term "coastal zone" includes coastal waters, submerged lands, and adjacent shorelands, seaward to the outer limit of state title under the Submerged Lands Act and inland as determined by the particular state.⁴⁴ Excluded from the coastal zone are areas that are federally owned, federally leased, held in trust by the federal government, or subject solely to federal discretion.⁴⁵ In other words, those agency activities do not need to be included in a consistency determination unless they will have spillover effects onto the state's coastal zone.⁴⁶

Step 2: If the NPS action will take place in the coastal zone but not have an effect, what should the NPS do?

Submit to the state agency a Negative Determination (ND) that contains the information listed at 15 CFR § 930.35(b), at least 90 days before final approval of the NPS activity.⁴⁷

Step 3: If the NPS action will have an effect in the coastal zone, what should the NPS do?

Submit to the state a determination that the proposed activity will be consistent to the maximum extent practicable with the enforceable policies⁴⁸ of the approved coastal management program. In complying with this mandate, the NPS should address these questions:

(i) Was the policy approved by NOAA after adequate consideration of NPS input?

State policies approved by NOAA are considered "enforceable policies." In approving a state's program, NOAA has a statutory mandate to consult, cooperate, and coordinate with other federal agencies that will be affected by the program.⁴⁹ Pursuant to the CZMA, the Secretary of Commerce "shall not approve the management program submitted by a state pursuant to section

306 [16 U.S.C. § 1455] unless the views of the Federal agencies principally affected by such program have been adequately considered.”⁵⁰ If the views of the agency were not adequately considered, then the policy is not enforceable upon that agency.⁵¹

If a park unit manager has questions about a state policy, it may be helpful to request more background information about that policy and NOAA’s approval thereof. In addition, it may be helpful to request the citations for the state’s complete set of enforceable policies and prior consistency evaluations, so that the policy can be put in context and the NPS’s determination can be made in a fully informed manner.

(ii) If the policy is enforceable because it was approved by NOAA after adequate consideration of NPS input, what should the NPS do?

If the state’s policies are enforceable against the NPS and there will be an effect on the uses or resources of the state’s coastal zone, then the NPS is required to submit a consistency determination to the state. The contents and timing for consistency determinations are described in the CZMA regulations.⁵² The NPS’s responsibility under the CZMA is to be consistent to the maximum extent practicable with the state’s enforceable policies.⁵³

(iii) Maximum Extent Practicable

“Consistent to the maximum extent practicable” is a term of art that is defined by NOAA regulations as “fully consistent with the enforceable policies of management programs unless full consistency is prohibited by existing law applicable to the Federal agency.”⁵⁴ If the NPS concludes that compliance with NPS mandates does not allow for full consistency but instead allows for consistency to the maximum extent practicable, then the NPS consistency determination for that project should describe the laws, legislative history, regulations, NPS policies, Director’s Orders, or other authorities which do not allow for full consistency with the state’s enforceable policies.⁵⁵ For example, these authorities will likely include the NPS Organic Act, the park purpose and resources as expressed in the enabling statute, other laws such as the Endangered Species Act, NPS regulations, and NPS Management Policies 2006.

(iv) Stricter Standard

When federal agencies, such as the NPS, have standards that are more restrictive than the standards contained in the state’s CMP, the CZMA regulations specifically allow the federal agency to implement the stricter standards. In these cases, the NPS must inform the state agency in the consistency determination of the legal, regulatory, or other basis for the application of the stricter standards.⁵⁶

(v) Emergencies or Presidential Exemption

There are two other ways in which the NPS may deviate from full consistency: (1) When such deviation is justified because of an emergency (such as storm events) or similar unforeseen

circumstance, or (2) the activity is classified and exempted by the President of the United States.⁵⁷

(vi) Lack of Funding

The NPS may not claim a general lack of funding or insufficient budgeting as a basis for being consistent to the maximum extent practicable.⁵⁸

Step 4: When can the NPS proceed with the action?

Once the NPS has submitted its consistency determination including the justification for consistency to the maximum extent practicable, the NPS may proceed with its planned activity in 90 days unless the state concurs with the consistency determination (in which case the NPS may proceed sooner) or unless the NPS and the state agree to a different time period.⁵⁹

Should the state agency object with the NPS's consistency determination, the NPS has 3 choices: (1) proceed with the action; (2) alter the action to conform to state requests; or (3) cancel the action.⁶⁰ However, each of these options must be carried out in conformance with the NPS Organic Act.

Management Tip: State Agencies and the CZMA

Each coastal state administers the CZMA through a particular state agency. For example, in Texas, the General Land Office reviews federal actions in the Texas coastal zone to ensure consistency with the goals and policies of the CMP. In California, the Coastal Commission plans and regulates the use of land and water in the coastal zone. In Washington, the Department of Ecology is the lead coastal management agency. In Alaska, the coastal management program is run by the Department of Natural Resources. In Massachusetts, the Executive Office of Environmental Affairs handles coastal resource management.

3. SPECIFIC RESOURCE MANAGEMENT TOPICS

3.1. Fishing

This section applies to recreational fishing, i.e., any fishing activity where the catch is not sold.

3.1.1 General Authorities

Generally, recreational fishing is allowed in parks when: 1) it has been authorized by federal law, 2) the federal law is silent, or 3) it is not prohibited by federal law.⁶¹ When fishing is allowed, it must be conducted in accordance with the superintendent's compendium or NPS special park regulations, NPS Management Policies at § 4.4.3, non-conflicting state laws and regulations, applicable federal laws, and treaty rights. Although 36 C.F.R. § 2.3 adopts state fishing regulations that are consistent with NPS regulations, a state's regulations may be insufficient to accomplish the NPS Organic Act mandate to conserve resources unimpaired in a park. 36 C.F.R. §§ 1.5 and 2.3 provide the authority for NPS units to adopt fishing regulations that are more (or less) restrictive than state regulations.⁶²

NPS regulations define "fishing" as "taking or attempting to take fish."⁶³ They define "fish" to mean "any member of the subclasses Agnatha, Chondrichthyes, or Osteichthyes, or any mollusk or crustacean found in salt water."⁶⁴ Any other marine species is classified by NPS regulation as wildlife, the taking of which is subject to 36 C.F.R. § 2.2 (see below).

Management Tip: NPS Regulation of Fishing

How varied are the fish resources and fishing activities within the NPS's authority? One example is bottom-dwellers such as flounder, sole, clams and oysters. Because these animals are inhabitants of and feed in benthic waters, the NPS interprets harvest activities such as digging, scraping, trawling, raking, and placing traps, which occur within, or at the bottom of the water column, as activities that are generally within the scope of 36 C.F.R. § 1.2(a)(3) and therefore subject to NPS regulations regardless of ownership of the submerged lands or park jurisdictional status.

State marine fisheries regulations vary greatly. For example, the state of Alaska adopts separate rules for noncommercial types of fishing defined as sportfishing, subsistence, and personal use. Some states require a saltwater sportfishing license, while others do not. Bag limits (total fish taken), minimum size limits, seasonal closures, and area closures also vary by state. Park managers should consult state law and regulations for measures that may affect fisheries in their parks.

To protect park resources and values, the NPS may establish regulations or restrictions through a special regulation or close certain park waters under the Superintendent's compendium, even if inconsistent with state law.⁶⁵ As discussed above, NPS regulations preempt inconsistent state laws and regulations under the Supremacy Clause of the U.S. Constitution.⁶⁶

Such restrictions may be authorized by the park enabling statute. For example, the Gateway National Recreation Area legislation states that “the Secretary shall permit hunting, fishing, shellfishing...in accordance with the applicable laws of the United States and the laws of the States of New York and New Jersey...except that the Secretary may designate zones where and establish periods when these activities may not be permitted for the reasons of public safety, administration, fish or wildlife management, or public use and enjoyment.”⁶⁷

Even in the absence of specific authorization in the enabling statute, the NPS may take appropriate action to manage fishing under the authority of the NPS Organic Act and other general NPS authorities.

Fishing management actions have been upheld in parks, including parks that have “shall permit” or “may permit” language in their enabling statutes for hunting, fishing, boating, or other consumptive resource uses.⁶⁸ Language in the enabling statute that directs the Secretary to permit fishing “in conformity with” or “in accordance with” state law does not preclude the NPS from taking appropriate actions to protect park fish resources and values.

Management Tip: Fishing and Commercial Guiding and Transportation for Recreational Fishing

Based on the NPS Organic Act, parks need to ensure that their fishing resources are not impaired. Parks must also ensure that restrictions on fishing are consistent with their statutory authorities and NPS regulations. Before adopting limits on fishing, a park should ensure that it has proper scientific documentation and an administrative record that identifies the problem and documents the impacts of fishing activities on park resources. NPS regulations at 36 C.F.R. § 2.3(c) also require the NPS to consult with the appropriate state agency before imposing such limits, except in cases of emergencies or where the park has exclusive federal jurisdiction, but the NPS regulations do not require that the state agency agrees with the NPS’s proposed management changes before those changes are implemented.

Commercial operations that guide or transport park visitors engaged in recreational fishing (i.e. the catch is not sold) are allowable within a unit that has legislation authorizing fishing, but they must be conducted pursuant to a concession agreement or a commercial use authorization (see **Section 3.5** below), because they provide a service to park visitors. Since park managers are responsible for monitoring and assessing all species’ harvesting that occurs within the unit, fees and information collected from these vendors can be used to maintain data and assessments about the impacts of and acceptability of this use. (Note that this is different from vessels transiting through park waters carrying nets but not harvesting while in park waters; such boats may be issued a permit under 36 C.F.R. §2.4(d)(4)).

3.1.2. Fishery Management Plans

Parks can work with states to develop joint fisheries management plans (FMPs) that improve condition of fish populations in and around parks or address a specific management concern. In developing a joint FMP, NPS and the state may enter into a Memorandum of Understanding establishing their mutual goals, objectives and roles.⁶⁹

3.1.3. Marine Protected Areas⁷⁰

A Marine Protected Area (MPA) is defined as “any area of the marine environment that has been reserved by Federal, State, territorial, tribal, or local laws or regulations to provide lasting protection for part or all of the natural and cultural resources therein.”⁷¹ The National Park System includes 40 units with submerged and intertidal resources that meet the definition of MPA. These units include coral reefs, kelp forests, estuaries, shipwrecks, and other natural and cultural resources. Of these 40 units, 29 are currently on the national inventory of MPAs.⁷²

Inclusion of a park unit on the national list does not increase NPS jurisdiction or diminish other entities’ jurisdiction. Instead, representation on the national list provides opportunities for increased scientific cooperation and coordination with state, local, and federal partner agencies, and grant funding eligibility.

3.1.4. Essential Fish Habitat

Essential Fish Habitats (EFHs) are “those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity.”⁷³ These areas are designated by NOAA for the protection of federally managed fish species. EFH is a program authorized by the 1996 amendments to the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and it requires all federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions or proposed actions that may adversely affect EFH. Federal agencies are required to prepare and submit to NMFS a written EFH assessment. NMFS will then make a conservation recommendation and while the agency does not have to accept the recommendation, it must respond in writing.

Consultation for EFH is required for all agency actions that may adversely affect EFH regardless of whether they occur within or outside of EFH. Therefore, ocean and coastal park managers should contact NMFS and their Regional Solicitor’s office to determine if their activities will affect federally managed fish species. NMFS encourages agencies to do their EFH assessment as part of their NEPA compliance if possible.

3.1.5. Research Natural Areas

Parks can create a research natural area in order to designate a particular area of water as a no-take reserve. Designating RNAs requires the park Superintendent to identify a suitable area to the Regional Director, who then has the authority to designate the RNA.⁷⁴ RNA designation requires the Regional Director to follow formal rulemaking procedures and conduct appropriate NEPA compliance. For example, Dry Tortugas National Park created a RNA in 2006 in order to prohibit fishing and anchoring.

3.1.6. Stocking of Fish

Many state and federal wildlife management programs include stocking of various wildlife species as a management tool for population enhancement, recreational harvest, or commercial harvest. However, 36 C.F.R. § 2.1(a)(2) forbids “introducing wildlife, fish or plants, including their reproductive bodies, into a park area ecosystem.” In accordance with this regulation the NPS generally does not engage in fish stocking, except in compliance with § 4.4.3 of the NPS Management Policies (2006). If the unit wishes to allow fish stocking by others or fish stocking that exceeds the criteria of § 4.4.3, such stocking can be conducted only after appropriate NEPA review, a waiver of these Management Policies provisions, and a special park regulation promulgated to supersede 36 C.F.R. § 2.1(a)(2).

Management Tip: Subsistence Fishing In Alaska

Subsistence fishing is allowed in certain areas of Alaska parks. The following is an overview of the NPS subsistence fishing/use regulations:

- NPS Alaska subsistence regulations are located at 36 C.F.R. Part 13, Subpart F, and include fishing, hunting, trapping, timber, and plant material.
- The regulations are applicable on “federally owned lands and interests therein within park areas where subsistence is authorized,” 36 C.F.R. § 13.2(c).
- Subsistence use is prohibited in some park units while authorized in others. Additionally, some park units have promulgated special regulations regarding subsistence use while others have not yet done so.

3.2. Harvesting of Species Other Than Fish

Generally, all marine animal species that are not defined as “fish” are considered by the NPS to be “wildlife.”⁷⁵ Harvesting, disturbing, or taking wildlife in park units, whether for recreational or commercial purposes, is generally prohibited under the wildlife protection provisions of 36 C.F.R. § 2.1(a)(1)(i) and § 2.2. However, under 36 C.F.R. § 2.2, wildlife hunting may be allowed in parks where mandated by federal statutory law (such as the park’s enabling legislation), although it generally may be restricted pursuant to 36 C.F.R. § 1.5.

According to NPS Management Policies, parks must regulate hunting through special regulations. In addition, the NPS will only allow hunting to take place if the operations are monitored in accordance with NPS Management Policies § 4.4.3, and the NPS has determined that the harvesting will not unacceptably impact park resources. The NPS will not allow artificial manipulation of habitat or native species to increase the numbers of a harvested species.⁷⁶

Management Tip: Monitoring Requirements of NPS Management Policies

NPS Management Policies § 4.4.3 contains monitoring requirements that apply to both fishing and the harvesting of species other than fish. According to § 4.4.3, in order for the NPS to allow harvesting, the monitoring requirements of § 4.4.2 must be met. Pursuant to § 4.4.2, “The Service will assess the results of managing plant and animal populations by conducting follow-up monitoring or other studies to determine the impacts of the management methods on nontargeted and targeted components of the ecosystem.”

Sections 4.4.3 and 4.4.2 mean that a park must have a monitoring program or plan in place. If the monitoring demonstrates that the impacts of the harvest are unacceptable, then the NPS must stop or alter the harvesting, in accordance with § 4.4.3.

Furthermore, any collection of wildlife, whether temporary or permanent, must be done pursuant to an NPS permit. Several parks have issued special regulations to further protect wildlife.⁷⁷ These regulations generally apply in all waters described at 36 C.F.R. § 1.2(a)(3), regardless of ownership of the submerged lands and the park’s jurisdictional status.⁷⁸

In addition to the above prohibitions, any harvesting activity where the catch is sold will generally be prohibited under the general regulation on engaging in business in park areas, 36 C.F.R. § 5.3, unless authorized under a valid permit, contract, or other written agreement with the United States.

Park Example: Horseshoe Crabs in Cape Cod National Seashore

At Cape Cod National Seashore, the park's enabling statute provides that harvesting of "shellfish" is managed by the local towns, and not NPS, but does not define "shellfish." NPS determined that horseshoe crabs were not "shellfish," but are wildlife (horseshoe crabs are arthropods not crustaceans) protected by 36 C.F.R. § 2.2 and therefore did not allow their harvest in the park. A federal district court deferred to NPS and upheld its interpretation. Associates of Cape Cod, Inc. v. Babbitt, C.A. No. 00-105549-RWZ (D. Mass. 2001).

3.3. Commercial Fishing

This section applies to fishing activities where the catch is sold.

Under NPS general regulations and policies, commercial fishing is prohibited in park units except where specifically authorized by: 1) federal law, 2) treaty right, or 3) a special park regulation.⁷⁹ If there is no specific authorization in federal law or treaty, then there is a presumptive ban on commercial fishing in parks per the general NPS regulations. However, a park can override the presumptive ban by promulgating a special regulation.

In order to provide specific authorization for commercial fishing, the park’s enabling statute must do more than simply state that fishing or shellfishing shall be permitted. For example, the enabling statutes for Cape Hatteras National Seashore and Jean Lafitte National Historical Park

and Preserve contain specific authorization for commercial fishing.⁸⁰ Similarly, Public Law 105-277 and ANILCA § 205 authorize commercial fishing in certain parts of Glacier Bay National Park & Preserve.⁸¹

Gulf Islands National Seashore is an example of a park where commercial fishing is not allowed because it is not specifically authorized by the enabling statute, treaty, or a special regulation. The park enabling statute contains the following language:

The Secretary shall permit hunting and fishing on lands and waters within the seashore in accordance with applicable Federal and States laws: Provided, That he may designate zones where, and establish periods when, no hunting or fishing will be permitted for reasons of public safety, administration, fish or wildlife.⁸²

This language is not specific enough to authorize commercial fishing. A commercial fishing citation at the park was upheld by a court which examined the “shall permit...fishing” phrase. The court found that “Congress clearly intended for the secretary to regulate commercial fishing-or ban it altogether—...[to] conserve scenery and wildlife and leave them unimpaired for future generations...”⁸³

Park-specific regulations prohibiting commercial fishing within Everglades National Park have also been upheld, as were restrictions as to areas, bag limits (for both recreational catch and commercial fishing), and categories of harvesters.⁸⁴

Management Tip: Commercial Fishing and Harvesting

The general prohibition on commercial fishing activities means that fishing, shellfishing, or gathering shellfish for subsequent sale are prohibited within park waters, unless there is authorization by specific legislation or a special NPS regulation.

In addition, as discussed in the prior section, harvesting of marine/aquatic wildlife (including bait worms and corals) for subsequent sale is generally prohibited under 36 C.F.R. § 2.1 and § 5.3. Harvesting of marine plants, such as seaweeds, is also prohibited by 36 C.F.R. § 2.1, as well as § 5.3 if the harvest is for commercial purposes.

If it is appropriate in the context of the enabling legislation and Congressional intent, commercial fishing might be able to be authorized or allowed subject to limits, seasons, or methods, or other protections. If opening a given park to commercial harvesting is proposed, it will have to be clearly explained how this is consistent with the park’s mission and purposes, since the general laws, regulations and policies governing parks are pervasively non-commercial except for facilities benefiting the park visitor. Special regulations allowing commercial fishing in parks must be enacted consistent with a park’s statutory authorities, NPS regulations, and the National Environmental Policy Act (NEPA). The park should ensure that it has proper scientific documentation and a complete administrative record which demonstrates that commercial fishing will not unacceptably impact or impair park resources and values.

If you are unsure whether your park’s enabling statute contains specific authorization for commercial fishing, then you need to look at the legislative history of the enabling statute and consult with an attorney in the regional Office of the Solicitor.

3.3.1 Addressing Commercial Fishing Operations

There have been instances where commercial fishing operations have occurred within NPS waters, despite the prohibition described above. Sometimes these operations have occurred with NPS authorization, while other operations have occurred without authorization.

In some instances, parks have previously issued permits or other forms of authorization to commercial fishers, unaware that doing so is contrary to NPS laws, regulations, and policies. In such cases, parks should work with the Water and Geologic Resources Division of the Natural Resources Stewardship and Science Directorate, the Regulations, Jurisdiction and Special Park Uses Division of the Visitor and Resource Protection Directorate, and the Office of the Solicitor to eliminate such permits or authorizations. In other instances, commercial fishing operations are occurring without any authorization from the NPS. In these cases, the park should take steps to enforce the existing prohibition on commercial fishing, or at least phase out commercial fishing within a reasonable timeframe.

Management Tip: Harvesting of Exotic Species

To combat exotic species, parks can encourage the catching of these species by commercial and recreational fishing (NPS Management Policies, 2006 § 4.4.3). Many states now allow a certain number of non-native fish kills, often as an alternative to catch and release rules. The NPS may promulgate a special regulation or a superintendent's compendium provision that allows for such activities even at a level beyond what is allowed by the state. For example Yellowstone National Park has promulgated an exception to the catch limits for lake trout caught from Yellowstone Lake in the park's annual fishing regulations. (See Yellowstone National Park Fishing Regulations RM, <http://www.nps.gov/yell/planyourvisit/upload/fishreg09.pdf>)

Additionally, Olympic National Park has issued exemptions for certain non-native and hatchery bred fish from the park's catch and release requirement. (See Olympic National Park Fish & Shellfish Regulations, <http://www.nps.gov/olym/loader.cfm?csModule=security/getfile&PageID=280891>)

3.4. Vessels

Park managers face several issues relating to the passage of recreational and commercial vessels through park waters. These issues include: disturbance or killing of wildlife, interference with visitor enjoyment, interference with natural soundscapes, the discharge of pollutants into park waters, the introduction of exotic species, the mixing of surface and subsurface waters, the propeller scarring of submerged aquatic vegetation beds, destruction of seabed resources by anchors, and the creation of large wakes that accelerate shoreline erosion. As described below, park managers can employ the general NPS regulations, adopt a special park rule, or enforce U.S. Coast Guard regulations and non-conflicting state law to address these problems.

3.4.1. National Park Service Regulations

NPS vessel regulations at 36 C.F.R. Part 3 are authorized by 54 U.S.C. §§ 100751(a) and 100751(b). These regulations apply both to recreational vessels and commercial vessels,⁸⁵ and on all tidal waters, navigable waters, and up to the mean high-water mark, without regard to underlying land ownership of any submerged lands.⁸⁶

Management Tip: Vessels Defined

In the preamble for 36 C.F.R. Part 3, the NPS clarifies that the definition of “vessel” includes all motorized and nonmotorized water-borne devices that are capable of propulsion by motors, oars, poles, sails, paddles, or another vessel. Thus, “vessels” include windsurfers, kayaks, canoes, personal watercraft, jet skis, sailboats, and motorized boats. The definition of “vessel” does not include devices that merely float without any means of propulsion. Even for non-vessels, however, Superintendents may require the use of personal floatation devices through 36 C.F.R. § 3.7(b).

The Part 3 regulations primarily address vessel and boating safety issues, including driver qualifications, unsafe operations, discharge of pollution, and swimming.

Superintendents may require special use permits to operate a vessel in park waters, although the 36 C.F.R. Part 3 regulations note that such permits are not generally required unless factors such as public safety, protection of park resources, weather, or park management objectives support such an approach.⁸⁷

If a park faces issues concerning commercial vessel use that are not adequately addressed in the general NPS regulations, then it may issue special regulations. Commercial vessel use for visitor services may be regulated through the use of commercial use authorizations or concession contracts. In addition, several parks have issued special regulations regarding the operation of recreational vessels and related activities within park boundaries.⁸⁸

Park Example: Cruise Ships in Glacier Bay National Park & Preserve

Glacier Bay National Park and Preserve has promulgated special regulations at 36 C.F.R. § 13.1160, restricting the numbers of cruise ships allowed to enter park waters. The restriction contains both daily use and seasonal quotas for cruise ships, charter vessels, private vessels, and passenger ferries.

3.4.2. Working with the U.S. Coast Guard

The U.S. Coast Guard (USCG) provides maritime law enforcement, safeguards navigation on the navigable waters and high seas of the United States, inspects vessels to determine compliance, investigates marine casualties and accidents, and enforces port safety and security and marine environmental protection regulations. The USCG can enforce both state law as well as NPS

regulations. Therefore, the USCG can be a valuable resource when parks are faced with issues that are typically within the USCG's expertise.

Management Tip: Fisheries Enforcement Strategic Plan

It is important to note that the USCG has a Fisheries Enforcement Strategic Plan. The Strategic Plan (also known as Ocean Guardian) is focused on protecting federal fisheries resources in the Exclusive Economic Zone (EEZ). Therefore the plan coordinates USCG efforts with those of the U.S. State Department, NOAA Fisheries, and the states, but not with the NPS. Although NPS fisheries are not located in the EEZ, management planning and activities that take place in the EEZ may affect NPS fisheries. Therefore, working collaboratively with USCG may improve NPS resource management.

3.4.3. Ballast Water and Aquatic Nuisance Species

Ballast water is sea or lake water that ships acquire after unloading their cargo to adjust for changes in weight.⁸⁹ In the U.S. over twenty-one billion gallons of ballast water are released into national waters each year.⁹⁰

The main concern with ballast water discharge is that it spreads viruses, bacteria, plants, and animals.⁹¹ More than 10,000 marine species may be found in the ballast water of cargo ships each day, many of which are nonnative.⁹² Once introduced into new bodies of water, these organisms are referred to as aquatic nuisance species (ANS).⁹³ ANS may result in severe and irreversible impacts on environmental quality and biological diversity on economic and recreational activities, and on public health.⁹⁴

The USCG is the primary regulatory agency for controlling ballast water discharge in U.S. waters. The USCG has promulgated regulations located at 33 C.F.R. Part 151 that implement the requirements of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (NANPCA).⁹⁵ These regulations are divided into two sections. The first section regulates vessels that are entering the Great Lakes and Hudson River, while the second section regulates vessels that enter all waters of the U.S.

The USCG regulations require each ship carrying ballast water to file a report 24 hours before entering a U.S. port, have a ballast management plan,⁹⁶ and follow certain practices designed to minimize the risk of discharging ANS if the ship enters U.S. waters from beyond 200 miles off the coastline.⁹⁷ In addition to outlining ballast water management practices that each vessel must adhere to, the regulations require vessels to “avoid the discharge or uptake of ballast water in areas within or that may directly affect marine sanctuaries, marine preserves, marine parks, or coral reefs.”⁹⁸

In 2009, the USCG proposed an amendment to its ballast water management regulations that would establish specific standards for the allowable concentration of living organisms in ships' ballast water discharged in U.S. waters and an amendment to its regulations on engineering equipment that would establish an approval process for ballast water management systems.⁹⁹ Park units can collaborate with the USCG to ensure that these regulations are adequate and enforced.

Although the general ballast water regulation of commercial vessels is under the authority of the USCG, the NPS controls the treatment and discharge of ballast water onboard vessels operated by the NPS, and also has the authority under NPS regulations at 36 C.F.R. §§ 1.5, 2.14, and 3.13 to regulate discharges from vessels that are in park waters to protect park resources.

Parks can further reduce problems associated with ballast water by working with states and/or the U.S. Environmental Protection Agency (EPA) in the enforcement of National Pollutant Discharge Elimination System (NPDES) permits under the Clean Water Act (CWA).¹⁰⁰ Under the CWA, the discharge of any pollutant from a point source into navigable waters of the United States without a NPDES permit is prohibited.¹⁰¹ While ballast water has historically been exempted from the NPDES program a recent U.S. District Court decision found that the EPA must begin to regulate the discharge of ballast water.¹⁰² Therefore, parks should consult with the EPA to determine which regulatory requirements are necessary.

Management Tip: Protecting Park Resources from Ballast Water

Understanding which agencies to consult with regarding ballast water is of primary importance. Possible choices are the U.S. Coast Guard, the Environmental Protection Agency, or state regulatory agencies. While the NPS can place restrictions on ballast water discharge that occur within park boundaries through regulations, it is of paramount importance that parks work with the appropriate agency to ensure that the park's waters are afforded adequate protection from discharges occurring outside of park boundaries.

In addition to general and special regulations, a park can include ballast water discharge restrictions in concessions and commercial use agreements and special use permits. Parks should include in such instruments a contractual prohibition on ballast water discharge within park waters. This technique has been used in Glacier Bay National Park & Preserve with some success.

3.4.4. Anchoring and Mooring

Many coastal parks have raised concerns about their authority to limit or preclude mooring or anchoring of vessels in their waters. This can arise if the coastal park is a popular recreational overnight area, a prime fishing location, or near major commercial shipping lanes with large vessels needing to halt while flushing ballast, having paperwork cleared, or awaiting arrival of the local harbor pilot before proceeding to their docking area.

Parks seeking to protect underwater and coastal resources from the effects from the anchoring and mooring of recreational and commercial vessels can utilize the superintendent's compendium per 36 C.F.R. § 1.5 or permitting authority under 36 C.F.R. §§ 3.3 and 1.6. Additionally, parks can promulgate and enforce special regulations concerning anchoring within park boundaries. Regardless of the park's methods, state agencies and concessionaires need to be consulted to ensure cooperative management takes place.

Park Examples: Anchoring and Mooring

Buck Island Reef National Monument promulgated regulations that prohibit anchoring or mooring in areas that contain underwater marked swimming trails and interpretive signs and require permits for anchoring in deep sand bottom areas while allowing anchoring in emergency situations (36 C.F.R. § 7.73(d)(1)-(4)).

Dry Tortugas National Park promulgated regulations that require the use of designated mooring buoys rather than anchors and restrict the timing and location of mooring (36 C.F.R. § 7.27(e)).

Additionally, the U.S. Coast Guard has anchorage regulations at 33 C.F.R. Parts 109 & 110. These regulations establish specific anchorage areas throughout the coast, rivers, and lakes of the U.S., set pursuant to the Rivers and Harbors Act. The U.S. Coast Guard, when determining these areas, must consult with both the U.S. Army Corps of Engineers (USACE) as well as "the proper representatives of other departments likely to be interested."¹⁰³ In many cases, the NPS is a proper representative and must be consulted.

3.4.5. Control of Vessel Pollution

Pollution originating from ocean vessels is an issue with global implications. Although recreational vessels, such as tour boats, can discharge harmful materials, the larger threat is from commercial vessels entering the country through international shipping lanes.

Parks can address vessel pollution through NPS regulations at 36 C.F.R. Part 3 or 36 C.F.R. § 2.14 or promulgate special regulations to prohibit or reduce pollution within park boundaries. For example, Dry Tortugas National Park has special regulations restricting certain types of discharge within the park.¹⁰⁴

Park Examples: 36 C.F.R. § 2.14

The authority of 36 C.F.R. § 2.14 is very broad. The pollution prohibition has been upheld in Golden Gate National Recreation Area (United States v. Farrell, 2007 U.S. Dist. LEXIS 62720 (2007)) and Dinosaur National Monument (Mantle Ranches v. United States Park Serv., 945 F. Supp. 1449 (1996)).

Virgin Islands Coral Reef National Monument banned the use of non-handheld underwater lights through their Superintendent's compendium. Lights from larger yachts are considered a pollutant as they can adversely affect the natural environment. For example they attract hatchling sea turtles and expose them to predation.

3.4.6. Commercial Vessels Transiting Through Park Waters

Many park units are confronted with a wide range of commercial boating and shipping issues, particularly coastal and Great Lakes units that are on commercial seaways, the Intra-Coastal Waterway, or that are traversed by marked navigable waterways.

An NPS permit would seemingly be required under 36 C.F.R. § 5.3 for any such vessels crossing through park waters, even if they are not otherwise doing business within park waters. In reality, however, the NPS currently does not apply the regulation to commercial vessels that are merely crossing park waters, due to concerns about the practicality of enforcement and, in some cases, interference with international law.

3.5. Commercial Visitor Services

3.5.1. Concessions

The statute authorizing concession operations is the National Parks Service Concessions Management Improvement Act of 1998.¹⁰⁵ The 1998 Act requires that contracts for visitor facilities and services "...be limited to those that are necessary and appropriate for public use and enjoyment..." of the national park area in which they are located, "... and that are consistent to the highest practicable degree with the preservation and conservation of the areas."¹⁰⁶ NPS regulations at 36 C.F.R. Part 51 set out the requirements for the preservation of the parks in relation to the administration of concession operations.

Chapter 10 of Management Policies (2006) provides overall program guidance for commercial visitor services. These policies are an indispensable tool to help NPS employees manage parks responsibly and make rational, well-informed decisions. The preamble to NPS Management Policies for commercial services articulates the important alignment of the 1998 Act with the overall National Park Service mission:

The National Park Service will provide, through the use of concession contracts, commercial visitor services within the parks that are necessary and appropriate for visitor use and enjoyment. Concession operations will be consistent with the protection of park resources and values and demonstrate sound environmental management and stewardship. (NPS Management Policies, Chapter 10)

Further guidance and policy memoranda can be found on the program's web site: <http://inside.nps.gov/waso/waso.cfm?lv=2&prg=40>, including NPS 48. Note that NPS 48 is being updated and certain chapters have been rescinded or revised by policy memo.

The NPS must manage maritime commercial visitor services that generate over \$25,000 per year in gross receipts (e.g., ferry services to the park, hotels, gift shops, water taxi services, boat or

other tours, equipment rentals, commercial pier operations, etc.) under a concession contract unless otherwise authorized by law.

3.5.2. Commercial Use Authorizations

Section 418 of the 1998 Act defines another category of authorization for commercial visitor services “originating and terminating outside of the boundaries of the unit” or those operating within the boundary of the park but generating less than \$25,000 per year in gross receipts.¹⁰⁷ Similar to concession contracts, Commercial Use Authorizations (CUAs) are designed to authorize commercial visitor services in a park. Prior to issuing a CUA the park must determine that the use is appropriate. The 1998 Act requires the NPS to recover “a reasonable fee” from a CUA holder for the management and administrative costs of the CUA. In addition, a CUA holder must carry liability insurance and meet other requirements unique to each CUA to protect the park resources. CUA terms are limited to two years, but they may be reissued. Section 10.3 of the Management Policies describes this program in more detail, as will Director’s Order 48B. Generally, the process to issue a CUA is simpler than for a concessions contract.

Since the CUAs, like concession contracts, authorize visitor services, these authorities would not apply to commercial operations unrelated to visitor services such as water-borne delivery services that serve private residences located on nonfederal inholdings within the boundary.

3.6. Aquaculture

Aquaculture is the practice of farming shellfish, finfish, and aquatic plants in controlled or selected environments.¹⁰⁸ Aquaculture products include seafood for consumption, fish and shellfish that are released into the wild to support commercial and recreational fisheries or to rebuild wild populations, and ornamental fish for the aquarium trade. About 84% of the seafood consumed in the United States is imported and about half of that comes from aquaculture. Domestic marine aquaculture produces less than 1.5% of the seafood consumed in the United States¹⁰⁹; undoubtedly this will increase in the future.

Commercial aquaculture for consumption is agriculture, which is prohibited in parks pursuant to 36 C.F.R. § 2.60 except when specifically authorized by federal statute, required under a reservation of use rights, or needed for a recreational activity or historic scene. Any aquaculture allowed in parks for one of those three reasons must be conducted in accordance with a permit, contract, or other agreement with the United States pursuant to 36 C.F.R. § 5.3, but in no circumstance may be allowed to pollute or contaminate park area waters or water courses (see 36 C.F.R. § 2.14). Pursuant to 36 C.F.R. § 1.2(a)(3), these provisions apply to all such operations on or in waters below mean-high tide in NPS units. Even if the submerged lands are state-owned, NPS regulations apply to the water column and to all access through that water, including for aquaculture. In addition, any federal actions related to an aquaculture project, such

as the issuance of permits, will be subject to appropriate NEPA compliance and any other applicable federal law.

Aquaculture is potentially detrimental to park resources and values. For example, wastes, excess feed, and antibiotics are released from netpen operations to the surrounding environment, increasing nutrient concentrations that can stimulate algal production and decomposition lowering oxygen levels. Escape of domesticated stocks can affect the genetic structure of wild populations and introduce novel diseases, and escape of non-native species can alter natural diversity and community dynamics.

When an aquaculture project is proposed near a park unit, NPS can work with the following agencies to ensure the consideration of park resources and values:

- The U.S. Army Corps of Engineers (USACE) and EPA implement section 404 of the CWA to protect wetlands from the impacts of dredging and filling, which can result from aquaculture siting and operations. Under section 404, USACE administers Nationwide Permit 48 (NWP 48) The USACE also has the authority to issue permits for structures located in navigable waters;¹¹⁰ the EPA has authority to regulate discharges from aquaculture facilities as “concentrated aquatic animal production facilities;”¹¹¹
- NOAA and FWS have an opportunity to review and comment on proposed permits to be issued by USACE or EPA.
- Food and Drug Administration (FDA) in Department of Health and Human Services is responsible for seafood safety, including aquaculture products. The Center for Veterinary Medicine in FDA regulates animal drugs and feeds, including those used in aquaculture products.

3.7. Sediment Management

Rock and unconsolidated sediment serve as the platform for the natural and cultural resources, infrastructure, and areas of visitor enjoyment in many ocean and coastal parks. Maintaining the natural geologic processes that deliver these sediments to the parks is a critical part of conserving park resources.

Activities and structures that alter shoreline processes include jetties, groins, dredged harbors and navigation channels, and disposal of sediments beyond the littoral system. Dredged navigation channels and harbors can alter near-shore wave conditions and increase wave energy and erosion; they also may trap sediment and/or flush it out to deeper waters, away from the littoral system. Dredging and sediment disposal may have adverse effects on water quality, wildlife, and T&E species such as sea turtles.

The NPS Management Policies (2006) require the NPS to allow natural shoreline processes, such as erosion, deposition, dune formation, overwash, inlet formation, and shoreline migration, to continue without interference. However, where the nature and rate of shoreline processes have been altered by human activities or structures, it is the policy of the NPS to investigate alternatives for mitigating the effects of these activities or structures and to restore natural conditions.¹¹²

3.7.1. National Park Service Authorities to Regulate In-Park Dredging/Disposal and Other Coastal Engineering Activities and Structures

Congress generally authorizes dredging or other projects within and near parks in biennial Water Resources Development Acts, but this authorization does not supersede NPS jurisdiction. In several parks, Congress directed that the USACE activities related to beach erosion control, hurricane protection, and spoil deposit must take place in accordance with a plan acceptable to the Secretary of the Interior and consistent with park purposes.¹¹³

Even in parks that lack specific direction in their enabling statutes, the USACE or other entities seeking to dredge or conduct other coastal engineering activities in parks are not exempt from NPS jurisdiction. The NPS has authority under the Organic Act, the park enabling statute, and NPS regulations to require the USACE to obtain an NPS permit or approval of a dredging plan to protect park resources from the adverse impacts of constructing and maintaining navigation channels or other types of coastal engineering structures.¹¹⁴ Both the dredging project and the park were established by separate and potentially conflicting Congressional mandates. To harmonize these two Congressional mandates, an NPS-approved permit or plan for the activity allows the USACE to carry out its project subject to NPS-imposed mitigation measures designed to protect park resources and values from degradation.

Management Tip: The U.S. Army Corps of Engineers, Dredging, and the Navigation Servitude

The navigation servitude provides the federal government with the authority to preserve and improve navigation on naturally-navigable waterways. The servitude is based upon the theory that the interests of a private riparian property owner have always been subject to the public's right to retain free access to naturally-navigable waterways. Therefore, the USACE is not required to compensate a riparian property owner for any damage caused by dredging. The navigation servitude is thus a basis for the assertion of federal authority by USACE, even where it impacts private property. It does not, however, affect the obligations of USACE to comply with other federal legal authorities, including NPS laws, regulations, and policies. In other words, the concept of the navigation servitude cannot be used to circumvent the jurisdiction of another federal agency such as the NPS.

If the USACE disagrees with a park about the need to obtain an NPS permit or agreement prior to conducting dredging activities within a park, it may be helpful to cite the Memorandum of Agreement between the NPS and the USACE and the accompanying Areas of Cooperation document. The MOA was signed on April 26, 2011. The MOA provides a national framework under the Economy Act for each agency to provide reimbursable services to the other. The MOA allows funds to be spent in either direction between the two agencies, depending upon need and availability or location of expertise or services. The MOA also goes beyond funding in an attachment called "Areas of Cooperation." These include 21 topic areas of mutual interest for potential discussion and cooperation.

For example, the Areas of Cooperation document urges the two agencies to collaborate on dredging projects in and near park units, specifically by jointly sharing National Environmental Policy Act (NEPA) responsibilities and/or managing these projects via an NPS permit or plan acceptable to the NPS. This agreement should support NPS efforts to mitigate geologic, biological, and other impacts of dredging projects in and near parks. MOA documents are found at (NPS) <http://wcp.den.nps.gov/P11PG00072/P11PG00072.htm> and on <http://www.usace.army.mil/CEMP/iis/Documents/P11PG00072NPSUSACEMOA.pdf> the USACE lists their Interagency (and International) Services POC information at: http://www.usace.army.mil/Portals/2/docs/MILCON/IIS_ContactRoster.pdf

NPS permits cannot be issued for any dredging or disposal activities in parks until the requirements of NEPA, NPS Director's Order #77-1 (wetlands) and #77-2 (floodplains), Sections 401 and 404 of the Clean Water Act, and other mandates have been met.

3.7.2. The National Park Service has no Duty to Undertake Beach Nourishment or Erosion Control Projects

The NPS does not have a duty to private landowners within or near coastal parks to take affirmative actions to combat shoreline erosion through beach nourishment projects. Not only is it uncertain that such projects actually will prevent erosion, but NPS statutory authorities grant the NPS considerable discretion in exercising authority and do not contain prescriptive requirements for the NPS to take action.¹¹⁵

3.7.3. Tools for National Park Service Involvement in External Sediment Restoration or Mitigation Projects¹¹⁶

To affect the planning and mitigate the impacts of a project proposed or already occurring beyond park boundaries, the NPS can use programmatic tools and interagency collaboration. Coastal scientists with the NPS Geologic Resources Division and some regions' science staff can assist parks in understanding the natural processes of sediment movement and human actions

which may have disrupted or altered those processes. The USGS has Coastal and Marine Science Centers in Florida, California, and Massachusetts that are involved in coastal science research at parks in their respective areas.

- (1) The Partnership Agreement and Regional Sediment Management Programs: As stated above, the dredging portion of the Areas of Cooperation document applies to USACE projects *in and near* park units. Park units can use this document to support NPS protection efforts.
- (2) Interagency Collaboration: The National Oceanic and Atmospheric Administration (NOAA), the U.S. Fish & Wildlife Service (FWS), the Environmental Protection Agency (EPA), and state agencies can be effective allies for the NPS. For example, NOAA and FWS persuaded the Council on Environmental Quality to reject the proposed construction of jetties at Oregon Inlet in Cape Hatteras National Seashore in 2003.
- (3) Section 111 of the Rivers and Harbors Act of 1968: This provision authorizes the USACE to develop and construct projects for the prevention or mitigation of damages to publicly and privately owned shores from Federal navigation work. Unfortunately, many of the USACE reports investigating potential impacts on adjacent shorelines were developed more than thirty (30) years ago. Since then, the tools, data, and methodologies for identifying, measuring, and monitoring shoreline erosion have greatly improved. Conclusions made in the past may no longer be valid based on the international coastal community's understanding of coastal processes and the advanced analysis methodologies available to coastal researchers.¹¹⁷ The NPS may be able to use Section 111 to persuade the USACE to again study and develop mitigation measures for damages caused by federal navigation projects near park units.

Management Tip: The U.S. Geologic Survey (USGS) as a Resource

The USGS Woods Hole Coastal and Marine Science Center, which is a unit under the national program of USGS Coastal and Marine Sciences, can conduct research projects on coastal conditions affecting national parks. Parks can contact the Associate Program Coordinator for more information.

3.7.4. Sand Rights

At present, there is no doctrine of “sand rights,” analogous to those for water rights. Though the theory of a legal right to sand based on a public trust duty to protect the sand supplied to beaches can be envisioned, it has not been adopted by the courts or codified into law. However, in light of the ever-increasing attention to coastal sediment budgets and concern about erosion, it is possible that the law on this issue could change at some point.

Whether or not that occurs, the NPS can work with state agencies, local community groups, and indigenous groups to expand the scope of resources encompassed by that state's public trust

doctrine and better protect those resources. This would be a proactive way of preventing erosion caused by up-current interference with sediment transport or with off-shore sediment sources.

Park managers can work with state agencies, communities, and other federal agencies such as the U.S. Army Corps of Engineers (USACE) and the U.S. Fish & Wildlife Service (FWS) to minimize or eliminate the interference of those entities' projects or activities with the mechanisms that supply sediment to sustain park beaches. To be successful, park managers can call upon the expertise of NRSS and other coastal geologists, and always need to consult with attorneys in the Solicitor's Office.

Parks can also pursue existing well-established causes of action such as the law of nuisance, which provides that one cannot use or manipulate his or her property in ways that damage the lands of others. Redirection of a river or stream, so that it floods or drains others' lands affecting their natural condition, can be enjoined. The ability to prevent harm before it occurs is also well accepted.

3.8. Off-Road Vehicle Use in Park Units

Off-road vehicle (ORV) use on beaches, dunes, and other fragile coastal landscapes can cause harmful beach erosion and habitat degradation; impact wildlife, plant life, and threatened and endangered species; and conflict with other visitor uses.

Executive Order 11644 (1972), as amended by EO 11989 (1979), directs federal agencies, including the NPS, to issue regulations designating ORV routes in park areas where ORV use is allowed. The EO requires that these regulations protect resources, promote the safety of all visitors, and minimize conflicts between ORV use and other recreational uses. The EO also specifies that ORV routes may be allowed in areas of the National Park System only upon the Secretary of the Interior's determination that ORV use will not adversely affect park areas' natural, aesthetic, or scenic values.

In accordance with the EO, NPS regulations at 36 C.F.R. § 4.10 prohibit ORV use except on roads, parking areas, and routes and areas in units for which NPS has promulgated a special regulation. They also provide that NPS may allow ORV use only in national recreation areas, national seashores, national lakeshores, and national preserves. The 2006 NPS Management Policies, Section 8.2.3.1, mirror the Executive Orders and 36 C.F.R. § 4.10.

Park Example: ORV Use in Cape Hatteras National Seashore

Over the last few years, Cape Hatteras NS has been involved in a lawsuit challenging proposed ORV management plans. The lesson learned from the Cape Hatteras litigation is that a special regulation that protects park resources is necessary for parks with ORV users. In June of 2014, the U.S. District Court for the Eastern District of North Carolina found in favor of the NPS in the CAHA ORV litigation. The court found that the NPS has the discretion to establish the off-road vehicle routes as it did in the Special Regulations. Legislation enacted later that year, however, has required the park to reassess certain aspects of its ORV plan.

3.9. Cultural Resources

For ocean and coastal parks, cultural resources most often take the form of submerged shipwrecks, but may include beached shipwrecks, downed aircraft, terrestrial archeological sites such as structures or burials that have been submerged by sea-level rise or landform subsidence, and structures such as docks and fish weirs that were built and placed in the water and their natural and archeological context.

Cultural resources located on or in federally owned submerged lands within park unit boundaries are generally considered federal property and managed in accordance with historic and archaeological preservation statutes such as the National Historical Preservation Act,¹¹⁸ Archaeological Resources Protection Act,¹¹⁹ and the Antiquities Act.¹²⁰

Within federally and nonfederally-owned submerged areas of park units, access to cultural resources and associated activities on or in the water, such as salvage, excavation, and preservation, are generally subject to the NPS general regulations. One district court found that the permitting provisions of the Antiquities Act apply to such areas as well.¹²¹ Cultural resources in park units within the boundaries of a National Marine Sanctuary have the added protections of the National Marine Sanctuary Act¹²² civil penalty provisions for unauthorized removal of historic and cultural resources.¹²³ In addition, the NHPA and National Environmental Policy Act¹²⁴ require NPS and other federal agencies, such as the USACE, to consider the impacts of their activities on cultural resources within park unit submerged areas, such as Traditional Cultural Properties and other properties that are eligible for inclusion in the National Register of Historic Places.

Abandoned shipwrecks within submerged areas of park units are specifically addressed under the Abandoned Shipwreck Act (ASA).¹²⁵ A “shipwreck” means a vessel or wreck, its cargo, and other contents.¹²⁶ An “abandoned shipwreck” is one that has been deserted and to which its owner has relinquished ownership rights with no retention.¹²⁷ The ASA asserted United States title to abandoned shipwrecks embedded in a State's submerged lands; shipwrecks embedded in coralline formations protected by a State on its submerged lands; or located on a State's submerged lands and included in, or determined eligible for inclusion in, the National Register of Historic Places.¹²⁸ However, upon asserting title, the United States transferred its title to the majority of those shipwrecks to the respective States,¹²⁹ retaining title only to shipwrecks located

in or on public lands.¹³⁰ Indian tribes hold title to shipwrecks located in or on Indian lands.¹³¹ The ASA also made the law of salvage and law of finds inapplicable to abandoned shipwrecks covered by the statute.¹³²

Pursuant to the ASA, NPS prepared “Abandoned Shipwreck Act Guidelines” to assist the States and federal agencies in developing legislation and regulations to carry out their responsibilities under the Act.¹³³ The guidelines are intended to maximize the enhancement of cultural resources; foster a partnership among sport divers, fishermen, archeologists, salvors, and other interests to manage shipwreck resources of the States and the United States; facilitate access and utilization by recreational interests; and recognize the interests of individuals and groups engaged in shipwreck discovery and salvage.

Pursuant to the ASA guidelines and NPS jurisdiction and responsibilities over nonfederally-owned submerged areas of park units discussed above, parks are encouraged to work with the relevant State agency managing state-owned shipwrecks to develop agreements regarding the appropriate treatment of state-owned submerged cultural resources within park boundaries in advance of potentially harmful salvage activities. Generally, these agreements should adhere to Federal Archeological Program standards and task park law enforcement personnel with their protection.

Part IV of the guidelines lists the shipwrecks that, as of December 4, 1990, were listed in or determined eligible for listing in the National Register of Historic Places, and were transferred by the United States to the respective States in or on whose submerged lands the shipwrecks are located.

Sunken sovereign vessels are not considered abandoned unless the United States or a foreign government expressly relinquishes its ownership. The Sunken Military Craft Act,¹³⁴ enacted in 2004, reflects this international law concept and protects sunken warships, vessels, aircraft and spacecraft that were owned or operated by a government when they sank from salvage or other disturbances. The statute provides for archaeological research permits and civil enforcement measures. The Act may be applied to foreign sunken military craft located in United States waters at the request of any foreign State.

NPS Management Policies provide extensive guidance on historic shipwrecks and other submerged cultural resources.¹³⁵ In general the Service will not allow treasure hunting or commercial salvage activities at or around historic shipwrecks or other submerged cultural resources located within park boundaries unless legally obligated to do so. Several parks have promulgated special regulations for the management and protection of submerged cultural resources.¹³⁶

Park Example: Biscayne National Park and the HMS Fowey

At Biscayne National Park the wreck of the British warship *HMS Fowey* is owned by the British government. The NPS and the British government are currently drafting an international agreement to recognize British government and NPS management of this submerged archeological resource (draft “Agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland regarding the wreck of the *HMS Fowey*”).

3.10. Tribal Treaty Rights in Ocean and Coastal Parks

Parks that include lands or waters formerly used or occupied by federally recognized Native American tribes should be aware that treaties between the United States and the tribes may affect the way a park manages and regulates the resources discussed above. Treaties may reserve tribal rights that parks must be aware of and honor; treaties are highly complex and each one is different, and therefore park managers need to consult with the Office of the Solicitor.

The National Park Service American Indian Liaison Office exists to ensure NPS coordination and cooperation with federally recognized American Indian tribes, Alaska Natives and Native Hawaiians.¹³⁷ Additionally, within the Department of the Interior is the Bureau of Indian Affairs (BIA). BIA regulations at 25 C.F.R. Part 249 address off-reservation treaty fishing.

NPS Management Policies (2006) include several sections on tribal consultation with regard to natural resources, interpretation, sacred sites, special park uses, and the government-to-government relationship.¹³⁸

Park Examples: NPS Regulation of Tribal Fishing Rights

Olympic National Park has promulgated special regulations at 36 C.F.R. § 7.28(a)(8) to regulate fishing by members of an Indian tribe that has treaty-secured off-reservation fishing rights, “in conformance with tribal or State regulations conforming to the orders of the United States District Court.” In adhering to a specific treaty, this regulation opens some park waters to fishing by tribe members even though the general public cannot fish in those waters.

Hawaii Volcanoes National Park promulgated a special regulation at 36 C.F.R. § 7.25(a)(3) that allows certain Native Hawaiian residents to engage in commercial fishing, which is otherwise prohibited within the park.

4. NATIONAL PARK SERVICE BOUNDARIES

Jurisdictional questions from ocean or coastal park managers often concern the establishment, demarcation, maintenance, and modification of park boundaries.

Interpreting and updating the boundaries of an ocean and coastal park unit can be very difficult. Park shorelines are rarely surveyed due to expense and difficulty. They also move continuously. Common boundary descriptors such as “mean high water line” and “mean low water line” are measured differently in different states. Even the definition of “tide” can vary from state to state, or even from agency to agency within a state. Yet it is critically important for parks to maintain an accurate understanding and demarcation of the park’s boundaries for law enforcement and resource management purposes. For example, a park needs to know the location of its boundary to effectively maintain and enforce resource closures or to issue a special use permit along or near that park’s boundary.

When facing a boundary question, park managers should:

- Consult relevant documents. Park boundaries may be defined by the park’s enabling statute or presidential proclamation, as well as administrative boundary changes or agreements, state compacts, and land transfer documents such as deeds, titles, and agreements that may be subject to state law to interpret conveyancing terms.
- Consult with staff of the NRSS and the NPS Land Resources Division and/or review the detailed park maps available at <http://landsnet.nps.gov/>.
- Consult with the Department of the Interior’s Office of the Solicitor.

4.1. Determining the Location of the Mean High and Mean Low Water Lines

Ocean and coastal park boundaries are often described in the park’s enabling statute or presidential proclamation as extending to the mean high water line, the mean low water line, or some combination thereof.

The proper terms and definitions to be used for the marine elevation lines are the NOAA definitions of Mean High Water (MHW) and Mean Low Water (MLW). For example, the NPS uses the accepted NOAA definition of mean low water (MLW), which is “The average of all the low water heights observed over the National Tidal Datum Epoch. For stations with shorter series, comparison of simultaneous observations with a control tide station is made in order to derive the equivalent datum of the National Tidal Datum Epoch.” The National Tidal Datum Epoch is the specific 19-year period adopted by NOAA’s National Ocean Service as the official time segment during which tide observations were taken and reduced to obtain mean tidal lines. Tidal data in certain regions with anomalous sea level changes (e.g., portions of Alaska and Gulf

of Mexico) are calculated on a Modified 5-Year Epoch. NOAA's Raster nautical charts contain the updated mean low water lines and are legally enforceable.

Similarly, the NPS determination of mean high water (MHW) is based on the accepted NOAA definition of mean high water, which is "The average of all the high water heights observed over the National Tidal Datum Epoch. For stations with shorter series, simultaneous observational comparisons are made with a control tide station in order to derive the equivalent datum of the National Tidal Datum Epoch."¹³⁹

To apply the NOAA definitions in a park unit, park managers need to contact the NPS Land Resources Division (LRD). The LRD office has NOAA's nautical charts and access to digital maps of the mean high and mean low water lines, and can help a park determine where these elevations are located. Or parks can request that the NPS survey and monument a benchmark that the park can use to determine MHW, MLW, or other locations.

It is important to understand that even the NOAA information will sometimes provide park managers with only a general sense of the location of the mean high water or mean low water line. When accurate NOAA data is not available, the next best source of data is used, such as the National Hydrography Dataset (NHD).

These marine terms and definitions should not be confused with the fresh-water term Ordinary High Water Mark (OHWM) or in some cases Ordinary High Water Line (OHWL), which is not an elevation but is defined more on physical features such as the line of vegetation or the scoured line.

Management Tip: How should park managers mark or post the park's boundary so that it is visible to park visitors?

Park staff can inform visitors that except at times of very low water, mean low water means the area which is wet, mean high water (MHW) is generally waterward of the average of all of the visible wrack lines on the beach which have been deposited by the monthly high tides, and growing vegetation is usually above MHW line. Natural resource and law enforcement staff need to work together to discern if there are any readily identifiable natural features or vegetation to point out to park visitors. Additional methods that parks can use to approximate the MHW line include:

- Wrack Line – the line or lines of dead or dying seaweed, marsh grass, and other debris left on the upper beach.
- Texture – Hard beach is below the MHW line, soft beach is above it.
- Wet-Dry Line – Wet beach is below the MHW line, dry beach is above it.
- Employ a survey, build hard monuments, and post signs along the MHW line (for example as done at Fort Matanzas National Monument).

If the park's boundary is the mean low water line, marking the boundary is extremely difficult. Any markers placed along this boundary would be destroyed and/or moved relatively soon. Instead, a better way to help park visitors and the general public understand the location of the mean low water line would be to include park brochures, signs, and other interpretive aids with diagrams that explain where the line of mean low water is located. These aids can also explain that the park's boundary extends to mean low water and that all resource closures likewise extend to mean low water.

When a serious issue arises regarding the location of a park's boundary on a mean high or low water line, parks should coordinate their efforts with the Office of the Solicitor, which in turn may request the assistance of the Department of Justice (DOJ). DOJ handles all federal litigation and has expertise on what is needed to prepare and prove a law enforcement dispute.

4.2. How do Moving Shorelines Affect Park Boundaries and Land Ownership?

Shorelines change due to geologic processes such as accretion, reliction, erosion, and avulsion (defined below). Park managers commonly have questions concerning the effects of these processes on both park boundaries and land ownership.

4.2.1 Boundaries

The description of a park unit's boundary in the unit's enabling legislation usually includes language linking the boundary to a map that was developed for the park's enabling legislation, or a line, such as the mean high water line, often depicted on a map that was developed for the park's enabling legislation.

If the enabling legislation defines the boundary as a set of coordinates or a fixed location (such as the intracoastal waterway), then the boundary is tied to that location.¹⁴⁰ However, the majority of enabling legislation for coastal parks ties the boundary to either the mean high water line, the mean low water line, or a specified point some distance seaward of the MHW or MLW. Both of these monuments, as well as others such as lowest low water or highest high water, are constantly moving. When Congress ties the boundary to a moving property monument,

Congress is demonstrating intent for the boundary to move as well. For example, the enabling legislation for the Sandy Hook unit of Gateway National Recreation Area specifies that the park's boundary includes all submerged lands, islands, and waters within one-fourth of a mile of the mean low water line of the waterfront areas included in the legislation, and authorizes the Secretary of the Interior to make minor revisions of the boundary when necessary.¹⁴¹

Park Examples: Boundary Issues in Parks

Boundary issues arose in a case involving Everglades National Park, when a vessel called the "Rebel Yell" ran aground on a submerged sea-grass bank, causing damage. The NPS used the authority of the Park System Resource Protection Act, 54 U.S.C. § 100721 through 100725, which states that any person who "destroys, causes the loss of, or injures any park system resource is liable to the United States for response costs and damages resulting from such destruction, loss, or injury." This statute is an important tool for park managers because it can recoup park losses due to human caused injury. However, the damage must be to park resources, and so ascertaining the precise location of the park boundary was critical. The owner of the vessel claimed that he was outside the park boundary and therefore did not damage park resources. However, the vessel was within "Arsenic Bank," an area within park boundaries and specifically named by the NPS. The NPS prevailed in this case.

Apostle Islands National Lakeshore's park boundary extends to ¼ mile from the shore. The park's enabling legislation is silent as to where the ¼ mile line should be drawn from, i.e., mean high water, mean low water, or any other reference point. The park has interpreted the legislation to mean the ordinary high water mark being the interface of the water and the land. However, the state of Wisconsin's definition of the ordinary high water mark results in a fixed elevation mark, regardless of where the water level of Lake Superior is actually located. To avoid similar ambiguity, the boundary of the Gaylord A. Nelson Wilderness Area (which encompasses a large portion of Apostle Islands) is "the point on the bank or shore up to which the water, by its presence and action or flow, leaves a distinct mark indicated by erosion, destruction of or change in vegetation or other easily recognizable characteristic." This definition gives the park's wilderness boundary flexibility as the shoreline wilderness boundary follows the water line. Apostle Islands' wilderness boundary definition serves as an example of a clear and flexible boundary description.

A Note about North Carolina: A unique natural system of wind-driven tides exists in Pamlico Sound. Here the normal legal rules about tidelines do not apply. Consult the Southeast Regional Solicitor's Office for more information.

4.2.2 Land Ownership

As a park unit's shoreline changes over time, the ownership of the newly-emerged or newly-submerged lands may also need to be determined. Parks should consult with the Solicitor's Office. Some general rules are summarized below. Under the federal common law, (1) alluvion forming upon a bank through reliction or accretion belongs to the owner of the bank (or shore), (2) title can be lost through erosion, and (3) avulsive changes do not result in a change in title.¹⁴² Under state common law, the rules related to avulsion, accretion, erosion, and reliction, and who benefits from artificial manipulations of the shoreline, can vary from state to state.

Park Example: Cape Hatteras National Seashore Beach Erosion

The U.S. was granted two deeds for inclusion in the seashore. One deed conveyed to the U.S. a 500 ft area of uplands above MHW, while the other conveyed the intertidal area between MLW and MHW. Due to erosion the park has lost the entirety of the 500 ft area, but the intertidal area which is now adjacent to privately owned uplands remains in federal ownership and within the Seashore's boundary.

4.2.2.1 Accretion

Accretions or accreted lands consist of additions to a shoreline by the gradual deposit by water of sand, sediment or other material. The term applies to lands added along navigable and non-navigable water. Accretion occurs so gradually that no one can judge how much is added at each moment in time. The term “alluvion” refers to the deposit itself, but the terms “accretion” and “alluvion” are frequently used synonymously.

According to the federal common law rule, the upland owner along a riparian or littoral shoreline gains ownership of the alluvial deposits that are formed by the process of accretion.¹⁴³ The alluvion becomes part of the upland to which it is added and follows whatever title covers the mainland; that is, the line of ownership follows the change in the water line.¹⁴⁴ The reasoning behind this rule is that a riparian or littoral owner should not be deprived of his or her access to the sea, which is a major factor in the value of the property.¹⁴⁵

The upland owner gains ownership to the deposits formed by accretion even when the accretion has been initiated, accelerated, or otherwise influenced by artificial, manmade causes.¹⁴⁶

In California ex rel. State Lands Commission v. United States, the United States had owned property on the north side of the entrance to Humboldt Bay continuously since California’s statehood. Due to the jetties built at the mouth of the bay by the United States, 184 acres of land accreted on the north shore. The Court determined that the artificially accreted land vested in the United States, rather than in the State of California, which owned the adjacent submerged lands.¹⁴⁷

Thus, under the general federal common law rule, alluvial deposits along federally owned uplands within a park unit would be federally owned. However, in some situations state law may be applicable or relevant, and park managers must consult with the Solicitor’s Office. Some state law holds, like the federal common law rule, that natural and artificial accretions belong to the owner of the riparian or littoral land. However, other states hold that artificial accretions do not belong to the riparian owners. For example, in New Jersey the state boundary stays the same and the state may claim ownership of tidelands regardless of human induced changes affecting the shoreline. New Jersey retains title to lands “now or formerly flowed by tidewaters.”

Management Tip: Vertical Accretion

Vertical accretion occurs when the depositing of sediment forms an island emerging from the submerged lands. Judicial precedent regarding this process appears to be limited to islands forming in rivers and the ownership of such newly formed land is tied to the navigability of the river itself. One court stated that “‘When an island forms from the submerged land it is a form of vertical accretion to the bed.’ Title to an island so formed in a navigable river is, therefore, in the State, and in a non-navigable river, it is in the riparian owner.” Conran v. Girvin, 341 S.W.2d 75, 81 (1960).

4.2.2.2 Reliction

“Reliction” is the gradual conversion of submerged land to dry land by the imperceptible recession of the water.¹⁴⁸ Although this process is distinct from accretion, the term “accretion” is often applied to both processes and generally the law relating to both is the same.¹⁴⁹ Reliction occurs most often along rivers and lakes, and rarely along coastlines.

The federal common law rule of reliction is that a riparian or littoral owner gains title to lands uncovered by the gradual or imperceptible recession of waters, regardless of whether it occurred by artificial or natural means.¹⁵⁰ The right to acquisition of land through a reliction is a riparian right, and a riparian owner gains a vested right in property added to his or her land because of the recession.¹⁵¹ Again, however, it is important to check with the Solicitor’s Office to determine if state common law applies to a particular park unit instead of the federal common law.

For a riparian owner to claim title to land by reliction, the withdrawal of the waters must appear to be permanent, without the possibility of the water filling or covering the relicted area.¹⁵² Under most circumstances, the same factors that are used to determine the ordinary high water line (e.g., the appearance of upland vegetation) can be used as a guide in ascertaining whether the relictive process (evidence of slow and imperceptible change over long continued years) is underway.¹⁵³ Historical records, photographs and testimony can also be considered.¹⁵⁴

Management Tip: Isostatic Rebound/Viscoelastic Uplift

Predominantly in Alaska, coastal parks may also face the possibility of physical shoreline changes due to isostatic rebound. The term “isostatic rebound” is synonymous with “glacio-isostatic uplift” and “viscoelastic uplift.” This is the gradual rise of the earth’s crust which occurs when the downward pressure exerted by a glacial ice mass diminishes. The result of isostatic rebound is the gradual emergence of land previously submerged. Isostatic rebound has been found to be a form of reliction, and therefore subject to the general common law doctrine of accretion. (*Hosinger v. State*, 642 P.2d 1352 (Alaska 1982)). Therefore, in these cases, the littoral property owner gains title to the newly emerged land.

4.2.2.3 Erosion

“Erosion” is the gradual eating away of a riparian or littoral owner’s soil by the operation of currents or tides. While the erosion process may be visible, it occurs naturally, slowly, and regularly, rather than suddenly. Furthermore, with sea level rise, the elevation of the tides increases, regardless of whether sediments or rock are reconfigured.

Regardless of whether natural or artificial cycles result in erosion of the shoreline, the federal common law rule is that the upland owner sustains the loss.¹⁵⁵ This rule applies to lands owned both by the government and by private individuals.¹⁵⁶

4.2.2.4 Avulsion

“Avulsion” is the sudden and perceptible alteration of a river or stream channel or some other body of water forming a boundary. Many state courts only apply avulsion to shoreline changes that are caused by natural events, but avulsive action may not be restricted to natural causes alone; dredging a navigation channel has been treated as an avulsive event in some states.¹⁵⁷

Determining if there has been an accretion or avulsion depends on the passage of time. However, time is not treated uniformly by the courts.¹⁵⁸ In one state a court ruled that accretion had occurred within the period of one year, while another court held that avulsion occurred over the period of one generation.¹⁵⁹ Nevertheless, courts will tend to rule that an event constitutes an accretion and/or erosion rather than avulsion.¹⁶⁰

Unlike erosion, reliction, and accretion, avulsion does not change the underlying ownership of the affected properties.¹⁶¹ As a result of an avulsive event, land that was once riparian loses that status, or upland property becomes riparian. Therefore, the abrupt appearance of a new inlet within a park unit would generally not be construed as a reason to adjust the park’s ownership or boundaries, unless the park’s enabling legislation makes the park boundary dependent on something other than land ownership.

This concept of avulsion was developed in the United States to address abrupt changes for lands either cut off from or joined to the shoreline of a “migrating” river, such as the “oxbows” on the Mississippi River. A hurricane or storm is considered to be an avulsive event by the Supreme Court of Florida.¹⁶² Given the contrasting views of different states regarding avulsion, consult with your Regional Solicitor’s Office should coastal storms dramatically alter the park’s coastal configuration.

4.2.2.5 Beach Renourishment

In order to protect park resources, beach re-nourishment projects are often initiated. Beach renourishment results in the addition of sediment to the eroded shoreline and a replacement of eroded upland. Beach nourishment projects are normally considered to be accretions, with the same results to ownership explained in the accretion rule above. When the new sediment is added to an upland area that is federally owned, the newly-accreted area will likewise be federally owned. If the park boundary is tied to the shoreline, then the park boundary will encompass the newly-accreted area.

Management Tip: Beach Renourishment

Before undertaking a beach nourishment project in a park, park managers should clarify that the newly-added area of beach (where the NPS is the riparian owner) will be federally owned and within park boundaries under the widely-accepted federal common law and state laws pertaining to accretion, in addition to considering impacts to natural and cultural resources from the proposed deposition. In some cases, state law may change the usual rules about ownership of nourished areas. For example, under Florida law, when public money is used for renourishment, the boundary between the upland landowner and the State is fixed by survey before renourishment can occur, to keep widened beach areas accessible for public use. Stop the Beach Renourishment, Inc. v. Florida Department of Environmental Protection 130 S. Ct. 2592 (2010).

4.3. The Effect of Climate Change on Park Boundaries

The geologic processes described above are already being exacerbated by climate change. The ocean shorelines of many park units are moving inland as relative sea levels rise, while the shorelines of the Great Lakes are moving lakeward as their water levels fall. The result is that certain resources, such as coral reefs or submerged archaeological resources, may eventually be located outside coastal park boundaries.

Therefore, in consultation with NPS offices such as the Geologic Resources Division and Water Resources Division, along with attorneys in the Solicitor's Office, park staff and managers should determine – based on best available scientific predictions of water level changes and storm surges, as well as the boundary and ownership rules stated above – whether and how the park boundary is likely to change over time, and identify areas and resources that will consequently be included in or excluded from the park.

This information should be incorporated into park management decisions, such as

- relocating facilities away from an eroding shoreline in order for those facilities to remain within the park boundary (and avoid being submerged);
- nourishing or stabilizing a beach that is eroding due to human causes, where the park boundary is linked to the shoreline, in order to hold the boundary near its current location; or
- seeking to modify, through new legislation, receding park boundaries in order to retain important or iconic resources, such as shipwrecks or coral reefs, within the park.

4.4 The Process of Adjusting Park Boundaries in Response to Shoreline Changes

The NPS Land Resources Division (LRD) is responsible for the exchange and acquisition of lands for the National Park Service and is the official repository of all NPS land record data. LRD maintains dynamic land ownership, parcel, and boundary datasets. LRD makes copies of park ownership databases and legal documentation like deeds, legal descriptions, legislation, and segment maps available online at <http://landsnet.nps.gov/>. LRD posts tract and boundary GIS data sets on the NPS Data Store at <http://science.nature.nps.gov/nrdata/>.¹⁶³

LRD is not permitted to spend Land and Water Conservation fund monies to track changes caused by accretion, erosion, reliction, and avulsion. As a result, LRD relies on information from park managers, information uncovered as the result of acquisitions, or the digital data conversion effort. Generally, LRD does not on its own make the resulting acreage changes to the ownership database or report them to Congress. Instead, LRD will generally retain a park unit's original boundary line in one place over time until the Solicitor's Office confirms that the boundary has legally moved.

Management Tip: Adjustment of Park Boundaries

The process of modifying park boundaries is explained at NPS Management Policies Section 3.5 (2006) and NPS Director's Order #25. Look at your enabling legislation, and if it is silent on modification of the boundary of your unit, the Land and Water Conservation Fund boundary adjustment provisions may allow for an adjustment. Parks need to work with LRD on this process.

4.5 Ensuring that Boundaries under the Coastal Barrier Resources Act are Consistent with Park Boundaries

The Coastal Barrier Resources Act (CBRA) of 1982, 16 U.S.C. § 3501 – 3510, established the Coastal Barrier Resources System (CBRS) in order to “preserve the ecological integrity of areas that serve to buffer the U.S. mainland from storms and provide important habitats for fish and wildlife.”¹⁶⁴ The CBRS consists of those “undeveloped coastal barriers” located on the Atlantic and Gulf coasts of the United States.¹⁶⁵ The primary goal of the CBRA is to discourage further development of undeveloped barrier islands by providing that “no new expenditures or new financial assistance may be made available under authority of any Federal law for any purpose within the Coastal Barrier Resources System.”

There are two designations of areas within the CBRS: CBRS units, and Otherwise Protected Areas (OPAs).¹⁶⁶ OPAs are defined as: “an undeveloped coastal barrier within the boundaries of an area established under Federal, state, or local law, or held by a qualified organization, primarily for wildlife refuge, sanctuary, recreational, or natural resource conservation purposes....”¹⁶⁷

National park units fall within this definition of OPAs. In OPAs, the only prohibition on federal spending is on Federal flood insurance. In CBRS units, which are generally composed of private lands that were relatively undeveloped at the time of their designation within the CBRS, new Federal expenditures and financial assistance, including Federal flood insurance, are prohibited. In addition, projects in CBRS units are subject to U.S. Fish and Wildlife Service consultation requirements which aim to ensure that the projects meet the three goals of the CBRA: (1) minimize loss of human life by discouraging development in high risk areas; (2) reduce wasteful expenditure of federal resources; and (3) protect the natural resources associated with coastal barriers.

Designation as an OPA or a CBRS unit is based on the CBRS boundaries depicted on FWS maps. Therefore, the NPS needs to work with FWS to ensure that park units are mapped as OPAs. While the boundaries of CBRS units and OPAs are established and mapped by the U.S. Fish and Wildlife Service, they can only be revised by Congress. When the FWS has not mapped NPS units as OPAs or has mapped boundaries incorrectly, the NPS will work with FWS and Congress to correct or revise the boundaries of the CBRS to reflect that all NPS units are OPAs.

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Acknowledgements:

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Appendix A: Ocean & Coastal National Park System Units & Their Enabling Authorization

	<i>Park Name</i>	<i>State</i>	<i>Code</i>	<i>Boundary Location</i> <i>W=Water</i> <i>S=Shoreline</i>	<i>Enabling Legislation</i>
1.	Acadia National Park	ME	ACAD	W	16 U.S.C. §§ 341-343d
2.	Aniakchak National Monument & Preserve	AK	ANIA	S	16 U.S.C. § 410hh(1)
3.	Apostle Islands National Lakeshore	WI	APIS	W	16 U.S.C. §§ 460w-460w-7
4.	Assateague Island National Seashore	MD	ASIS	W	16 U.S.C. §§ 459f-459f-11
5.	Bering Land Bridge National Preserve	AK	BELA	S	16 U.S.C. § 410hh(2)
6.	Biscayne National Park	FL	BISC	W	16 U.S.C. §§ 410gg-410gg-5
7.	Big Cypress National Preserve	FL	BICY	S	16 U.S.C. §§ 698f – 698m-4
8.	Boston Harbor Islands National Recreation Area	MA	BOHA	S	16 U.S.C. §§ 460kkk
9.	Big Thicket National Preserve	TX	BITH	S	16 U.S.C. §§ 698 – 698e
10.	Boston National Historical Park	MA	BOST	S	16 U.S.C. §§ 410z-410z-5
11.	Buck Island Reef National Monument	VI	BUIS	W	Presidential Proclamation 3443, amended 4346, amended 4359
12.	Cabrillo National Monument	CA	CABR	W	Presidential Proclamation 1225
13.	Canaveral National Seashore	FL	CANA	W	16 U.S.C. §§ 459j-459j-8
14.	Cape Cod National Seashore	MA	CACO	W	16 U.S.C. §§ 459b-459b-8
15.	Cape Hatteras National Seashore	NC	CAHA	W	16 U.S.C. §§ 459-459a-10
16.	Cape Krusenstern National Monument	AK	CAKR	S	16 U.S.C. § 410hh(3)

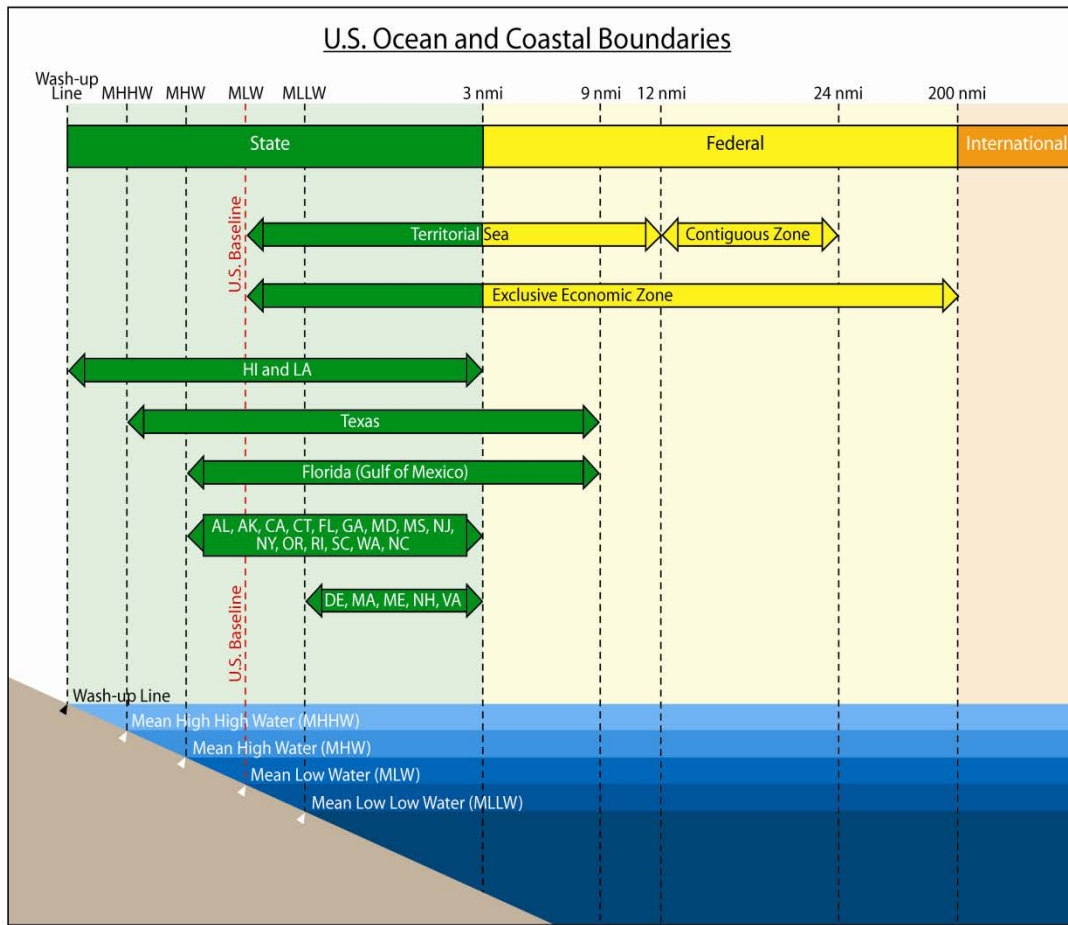
17.	Cape Lookout National Seashore	NC	CALO	W	16 U.S.C. §§ 459g-459g-7
18.	Castillo de San Marcos National Monument	FL	CASA	S	54 U.S.C. § 320301
19.	Channel Islands National Park	CA	CHIS	W	16 U.S.C. §§ 410ff-410ff-7
20.	Christiansted National Historic Site	VI	CHRI	S	Established in 1952 Memo of Understanding as Virgin Islands National Park
21.	Colonial National Historic Park	VA	COLO	S	16 U.S.C. § 81
22.	Cumberland Island National Seashore	GA	CUIS	W	16 U.S.C. §§ 459i-459i-9
23.	De Soto National Memorial	FL	DESO	S	16 U.S.C. §§ 450dd – 450dd-1
24.	Dry Tortugas National Park	FL	DRTO	W	16 U.S.C. §§ 410xx-410xx-3
25.	Ebey's Landing National Historical Reserve	WA	EBLA	S	16 U.S.C. § 461; Public Law 95-625
26.	Everglades National Park	FL	EVER	W	16 U.S.C. §§ 410 - 410r-9
27.	Fire Island National Seashore	NY	FIIS	W	16 U.S.C. §§ 459e-459e-12
28.	Fort Caroline National Memorial	FL	FOCA	S	64 Stat. 897
29.	Fort Frederica National Monument	GA	FOFR	S	16 U.S.C. §§ 433g – 433j
30.	Fort Matanzas National Monument	FL	FOMA	S	Presidential Proclamation 2114
31.	Fort McHenry National Monument & Historic Site	MD	FOMC	S	16 U.S.C. §§ 437 – 440a
32.	Fort Monroe National Monument	VA	FOMR	S	Presidential Proclamation – Nov. 1, 2011
33.	Fort Point National Historic Site	CA	FOPO	S	Public Law 91- 457
34.	Fort Pulaski National Monument	GA	FOPU	S	Presidential Proclamation 1713

35.	Fort Raleigh National Historic Site	NC	FORA	S	P.L. 87-148, 75 Stat. 384; P.L. 101-603, 104 Stat. 3065
36.	Fort Sumter National Monument	SC	FOSU	W	16 U.S.C. §§ 450ee-450ee-1
37.	Gateway National Recreation Area	NY	GATE	W	16 U.S.C. §§ 460cc-460cc-4
38.	Glacier Bay National Park & Preserve	AK	GLBA	W	16 U.S.C. § 410hh-1(1)
39.	Golden Gate National Recreation Area	CA	GOGA	W	16 U.S.C. §§ 460bb-460bb-5
40.	Governors Island National Monument	NY	GOIS	S	Presidential Proclamation 7647
41.	Grand Portage National Monument	MN	GRPO	S	16 U.S.C. §§ 450oo – 450oo-10
42.	Gulf Islands National Seashore	MS/FL	GUIS	W	16 U.S.C §§ 459h-459h-10
43.	George Washington Birthplace National Monument	VA	GEWA	S	16 U.S.C. § 442
44.	Haleakala National Park	HI	HALE	S	16 U.S.C. §§ 396b-396c
45.	Harriet Tubman Underground Railroad National Monument	MD	HATU	W	Presidential Proclamation 8943
46.	Hawaii Volcanoes National Park	HI	HAVO	S	16 U.S.C. §§ 391-396a
47.	Indiana Dunes National Lakeshore	IN	INDU	W	16 U.S.C. §§ 460u-460u-26
48.	Isle Royale National Park	MI	ISRO	W	16 U.S.C. §§ 408-408q
49.	Jean Lafitte National Historical Park and Preserve	LA	JELA	S	16 U.S.C. §§ 230-231d
50.	Kaloko-Honokohau National Historical Park	HI	KAHO	W	16 U.S.C. §§ 396d-396f
51.	Kalaupapa National Historical Park	HI	KALU	W	16 U.S.C. §§ 410jj-410jj-9
52.	Katmai National Park & Preserve	AK	KATM	S	16 U.S.C. § 410hh-1(2)
53.	Kenai Fjords National Park	AK	KEFJ	S	16 U.S.C. § 410hh(5)
54.	Klondike Gold Rush National Historical Park	AK	KLGO	S	16 U.S.C. § 410bb

55.	Lake Clark National Park & Preserve	AK	LACL	S	16 U.S.C. § 410hh(7)(a)
56.	Lewis & Clark National Historical Park	OR	LECL	S	16 U.S.C. §§ 410kkk-410kkk-5
57.	National Park of American Samoa	AS	NPSA	W	16 U.S.C. §§ 410qq-410qq-4
58.	New Bedford Whaling National Historical Park	MA	NEBE	S	16 U.S.C. §§ 410ddd
59.	Olympic National Park	WA	OLYM	W	16 U.S.C. §§ 251-256i
60.	Padre Island National Seashore	TX	PAIS	W	16 U.S.C. § 459d-459d-7
61.	Perry's Victory and International Peace Memorial	OH	PEVI	S	16 U.S.C. §§ 433-433f-1
62.	Pictured Rocks National Lakeshore	MI	PIRO	W	16 U.S.C. §§ 460s-460s-15
63.	Point Reyes National Seashore	CA	PORE	W	16 U.S.C. §§ 459c-459c-6a
64.	Port Chicago Naval Magazine National Memorial	IL	POCH	S	Public Law 102-562, H.R. 2647 FY2010 Defense Authorization Act§ 2853
65.	Pu`uhonua O Honaunau National Historical Park	HI	PUHO	S	16 U.S.C. §§ 397-397d
66.	Pu`ukohola Heiau National Historic Site	HI	PUHE	W	Public Law 92-388
67.	Redwood National Park	CA	REDW	W	16 U.S.C. §§ 79a-q
68.	Rosie the Riveter/World War II Homefront National Historical Park	CA	RORI	S	16 U.S.C. §§410ggg – 410ggg-3
69.	Sagamore Hill National Historic Site	NY	SAHI	S	Public Law 87-547
70.	Salem Maritime National Historic Site	MA	SAMA	S	P.L. 100-349, 102 Stat. 659; P.L. 101-632, 104 Stat. 4575
71.	Salt River Bay National Historic Park and Preserve	VI	SARI	W	16 U.S.C. §§ 410tt-410tt-5
72.	San Francisco Maritime National Historical Park	CA	SAFR	S	16 U.S.C. §§ 410nn-410nn-4
73.	San Juan Island National Historical Park	WA	SAJH	W	16 U.S.C. §§ 282-282c

74.	San Juan National Historic Site	PR	SAJU	S	“Establishment Order for San Juan National Historic Site”
75.	Santa Monica Mountains National Recreation Area	CA	SAMO	S	16 U.S.C. § 460kk
76.	Saugus Iron Works National Historic Site	MA	SAIR	S	Public Law 90-282
77.	Sitka National Historical Park	AK	SITK	W	54 U.S.C. § 320301
78.	Sleeping Bear Dunes National Lakeshore	MI	SLBE	W	16 U.S.C. §§ 460x-460x-15
79.	St. Croix Island International Historic Site	ME	SACR	S	16 U.S.C. §§ 450hh – 450hh-2
80.	Statue of Liberty National Monument	NY	STLI	S	Presidential Proclamation 1713
81.	Timucuan Ecological & Historical Preserve	FL	TIMU	S	16 U.S.C. § 698n
82.	Virgin Islands Coral Reef National Monument	VI	VICR	W	Presidential Proclamation 7399
83.	Virgin Islands National Park	VI	VIIS	W	16 U.S.C. §§ 398-398f
84.	War in the Pacific National Historical Park	GU	WAPA	W	16 U.S.C. § 410dd
85.	Wrangell-St. Elias National Park & Preserve	AK	WRST	S	16 U.S.C. § 410hh(9)
86.	WWII Valor in the Pacific NHP	HI/AK/CA	VALR	S	Presidential Proclamation 8327

Appendix B: Location of State & Federal Submerged Lands



Appendix C: Glossary

Baseline of the United States – This is the line along the coast from which state and federal submerged lands and ocean zones are measured. The baseline is drawn along the low water line and the closing lines across the mouths of inland water bodies.¹⁶⁸ According to Presidential Proclamations 5928, 7219 and 5030, the baselines of the United States are determined in accordance with international law.¹⁶⁹ This means that the baselines stem from the United Nations Convention on the Law of the Sea (UNCLOS) and the Convention on the Territorial Sea and Contiguous Zone.¹⁷⁰ There are specific rules for determining the baseline along various coastal features, as explained below.

- Normal Baseline – “...the low-water line along the coast as marked on large-scale charts officially recognized by the coastal State.”¹⁷¹ Contact the NPS Land Resources Division for access to NOAA charts and digital mapping.
- Delta or Unstable Coast (e.g., Everglades National Park) – Here the baseline is “...the furthest seaward extent of the low-water line and, notwithstanding subsequent regression of the low-water line, the straight baselines shall remain effective until changed by the coastal State in accordance with this Convention.”¹⁷²
- Low-Tide Elevations – Generally not used as the baseline “...unless lighthouses or similar installations which are permanently above sea level have been built on them or except in instances where the drawing of baselines to and from such elevations has received general international recognition.”¹⁷³
- Mouths of Rivers - “... [the baseline follows] a straight line across the mouth of the river between points on the low-tide line of its banks.”¹⁷⁴
- Bays - An indentation is only a bay if “its area is as large as, or larger than, that of the semi-circle whose diameter is a line drawn across the mouth of that indentation.” Here, the baseline rules are:
 - If there are islands that cause the bay to have more than one mouth, then “the semi-circle shall be drawn on a line as long as the sum total lengths of the lines across the different mouths.”
 - If the distance between the low-water marks of the natural entrance points does not exceed 24 miles, “a closing line may be drawn between these two low-water marks...” This closing line is considered the baseline.
 - If the distance between the low-water marks of the natural entrance exceeds 24 miles, “a straight baseline of 24 miles shall be drawn within the bay in such a manner as to enclose the maximum area of water that is possible with a line of that length.”¹⁷⁵
- Harbor Works – The baseline incorporates “... outermost permanent harbour works which form an integral part of the harbour system. Off-shore installations and artificial islands shall not be considered as permanent harbour works.”¹⁷⁶ Only artificial structures

built to preserve the existing shoreline, such as a jetty or rip-rap, will be considered a harbor work and be used to generate the baseline.

Continental Shelf - the physical section of the sea bed beginning at the shore line and sloping seaward (typically 47 miles) to the shelf break.

Measures of Distance

- Geographical Mile = Nautical Mile = 6,076 feet.¹⁷⁷
- Marine League = 3 nautical miles.

Outer Continental Shelf - the zone of U.S. Federal Government ownership and jurisdiction beginning seaward of the state coastal waters and extending 200 miles offshore.¹⁷⁸ Includes the:

- Territorial Sea – the area extending to 12 nautical miles from the baseline of the United States (the low-water line), the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and any other territory or possession over which the United States exercises sovereignty.¹⁷⁹ Encompasses state submerged lands and the remaining submerged lands extending out to 12 nautical miles. The U.S. government has total sovereign control over the federal portions of the Territorial Sea.¹⁸⁰ A nation has the same sovereignty over the territorial sea as it has over its land territory.¹⁸¹
- Contiguous Zone – the area extending 24 nautical miles from the outer boundary of the Territorial Sea. This is an area where the U.S. can exert limited control for the purpose of preventing or punishing infringement of its customs, fiscal, immigration or sanitary laws and regulations within its territory or territorial sea.¹⁸² The U.S. government has near-total sovereign control over this zone.¹⁸³ The U.S. may only exercise control incident to the application of its customs, fiscal, immigration, and sanitary regulations in the territorial sea.¹⁸⁴
- Exclusive Economic Zone (EEZ) - the area encompassing the Territorial Sea, the Contiguous Zone, and further, extending to a distance of 200 nautical miles from the baseline of the United States,¹⁸⁵ Puerto Rico, Commonwealth of the Northern Mariana Islands, and other territories and possessions. The waters beyond the EEZ are international waters, outside the jurisdiction of the U.S. and subject to international laws such as United Nations Convention on the Law of the Sea. Here, the U.S. government does not possess sovereignty but possesses sovereign rights for specific purposes such as economic exploration and exploitation, scientific research, and the protection of the environment.¹⁸⁶

State Submerged Lands – the area seaward of mean low tide to three geographical miles offshore; remains covered during the ordinary ebb and flow of the tide. The submerged lands

area for Texas and Florida's Gulf of Mexico coast extends offshore to 3 marine leagues (9 nautical miles).¹⁸⁷

Tidelands – the area located between the ordinary high tide line and the extreme low tide line, also referred to as the intertidal zone.¹⁸⁸ Also referred to as the “shore”, “beach”, and “foreshore”.

Tidal Range - the vertical height the water moves, not the distance on the ground between the low and high tide lines¹⁸⁹

Wrack Line - the line of dead or dying seaweed, marsh grass and other debris left on the upper beach by the last high tide.

OUT OF DATE / NEEDS TO BE REVISED

End Notes

¹ 54 U.S.C. §§ 100101, 100751(a) (2014).

² 36 C.F.R. § 1.2(a)(1)-(5) (2010).

³ 36 C.F.R. §§ 6.1, 6.2(a).

⁴ 36 C.F.R. § 9.1.

⁵ 36 C.F.R. § 9.30.

⁶ See Section 11 of the Alaska Statehood Act, Pub. L. 85-508, July 7, 1958, 72 Stat. 347.

⁷ In addition to the Part 7 regulations, Isle Royale National Park has specific regulations at Part 20, Cape Cod National Seashore has specific regulations at Part 27 and Fire Island National Seashore has specific regulations at Part 28.

⁸ U.S. Const. art. IV, § 3, cl. 2. The seminal Property Clause case is Kleppe v. New Mexico, 426 US 529 (1976), where the Court upheld the BLM's request that free roaming horses and burros that wandered onto private land be returned to the federal government. The Court found that Congress's power under the Property Clause is "without limitation" and extends to the protection of wildlife on the public lands.

⁹ James v. Dravo Contracting Co., 302 U.S. 134, 141-42 (1937).

¹⁰ See, Collins v. Yosemite Park & Curry Co., 304 U.S. 518 (1938).

¹¹ U.S. Const. Art. I, § 8, cl. 3.

¹² U.S. Const. Art. VI, cl. 2.

¹³ McCulloch v. Maryland, 17 U.S. 316, 405 (1819).

¹⁴ Wilderness Soc'y v. Kane County, 560 F. Supp. 2d 1147, 1158-59 (D. Utah 2008).

¹⁵ Bicycle Trails of Marin County v. Babbitt, No. 93—0009(EFL), 1994 U.S. Dist. LEXIS 12805, (N.D. Cal. Sept. 1, 1994), *aff'd*, 82 F.3d 1445 (9th Cir. 1995).

¹⁶ In Nat'l Rifle Ass'n v. Potter, 628 F. Supp. 903 (D.D.C. 1986), the court, in considering a challenge to the promulgation of 36 C.F.R. § 2.2, discussed the evolution of NPS management as it was altered by the General Authorities Act and the Redwoods Amendment. The court discussed, and the finding reflects, that all units of the National Park System, regardless of their designation, are regulated in the same protective manner (e.g., prohibiting hunting and trapping) unless specifically stated otherwise by Congress in the park's enabling legislation.

¹⁷ See Rep No. 94-1190, 12 (1976) (legislative history of 16 U.S.C. § 1a-2(h): Senate Report No. 94-1190, *Amending the Act Providing for Improvement in the Administration of the National Park System*.

¹⁸ *Id.* at 11, See also Correspondence from Curtis Bohlen, Deputy Assistant Secretary of the Interior, July 23, 1976.

¹⁹ 43 U.S.C. § 1301.

²⁰ 43 U.S.C. § 1301(b).

²¹ *Id.*

²² 43 U.S.C. § 1312.

²³ Our conclusion that a state seaward boundary is ambulatory is based on the following factors: 43 U.S.C. § 1301(b) states that in no event will the boundary extend more than 3 miles from the coast line, and states that if the Supreme Court decrees the boundary to be coordinates other than 3 miles, then those coordinates shall not be ambulatory. Therefore, if the 3 mile line (as of the date of entry into the union) were not ambulatory based on accretion, erosion, or reliction, then it would be possible for states to have areas greater than 3 miles due to erosion of the coastline. This would seemingly violate the SLA. Furthermore, if the exception to the rule is that the boundary will *not* be ambulatory, then logically, the rule would be that boundaries *are* ambulatory. Finally, the federal common law rule is that shoreline boundaries are ambulatory, meaning that the upland owner gets the benefit of more land added, and runs the risk of losing land that is eroded.

²⁴ 43 U.S.C. § 1301(a)(1).

²⁵ 43 U.S.C. § 1314(a).

²⁶ *Id.*

²⁷ Murphy v. Dep't of Natural Res., 837 F. Supp. 1217 (S.D. Fla. 1993) (holding that, in the absence of federal action, states can regulate, lease, or otherwise manage the water column, but that federal actions such as regulations will preempt conflicting state activities).

²⁸ See, Outer Continental Shelf Lands Act, 43 U.S.C. §§ 1331-1343 (1953); Submerged Lands Act, 43 U.S.C. §§ 1301-1315 (1953); Inupiat Cmty. of Arctic Slope v. United States, 548 F. Supp. 182, 187 (1982).

²⁹ 48 U.S.C. § 1705.

³⁰ 48 U.S.C. § 749.

³¹ Northern Mariana Islands v. United States, 399 F.3d 1057, 1067 (2005).

³² *Id.* at 1065.

³³ Administration of Coral Reef Resource in the Northwest Hawaiian Islands, *Memorandum Opinion for the Solicitor Department of the Interior, The General Counsel National Oceanic and Atmospheric Administration and the General Counsel, Council on Environmental Quality* (2000), available at <http://www.justice.gov/olc/coralreef.htm>.

³⁴ Memorandum of Agreement among the Army Corps of Engineers the South Florida Water Management District and the National Park Service for the Purpose of Protecting the Quality of Water Entering Everglades National Park (1984), available at

http://www.law.miami.edu/library/everglades/litigation/federal/usdc/88_1886/pleadings/complaint_ex_b_moa.htm; Memorandum of Understanding Between The National Park Service and the Wisconsin Department of Natural Resources and the Ice Age Trail Alliance, Inc. Concerning the Ice Age National and State Scenic Trail (2002) available at <http://dnr.wi.gov/org/land/parks/trails/pdf/iatmou.pdf>.

³⁵ Eric Surett et al., *Waters: Land Areas Associated with Water and Water Courses*, 78 Am. Jur. 2d Waters § 296 (2008).

³⁶ In two recent cases, courts have dismissed plaintiffs' claims that the NPS had violated the public trust doctrine. One court found that the NPS's detailed regulations supplanted any public trust obligations. *Edmonds Inst. v. Babbitt*, 42 F. Supp. 2d 1 (D.D.C. 1999). In *Associates of Cape Cod, Inc. v. Babbitt*, No. 00-10549-RWZ, 2001 U.S. Dist. Ct. (D. Mass. May 22, 2001), the court determined that the Massachusetts public trust doctrine, which generally allows fishing, does not supersede an NPS restriction on harvesting marine wildlife, including horseshoe crabs.

³⁷ Mary Turnipseed et al, *The Silver Anniversary of the United States' Exclusive Economic Zone: Twenty-Five Years of Ocean Use and Abuse, and the Possibility of a Blue Water Public Trust Doctrine*, 36 Ecology L.Q. 1, 20.

³⁸ *Id.* at 24.

³⁹ See 16 U.S.C. § 1452-1453.

⁴⁰ 16 U.S.C. § 1455(b). 15 CFR § 923.60 explains the NOAA approval process in more detail, including the environmental impact statement requirement.

⁴¹ 16 U.S.C. § 1456(c).

⁴² 15 CFR § 930.31(a).

⁴³ 15 CFR § 930.33(a)(1).

⁴⁴ 16 U.S.C. § 1453(1).

⁴⁵ 15 CFR § 923.33(a).

⁴⁶ In *Puerto Rico v. Muskie*, 507 F Supp. 1035 (1981), the court concluded that the exclusion of "federal lands" from term "coastal zone" applies only to land itself and not to effects on surrounding nonfederal coastal zone that may be caused by federal activities conducted on federal land; exclusion of federal lands does not remove federal agencies from obligation of complying with 16 U.S.C. § 1456 when federal actions on these excluded lands have spill over impacts that significantly affect coastal zone areas. In reaching this conclusion, the court stated that "The legislative history of this provision gives us some insight into its meaning (See Senate Report No. 92-753, 1972 U.S. Code Cong. and Admin. News, pp. 4776, 4783):

'... All federal agencies conducting or supporting activities in the coastal zone are required to administer their programs consistent with approved state management programs. However, such requirements do not convey, release or diminish any rights received or possessed by the Federal Government under the Submerged Lands Act or the Outer Continental Shelf Lands Act or extend state authority to land subject solely to the discretion of the Federal Government **such as national parks, forests and wildlife refuges**, Indian reservations and defense establishments...' (Emphasis added)."

⁴⁷ The state is under no obligation to respond to an ND, so the NPS may proceed with the activity without a response.

⁴⁸ 16 U.S.C. § 1453(6a) defines "enforceable policies" as "state policies which are legally binding through constitutional provisions, laws, regulations, land use plans, ordinances, or judicial or administrative decisions, by which a state exerts control over private and public land and water uses and natural resources in the coastal zone."

⁴⁹ 16 U.S.C. § 1456(a).

⁵⁰ 16 U.S.C. § 1456(b). The CZMA regulations at 15 CFR § 923.51 explain that Federal agencies must be consulted during the states' development of their CMPs.

⁵¹ See, *San Francisco v. United States*, 615 F2d 498 (1980).

⁵² 15 CFR §930.36.

⁵³ 16 U.S.C. § 1456(c)(1)(A).

⁵⁴ 15 CFR § 930.32(a)(1).

⁵⁵ 15 CFR § 930.32(a)(2); 15 CFR § 930.39.

⁵⁶ 15 CFR § 930.40(d).

⁵⁷ 15 CFR § 930.32(b) & (c).

⁵⁸ 15 CFR § 930.32(a)(3). See also, City of Sausalito v. O'Neill, 386 F.3d 1186 (9th Cir. Oct. 20, 2004), which held that the National Park Service violated the Coastal Zone Management Act in developing the Fort Baker Plan to transition from military post to national park because the consistency determination was improperly based on lack of funding, a proscribed criterion.

⁵⁹ 15 CFR § 930.41(c).

⁶⁰ 15 CFR § 930.43(a)-(e).

⁶¹ NPS Management Policies § 4.3.3, 8.2.2.5.

⁶² Preamble, 48 Fed. Reg. 30,252 (June 30, 1983) (states that the inclusion of non-conflicting state laws into the regulations “is not intended to bind the National Park Service to the recommendations of the State or lessen the authority or responsibility of the superintendents to ensure that management actions are consistent with public safety and enjoyment, sound resource management principles, and are compatible with the primary objectives for which the park area is established.”) (codified at 36 C.F.R. § 2.3).

⁶³ 36 C.F.R. § 1.4.

⁶⁴ The NPS is aware that according to evolutionary fish classifications, Agnatha is a superclass and Chondrichthyes and Osteichthyes are classes. This distinction does not change the scope of NPS regulations.

⁶⁵ See 36 C.F.R. § 1.2(a)(3); 36 C.F.R. § 1.5(a)(1); 36 C.F.R. § 2.3(c); National Park Service Management Policies § 4.4.3. Park-specific regulations for fishing include those for Dry Tortugas at 36 C.F.R. § 7.27(a)-(b); Olympic at 36 C.F.R. § 7.28(a); Jean Lafitte at 36 C.F.R. § 7.37(a); Everglades at 36 C.F.R. § 7.45(d); Virgin Islands Coral Reef at 36 C.F.R. § 7.46(a) and (b); Buck Island Reef at 36 C.F.R. § 7.73(a), (e); Virgin Islands at 36 C.F.R. § 7.74(e); Hawaii Volcanoes at 36 C.F.R. § 7.25(a).

⁶⁶ U.S. Const. Art. VI, cl. 2.

⁶⁷ 16 U.S.C. § 460cc-2(f).

⁶⁸ Organized Fisherman of Fla. v. Watt, 590 F. Supp. 805 (S.D. Fla. 1984).

⁶⁹ Biscayne National Park and the Florida Fish and Wildlife Conservation Commission (FWCC) signed a Memorandum of Understanding in 2002 to develop a joint Fishery Management Plan (FMP), *available at* <http://www.keepamerica fishing.org/-/pdf/MOU.pdf>.

⁷⁰ NPS-administered MPAs include the following National Park System units: Assateague Island NS, Biscayne NP, Buck Island Reef NM, Cabrillo NM, Canaveral NS, Cape Cod NS, Cape Hatteras NS, Cape Lookout NS, Channel Islands NP, Dry Tortugas NP, Everglades NP, Fire Island NS, Gateway NRA, Glacier Bay NP&P, Golden Gate NRA, Indiana Dunes NL, Isle Royale NP, Jean Lafitte NHP and P, Kalaupapa NHP, Kaloko-Honokohau NHP, National Park of American Samoa, Olympic NP, Pictured Rocks NL, Point Reyes NS, Salt River Bay NHP and Ecological Preserve, San Juan Islands NHP, Sleeping Bear Dunes NL, Virgin Islands Coral Reef NM, and Virgin Islands NP.

⁷¹ Executive Order #13158, Marine Protected Areas (May 2000)

⁷² For a list of NPS and other MPA’s visit the following website:
<http://www.mpa.gov/nationalsystem/nationalsystemlist/>.

⁷³ NOAA’s National Marine Fisheries Southwest Regional Office, Essential Fish Habitat – F.A.Q., http://www.swr.noaa.gov/hcd/HCD_webContent/EFH/faq_efh.htm.

⁷⁴ NPS Management Policies § 4.3.1 (2006).

⁷⁵ 36 C.F.R. § 1.4(a).

⁷⁶ NPS Management Policies § 4.4.3 (2006).

⁷⁷ Cape Cod – 36 C.F.R. § 7.67(d); Buck Island Reef – 36 C.F.R. § 7.73(a); Virgin Islands – 36 C.F.R. § 7.74(e).

⁷⁸ 36 C.F.R. § 1.2(a)(3).

⁷⁹ 36 C.F.R. § 2.3(d)(4); NPS Management Policies § 8.2.2.5, 4.4.3.

⁸⁰ 16 U.S.C. § 459a-1; 16 U.S.C. § 230d.

⁸¹ 16 U.S.C. § 3204(a), 410hh-4; Alaska Wildlife Alliance v. Jensen, 108 F. 3d 1065 (9th Cir. 1997).

⁸² 16 U.S.C. § 459h-2(a).

⁸³ United States v. Boyd, 275 F. 3d 1083 (5th Cir. 2001) (Unpublished Opinion affirming conviction, No. 01-60428, October 31, 2001).

⁸⁴ Organized Fishermen of Fla. v. Watt, 590 F. Supp. 805 (S.D. Fla. 1984); Organized Fishermen of Fla. v. Hodel 775 F.2d 1544, 1548 (11th Cir. 1985), *cert. den’d* 476 U.S. 1169 (1986). These park-specific regulations have since

been eliminated. Commercial fishing is still prohibited in Everglades, but under the general prohibition at 36 C.F.R. § 2.3(d)(4).

⁸⁵ See 72 Fed. Reg. 13,694 (2007).

⁸⁶ 36 C.F.R. § 3.1, 1.2(a).

⁸⁷ 36 C.F.R. § 3.3.

⁸⁸ Glacier Bay NP&P, 36 C.F.R. §§ 13.1150 – .1188; Gulf Islands NS, 36 C.F.R. § 7.12(c); Fire Island NS, 36 C.F.R. § 7.20(d); Olympic NP, 36 C.F.R. § 7.28(b); Pictured Rocks NL, 36 C.F.R. § 7.32(d); Everglades NP, 36 C.F.R. § 7.45(e); Cape Lookout NS, 36 C.F.R. § 7.49(a); Assateague Island NS, 36 C.F.R. § 7.65(c), and Cape Cod NS, 36 C.F.R. § 7.67(c).

⁸⁹ *Northwestern Env'tl. Advocates v. U.S. Env'tl. Prot. Agency*, No. 03-05760(SI), 2005 U.S. Dist. LEXIS 5373 (N.D. Cal. Mar. 20, 2005).

⁹⁰ *Id.* at 5.

⁹¹ Eric Reeves, “*Mich. Dep’t of Env’tl Quality, Analysis of Laws & Policies Concerning Exotic Invasions of the Great Lakes: A report to the Office of the Great Lakes* 1 (1999), available at <http://digitalcommons.unl.edu/lawwater/7/>.

⁹² Eugene H. Buck, *CRS Report for Congress, Ballast Water Management to Combat Invasive Species* 1 (2006), available at http://assets.opencrs.com/rpts/RL32344_20061002.pdf.

⁹³ *Id.*

⁹⁴ Loren Remsberg, *Too Many Cooks in the Gallery: Overlapping Agency Jurisdiction of Ballast Water Regulation*, 76 *Goe. Wash L. Rev.* 1412 (2008).

⁹⁵ The Non-indigenous Aquatic Nuisance Prevention and Control Act of 1990 (NANPCA), codified at 16 U.S.C. § 4702(3), attempts to prevent the unintentional introduction of nonindigenous species into the waters of the U.S. “Ballast Water” means any water and associated sediments used to manipulate the trim and stability of a vessel. The National Invasive Species Act of 1996 (NISA - Public Law 104-332) provides for the creation of monitoring programs to evaluate whether ANS exist and control the ANS population, and mandates that guidelines cited in NANPCA be treated as a regulation. NISA requires ships traversing the Great Lakes to manage ballast water by: (1) conducting mid-ocean ballast water exchange; (2) retaining ballast water on board; or (3) using a U.S. Coast Guard approved alternative treatment method.

⁹⁵ However, NISA exempts ships if following the rules would endanger the ship or crew, or the ship declares that it has “no ballast on board.”

⁹⁶ 33 C.F.R. §§ 151.2041(b), 151.2035(a)(7).

⁹⁷ Sarah McGee, *Proposals for Ballast Water Regulation: Biosecurity in an Insecure World*, 12 *Colo. J. Int’l Env’tl. L. & Pol’y* 141 (2001).

⁹⁸ 33 C.F.R. § 151.2035(a)(1).

⁹⁹ An overview of the Coast Guard’s ballast water management system can be found at <http://www.uscg.mil/hq/cg5/cg522/cg5224/bwm.asp>.

¹⁰⁰ 33 U.S.C. § 1251(a).

¹⁰¹ An overview of the NPDES permitting system can be found at http://cfpub.epa.gov/npdes/home.cfm?program_id=45.

¹⁰² *Northwestern Environmental. Advocates v. EPA*, 61 ERC (BNA) 1245 at note 89 (N.D. Cal. Mar. 30, 2005).

¹⁰³ 33 C.F.R. § 109.05.

¹⁰⁴ 36 C.F.R. § 7.27(g).

¹⁰⁵ Pub. L. 105-391, Nov. 13, 1998.

¹⁰⁶ 16 U.S.C. § 5951(a).

¹⁰⁷ 16 U.S.C. § 5966(c)(2).

¹⁰⁸ 16 U.S.C. § 2802(1), (5).

¹⁰⁹ NOAA Aquaculture Program (<http://aquaculture.noaa.gov/us/welcome.html>)

¹¹⁰ 33 U.S.C. § 403; 33 C.F.R. § 329.12(a).

¹¹¹ 33 U.S.C. § 1342; 40 C.F.R. § 122.24(a).

¹¹² NPS Management Policies § 4.8.1.1 (2006).

¹¹³ See 16 U.S.C. § 459h-5 (Gulf Islands National Seashore); 16 U.S.C. § 459e-7 (Fire Island National Seashore); 16 U.S.C. § 459f-7 (Assateague Island National Seashore); 16 U.S.C. § 459g-5 (Cape Lookout National Seashore); 16 U.S.C. § 460bb-3(c) (Golden Gate National Recreation Area).

¹¹⁴ The only park units to address dredging in a special regulation are Buck Island Reef National Monument and Virgin Islands Coral Reef National Monument, both of which prohibit dredging, excavating, or filling operations of any kind within the monuments. See 36 C.F.R. §§ 7.73(b), 7.46(c).

¹¹⁵ New York Coastal P'ship, Inc. v. U.S. Dept. of Interior, 341 F. 3d 112 (2nd Cir. 2003), *cert. denied* 546 U.S. 820 (2005).

¹¹⁶ More detailed information about the legal requirements for these types of projects is located at <http://www.csc.noaa.gov/beachnourishment/html/human/law/index.htm>.

¹¹⁷ See <http://www.lre.usace.army.mil/coastalprocesses/Section111/>.

¹¹⁸ 54 U.S.C. § 300101 *et seq.*

¹¹⁹ 16 U.S.C. § 470aa.

¹²⁰ 54 U.S.C. § 320301 through 320303.

¹²¹ Lathrop v. Unidentified, Wrecked & Abandoned Vessel, 817 F. Supp. 953 (M.D. Fla. 1993).

¹²² 16 U.S.C. § 1431.

¹²³ Craft v. National Park Service, 34 F.3d 918 (9th Cir. 1994).

¹²⁴ 42 U.S.C. §§ 4321-4347.

¹²⁵ 43 U.S.C. §§ 2101-2106.

¹²⁶ 43 U.S.C. § 2102(d).

¹²⁷ Additional guidance regarding the definition of “abandoned” may be found in the ASA guidelines at 55 Fed. Reg. 50116, 50120 (1990).

¹²⁸ 43 U.S.C. § 2105(a).

¹²⁹ 43 U.S.C. § 2105(c).

¹³⁰ 43 U.S.C. § 2105(d).

¹³¹ *Id.*

¹³² 43 U.S.C. § 2106(a).

¹³³ 55 Fed. Reg. 50116 (1990). The Abandoned Shipwreck Act Guidelines are available at <http://www.nps.gov/history/archeology/submerged/intro.htm>.

¹³⁴ 10 U.S.C. § 113.

¹³⁵ NPS Management Policies Ch. 5 (2006).

¹³⁶ Dry Tortugas National Park, 36 C.F.R. § 7.27(j); Virgin Islands Coral Reef National Monument, 36 C.F.R. § 7.46(d); Buck Island Reef National Monument, 36 C.F.R. § 7.73(c); Virgin Islands National Park, 36 C.F.R. § 7.74(c); Channel Islands National Park, 36 C.F.R. § 7.84(b).

¹³⁷ <http://www.nps.gov/ailo>.

¹³⁸ See NPS Management Policies § 1.11, 1.12, 2.1, 2.3, 7.5, 8.5.

¹³⁹ NOAA Shoreline Website Glossary, available at - <http://shoreline.noaa.gov/glossary.html>.

¹⁴⁰ See, Gateway National Recreation Area. The boundary at Great Kills Park on the west end of the spit stops at a specific U.S. Bulkhead line described in the deed conveying the property to the U.S.

¹⁴¹ 16 U.S.C. § 460cc.

¹⁴² Kemp Wilson, *Ownership of Mineral Interests Underlying Inland Bodies of Water and the Effects of Accretion and Erosion*, 30 Rocky Mtn. Min. L. Inst. 14 (1984). Available through the Rocky Mountain Mineral Law Foundation’s internet library at <https://www.rmmlf-library.org>.

¹⁴³ Jones v. Johnston, 59 U.S. 150 (1856) (“Land gained from the sea either by alluvion or dereliction, if the same be by little and little, by small and imperceptible degrees, belongs to the owner of the land adjoining.”).

¹⁴⁴ California ex rel. State Lands Comm’n, 457 U.S. 273 (1982).

¹⁴⁵ See, Stop the Beach Renourishment, Inc. v. Florida Dep’t of Env’tl. Prot., No. 08-1151, 2010 U.S. LEXIS 4971 (U.S. June 17, 2010) (the U.S. Supreme Court recognizes that access to the sea is a fundamental component of riparian property).

¹⁴⁶ Bonelli Cattle Co. v. Arizona, 414 U.S. 313 (1973); County of St. Clair v. Lovington, 90 U.S. 46 (1875).

¹⁴⁷ California ex rel. State Lands Comm’n, 457 U.S. 273 (1982).

¹⁴⁸ Fontenelle v. Omaha Tribe of Neb., 298 F. Supp. 855 (D. Neb. 1969).

¹⁴⁹ Frank E. Maloney & Richard C. Ausness, *The Use and Legal Significance of the Mean High Water Line in Coastal Boundary Mapping*, 53 N.C. L. Rev. 185, 43 (1974), available at <http://shoreline.noaa.gov/docs/8d5878.pdf>.

¹⁵⁰ Bonelli Cattle Co. v. Arizona, 414 U.S. 313 (1973).

¹⁵¹ *Id.*

¹⁵² *Id.*

¹⁵³ Terry W. McHenry, *Fluid Challenges* (2002), available at <http://www.pobonline.com/CDA/Archives/46fab768d0f6010VgnVCM100000f932a8c0>.

¹⁵⁴ *Id.*

¹⁵⁵ *Bonelli*, 414 U.S. 313 (1973) (citing *Philadelphia Co. v. Stimson*, 223 U.S. 605, 624 (1912), “It is the established rule that a riparian proprietor of land bounded by a stream, the banks of which are changed by the gradual and imperceptible process of accretion or erosion, continues to hold to the stream as his boundary; if his land is increased he is not accountable for the gain, and if it is diminished he has no recourse for the loss.”).

¹⁵⁶ *Jefferis v. East Omaha Land Co.*, 134 U.S. 178, 195 (1890).

¹⁵⁷ *Puyallup Tribe of Indians v. Port of Tacoma*, 525 F. Supp. 65 (W.D. Wash. 1981), *aff’d*, 717 F.2d 1251 (9th Cir. 1983).

¹⁵⁸ Phillip Lear, *Accretion, Reliction, Erosion, and Avulsion: A Survey of Riparian and Littoral Title Problems*, 11 J. Energy Nat. Res. & Envtl. L. 265 (1991).

¹⁵⁹ *Id.*

¹⁶⁰ 65 C.J.S. Navigable Waters §94.

¹⁶¹ *United States v. 461.42 Acres of Land in Lucas County, Ohio*, 222 F. Supp. 55 (N.D. Ohio 1963).

¹⁶² *Walton County v. Stop the Beach Renourishment, Inc.*, 998 So.2d 1102 (Fla. 2008) (the court viewed hurricanes such as Hurricane Opal as avulsive events); also see *Ford v. Turner*, 142 So.2d 335, 339 (Fla. 1962); *Siesta Props., Inc. v. Hart*, 122 So.2d 218, 222-23 (Fla. 1960); *Bryant v. Peppe*, 238 So.2d 836, 838 (Fla. 1970).

¹⁶³ LRD manages all land records in accordance with Director’s Order #19 which states:

The Land Resources National Program Center is the office of record for the acreage, interest and ownership for NPS land acquisitions. All land acquisition records and related records should be managed according to procedures established in Director’s Order 25: Land Protection, and its accompanying reference material.

LRD creates land status or segment maps that cover each NPS unit. All LRD mapping efforts are done according to Director’s Order #25 which states:

Land status maps will be prepared to identify the ownership of the lands within the authorized boundaries of the park unit. These maps, showing ownership and acreage, are the "official record" of the acreage of Federal and nonfederal lands within the park boundaries. While these maps are the official record of the lands and acreage within the unit’s authorized boundaries, they are not of survey quality and not intended to be used for survey purposes.

Over the years these segment maps have been created using a variety of approved cartographic techniques. Currently LRD is converting all NPS segment maps to fully attributed digital data and creating GIS tract and boundary polygons from these digital maps. This is being accomplished by using existing land records including legal descriptions and deeds, direct digitization of hard copy segment maps, and by ensuring compliance with each unit’s authorizing legislation. LRD incorporates survey data that was done before and after the acquisition process into their digital products. Several other government and non-government sources of information are also used, including Bureau of Land Management (BLM) Public Land Survey System (PLSS) information, United States Geological Survey (USGS) geospatial data products, National Agriculture Imagery Program (NAIP) photography, National Oceanic and Atmospheric Administration (NOAA) shoreline and spatial reference data and various state-held data sets.

¹⁶⁴ 16 U.S.C. § 3503.

¹⁶⁵ Great Lakes resources were added to the system by the Coastal Barrier Improvement Act of 1990 pursuant to the Great Lakes Coastal Barrier Act (Public Law 100-77).

¹⁶⁶ See Coastal Barrier Resources Reauthorization Act of 2005 Senate Report 109-179. Also see www.fws.gov/cbra/Act/index.html: “The CBRS contains two types of units, System units and Otherwise Protected Areas (OPAs). OPAs are denoted with a “P” at the end of the unit number (e.g., FL-64P, P10P).

System units are generally comprised of private lands. The boundaries of these units are generally intended to follow geomorphic, development, or cultural features. The CBRS currently includes 585 System units encompassing approximately 1.3 million acres of land and associated aquatic habitat. OPAs are generally comprised of lands held by a qualified organization primarily for wildlife refuge, sanctuary, recreational, or natural resource conservation purposes. The boundaries of these units are generally intended to coincide with the boundaries of conservation or recreation areas such as state parks and national wildlife refuges. The only Federal spending prohibition within OPAs is the prohibition on Federal flood insurance. The CBRS currently includes 272 OPAs encompassing approximately 1.8 million acres of land and associated aquatic habitat.”

¹⁶⁷ Public Law 101-591.

¹⁶⁸ NOAA Shoreline Website: <http://shoreline.noaa.gov/glossary.html>.

¹⁶⁹ Proclamation No. 5928, 54 Fed. Reg. 777 (Dec. 27, 1988); Proclamation No. 7219, 64 Fed. Reg. 48 (Aug. 2, 1999).

¹⁷⁰ United Nations Convention on the Law of the Sea (UNCLOS) 21 I.L.M. 1261 (1982); Convention on the Territorial Sea and Contiguous Zone, 516 U.N.T.S. 205 (1964); Donald C. Baur et al., *Ocean and Coastal Law and Policy* (2008).

¹⁷¹ UNCLOS, Part II, § 2, Art. 5.

¹⁷² *Id.* at Art 7(2).

¹⁷³ *Id.* at Art 7(4).

¹⁷⁴ *Id.* at Art. 9 - Incorporates Convention on the Territorial Sea and Contiguous Zone, Part I, Section II, Art. 13.

¹⁷⁵ *Id.* at Art. 10 – incorporates Art. 7 of the Convention on the Territorial Sea and Contiguous Zone.”

¹⁷⁶ *Id.* at Art. 11.

¹⁷⁷ www.marianatrench.com/mariana_trench-nautical_measurements.htm;

<http://science.howstuffworks.com/innovation/science-questions/question79.htm> ;

www.pacificoffshorerigging.com/nautical_measurements.htm; www.metric-conversions.org.

¹⁷⁸ 43 U.S.C. § 1333(a)(1).

¹⁷⁹ Proclamation No. 5928, 54 Fed. Reg. 777 (Dec. 27, 1988).

¹⁸⁰ Restatement (Third) of Foreign Relations Law of the United States § 514 cmt. c (1990).

¹⁸¹ 12 Op. Off. Legal Counsel 238, 240 (1998) (Addresses legal issues raised by proposed Presidential Proclamation to extend the territorial sea).

¹⁸² Proclamation No. 7219, 64 Fed. Reg. 48 (Aug. 2, 1999).

¹⁸³ Restatement (Third) of Foreign Relations Law of the United States § 514 cmt. c (1990).

¹⁸⁴ 12 Op. Off. Legal Counsel 238 at 240.

¹⁸⁵ Proclamation No. 5030, 48 Fed. Reg. 10605 (Mar. 10, 1983).

¹⁸⁶ 12 Op. Off. Legal Counsel 238 at 241.

¹⁸⁷ 43 U.S.C. § 1301.

¹⁸⁸ Maurice L. Schwartz, *Encyclopedia of Coastal Science* 247 (2005).

¹⁸⁹ *Id.*

NATIONAL PARK SERVICE PUBLIC RISK MANAGEMENT PROGRAM

Reference Manual 50C

Table of Contents

Part I:	Injury Data Collection Tool Template
Part II:	Risk Assessment Tool
Part III:	Board of Review

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	WASO							
Date	Hour	Age	DOB	Sex	Home of Residence (City, State)	Activity	Cause of Injury	Contributing Factor (primary)

Contributing Factors (Secondary)	Description of Incident	Location	Nature of Injury	Environment Type	Outcome

INSTRUCTIONS FOR DATA COLLECTION AND ANALYSIS TOOL

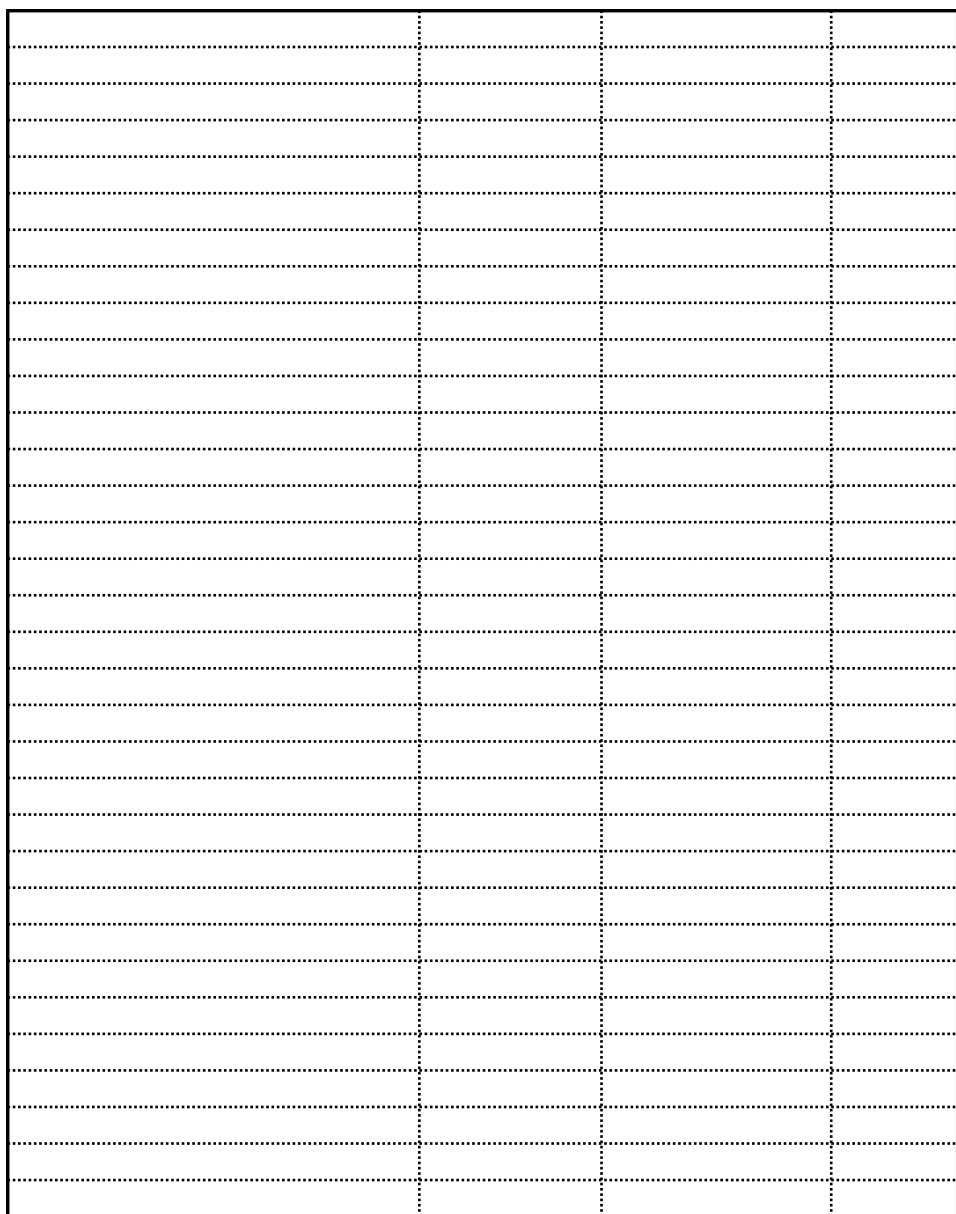
1. Most categories have drop down menus to simplify data entry
2. Data points can be adjusted by user by modifying, adding or deleting information in the Drop Down Labels worksheet
3. User may decide to add other categories for analysis such as location or time of day of incident depending on need.
This can be done in the Drop Down Labels worksheet.

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	Age	Sex	Cause of Injury	Activity	Contributing Factors	Description of Incident
	1	M	Bite/Sting	Backpacking	Altitude	
	2	F	Near drowning/Submersion	Biking	Alcohol	
	3		Fall	Boating (kayak, canoe, motor, etc)	Animal Encounter	
	4		Foreign body	Camping	Avalanche	
	5		Inhalation/Ingestion/Suffocation	Caving	Cold Exposure	
	6		Gunshot	Cooking	Dehydration	
	7		Hanging	Cycling	Drugs	
	8		Jumped	Driving (car)	Equipment failure	
	9		Machinery	Driving (motorcycle)	Exhaustion	
	10		Natural/Environmental	Hiking/ Walking	Falling rock	
	11		Other specified causes	Horseback (or mule) riding	Falling tree/branch	
	12		Overexertion	Rafting	Immersion/submersion	
	13		Self-cutting	Rappelling	Insect(s)	
	14		Struck by/Against or Crushed	River crossing	Lightning	
	15		Transportation related cause	Rock climbing	Overuse injury	
	16		Other	Running	Plant poisoning/toxicity/contact	
	17		Unknown	Scuba diving/skiing	Preexisting medical condition	
	18			Skiing	Sun exposure	
	19			Snow/Ice Climbing	Weather	
	20			Snowboarding	Other	
	21			Snow mobiling	Unknown	
	22			Other		
	23			Unknown		
	24					
	25					
	26					
	27					
	28					
	29					

Nature of Injury	Environment Type	Outcome	Suicide
Blister(s)	River	Fatality	Yes
Bruise, contusion	Lake	Non-fatal illness	No
Burn	Ocean		Unknown
Dehydration	Cliff		
Dental	Forest		
Dislocation	Mountain		
Drowning	Glacier		
Ear infection	Desert		
Eye Injury	Urban		
Fracture	Suburban		
Frostbite	Farm		
Gastrointestinal problem	Road		
Head Injury	Trail		
Hyperthermia			
Hypothermia			
Immersion Foot			
Laceration			
Ligament Sprain			
Muscle Strain			
Near Drowning or Immersion			
Nonspecific fever			
Skin abrasions			
Skin infection			
Soft Tissue (bruise, wound, abrasion)			
Sunburn			
Tendonitis			
Upper Respiratory			

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Site	Assessed by	Assessment Date	Verified By	Verification Date
Site 1				
Assessment 1				
Assessment 2				
Assessment 3				
Site 2				
Assessment 1				
Assessment 2				
Assessment 3				
Site 3				
Assessment 1				
Assessment 2				
Assessment 3				
Site 4				
Assessment 1				
Assessment 2				
Assessment 3				

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Return to:	
Definitions	
Scoring Tool and Examples	
Assessment Sites	

					18-20 points:
					13-17 points:
					6-12 points:
					4-5 points:

Imminent Risk (act within current work shift)	
High Risk (act within 15 working days)	
Medium Risk (act within 12 months)	
Low Risk (no mitigation necessary)	
Unknown	

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Return to:			
Definitions			
Scoring Tool and Examples			
Assessment Sites			

			18-20 points:	Imminent Risk (<i>act within current wc</i>)
			13-17 points:	High Risk (<i>act within 15 working day</i>)
			6-12 points:	Medium Risk (<i>act within 12 months</i>)
			4-5 points:	Low Risk (<i>no mitigation necessary</i>)
				Unknown

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Return to:			
Definitions			
Scoring Tool and Examples			
Assessment Sites			

		18-20 points:	Imminent Risk (<i>act within current work shift</i>)
		13-17 points:	High Risk (<i>act within 15 working days</i>)
		6-12 points:	Medium Risk (<i>act within 12 months</i>)
		4-5 points:	Low Risk (<i>no mitigation necessary</i>)
			Unknown

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50C Reference Manual Part 2 - Risk Assessment Tool

(Based in part on a risk system developed by Parks Canada. Parks Canada Visitor Risk Management Handbook, 2006)

Purpose: This suggested risk assessment tool is based on the same concepts found in Operational Leadership (OL) in which tools such as the GAR (Green, Amber, Red) and the SPE (severity, probability, and exposure) models are used to evaluate the level of risk in an activity or situation. This tool also uses concepts from the Risk Assessment Code (RAC) which reviews working conditions to determine risk levels. As with any assessment tool follow up is an essential part of the process.

Definitions for Risk Assessment Tool

Information for Assessment Site Worksheet

Site: Provide the exact location of the hazard or risk (i.e. building, beach, trail).

Assessed by: Insert the name and signature of the primary assessor.

Assessment Date: Record the date that assessment form is completed. The assessment must be valid on that day, and subsequent days, unless circumstances change and amendments are necessary.

Verified by: Insert the name of safety committee chair, chair designee or park unit manager who reviewed the information.

Verification Date: Record the date that the assessment is verified.

Information for Each Site's Worksheet

Location: Describe each separate physical area (e.g., beach entrance, camping site, parking lot, etc) covered by the assessment. The number of rows on the spreadsheet will depend on how many hazards are reviewed in each location.

Risk Issue Identify conditions that create hazards or risks **for each location**.

Remember to look at risk issues that are not immediately obvious. For example, a person might trip accessing the beach because although a warning sign was present it was not visible to due overgrown vegetation or brush.

Risk Scoring: Use of a Risk Scoring system will assist to more precisely quantify the risk ratings. This scoring system takes into account the frequency of the activity or hazard, the severity of the hazard or activity, how obvious the risk is to the visitor, and the degree of control the park has over the risk issue. In cases where risk is unknown, use "U" (for unknown) under appropriate categories. See the Scoring Tool worksheet in this document.

Risk Rating: The Risk Rating is a qualitative measure of risk based on the total Risk Score for each assessment and includes 4 potential risk categories: **imminent, high, medium, or low**.

Risk Rating

4-5 points = Low Risk

6-12 points= Medium Risk

13-17 points=High Risk

18-20 points= Imminent Risk

The risk is **IMMINENT** (18-20 points) – There is a high probability a serious injury or fatality will occur before the usual procedures for controlling the risk can be implemented. For example, there is an immediate risk of serious injury or death from a large rock that has become precariously perched above a heavily used trail. **Act within that work shift.**

The risk is **HIGH** (13-17 points) – There is a high probability a serious injury or fatality will occur. If injury is likely to arise (e.g. there have been previous incidents, the situation looks like an accident waiting to happen) and that injury might be serious (*broken bones, trip to the hospital, loss of consciousness*), or even a fatality. **Act as soon as possible, but no later than 15 working days.**

The risk is **MEDIUM** (6-12 points) – There is some likelihood that exposure could result in injury and that injury could be serious (e.g. some time off work, or a minor physical injury). **Act within 12 months.**

The risk is **LOW** (4-5 points) - if exposure occurred, it would be unlikely to result in injury and if there were injury it would likely be *minor if risk has elevated*. **No mitigation necessary, periodically assess.**

The risk is **UNKNOWN** - It is unknown or cannot be assessed what the likelihood or severity of injury might be.

Recommendation: Suggested strategy or strategies to mitigate risk based on assessment.

Recommendation Assessor(s) submits recommendation to appropriate staff for review and action to either accept, reject, or revise. Indicate **who** that

Submission: person or entity is (e.g. Chief Ranger, Chief of Interpretation, Safety Committee) and **date** it was submitted. Using the drop-down box, indicate the **decision** -- if it was accepted, accepted with modifications, or rejected. If accepted, indicate the timeframe in which the hazard will be mitigated; if accepted with modifications, specify the modifications and the timeframe in which the hazard will be mitigated; if rejected, provide the reason(s) why. Include the **date the hazard was addressed**.

Risk Scoring Tool

(Based on system developed by Parks Canada. Parks Canada Visitor Risk Management Handbook, 2006)

To assist in prioritizing hazards at the park it may be useful to quantify hazards via a weighted scoring system. This scoring system relies on four criteria: **potential frequency**, **potential severity**, **visitor awareness**, and **park control**. The sum of the scores for each criteria will provide a total risk score that will be used to determine the Risk Rating for that hazard. Before estimating a score for each criteria, consider all mitigating strategies currently in place. At the conclusion of the evaluation, each risk issue will have a total risk score. The highest scoring issues deserve priority management attention. The following scoring system may be used for each hazard being assessed:

Risk Scoring

1. Potential Frequency- *how common is the activity and/or hazard?*
 - 5 – often
 - 3 – occasional
 - 1 – rare
2. Potential Severity- *how severe is a negative outcome of the risk?*
 - 5 – severe injury or fatality
 - 3 – minor or moderate injury
 - 1 – minimal or no injury
3. Visitor Awareness- *how much knowledge do visitors have about the risk?*
 - 5 – not aware
 - 3 – may have some awareness
 - 1 – hazard is obvious
4. Park Control- *how much control (e.g., facilities, engineering, communication, regulations) does the park currently have to manage the hazard?*
 - 5 – park has no control over hazard
 - 3 – park has some control over hazard
 - 1 – park has complete control over hazard

Sample Evaluations

Risk Issue #1: Hiking in hot temperatures resulting in visitor heat injury

Background: At the Grand Canyon hiking to the base of the canyon is a frequent activity of visitors in the summer. Often visitors begin their hike in the early morning when temperatures are much lower and hike down the canyon, but they may not realize the importance of bringing sufficient water because temperatures can reach high points later in the day as hikers ascend.

Scoring:

Criteria	Question(s) to ask	Rationale	Score
Potential Frequency	How often visitors hike in high temperatures?	During the summer, there are approximately 40,000 hikers at the Grand Canyon and temperatures can often reach dangerous levels in the summer, so the frequency of exposure is the highest.	5

Potential Severity	How serious a threat is dehydration to one's health?	Heat illness has the potential to be life threatening, depending on many factors such as age, fitness, duration of exposure. While the potential to cause serious illness does exist, not all exposures result in severe outcomes.	3
Visitor Awareness	How aware are the people of the risk, taking into account current measures to raise awareness (e.g. signs, information on website, brochures, rangers)?	The park has an established Hike Smart program providing numerous opportunities for visitors to learn about the risks of dehydration including signs, website; these efforts don't guarantee full comprehension of risk. Mitigating measures of the park has significantly raised awareness about heat risk at GRCA	2
Park Control	How much control over exposure to heat and visitor hiking does the park currently have (e.g. regulation of trail use)?	The park closes certain trails to limit heat exposure. The park has made efforts to control exposure.	2
Total Score for Risk Issue #1 = 12 from a maximum score of 20. This Risk Issue is a Medium Risk.			Total Score: 12

Risk Issue #2: Flash flooding risk resulting in serious injury or death

Background: In this park, summer thunderstorms frequently occur during July, August, and early September with the potential for torrential rains, frequent lightning and flash floods. Not always predictable and a potential unknown risk, especially to foreign visitors.

Scoring:

Criteria	Question(s) to ask	Rationale	Score
Potential Frequency	How often do flash floods occur in the park?	Flash flooding is not common and does not predictably occur after thunderstorms.	1
Potential Severity	How serious a threat is a flash flood to human health?	Catastrophic; flash floods can cause immediate drowning to exposed.	5
Visitor Awareness	How aware of flash floods are visitors taking into account current measures to raise awareness (e.g. monitoring systems, signs, rangers)?	Currently the park has signage and warning information in visitor brochures at entrance stations.	3
Park Control	How much control over exposure to flash floods and visitor swimming does the park currently have (e.g. monitoring system in place, swimming regulations)?	The park cannot control flash floods from coming, has no monitoring system to detect flash floods, and has limited few areas to swimmers.	4
Total Score for Risk Issue #1 = 13 from a maximum score of 20. This Risk Issue is a High Risk.			Total Score: 13

Risk Rating

4-5 points = Low Risk

6-12 points = Medium Risk

13-17 points = High Risk

18-20 points = Imminent Risk

NOTE: All four criteria must be scored to obtain an accurate total score that will automatically elicit a risk rating on the spreadsheet.

Risk Assessment Form

Site: _____

Assessment Date: _____

Location	Risk Issue	Risk Scoring					Risk Rating	Notes & Recommendations
		Potential Frequency	Potential Severity	Visitor Awareness	Park Control	Total		

RISK SCORING

- Potential Frequency - How common is the activity and/or hazard? (5-often, 1-rare)
- Potential Severity - How severe is a negative outcome of the risk? (5-severe injury or fatality, 1-no injury)
- Visitor Awareness - How much knowledge do visitors have about the risk? (5-not aware, 1-hazard is obvious)

RISK RATING

- 18-20 points = Imminent Risk
- 13-17 points = High Risk
- 6-12 points = Medium Risk

Park Control - How much control at time of assessment (such as facilities, engineering, regulations) does the park have to control the hazard? (5-park has no control over hazard, 1-park has complete control over hazard)	4-5 points = Low Risk
--	-----------------------

Risk Assessment Form

Assessment Date:

Site :				Risk Scoring		Risk Rating			
				Potential Frequency	Potential Severity		Visitor Awareness	Park Control	Total
Location:									
Risk Issue:									
Notes & Recommendations:									

Location:									
Risk Issue:									
Notes & Recommendations:									

Location:									
Risk Issue:									
Notes & Recommendations:									

Location:	
Risk Issue:	
Notes & Recommendations:	

RISK SCORING Potential Frequency - How common is the activity and/or hazard? (5-often, 1-rare) Potential Severity - How severe is a negative outcome of the risk? (5-severe injury or fatality, 1-no injury) Visitor Awareness - How much knowledge do visitors have about the risk? (5-not aware, 1-hazard is obvious) Park Control - How much control (such as facilities, engineering, regulations) does the park have to control the hazard? (5-park has no control over hazard, 1-park has complete control over hazard)	RISK RATING 18-20 points = Imminent Risk 13-17 points = High Risk 6-12 points = Medium Risk 4-5 points = Low Risk
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NATIONAL PARK SERVICE BOARD OF REVIEW

I. Introduction

- A. Board of Review (BOR) will be conducted, as required by Director's Order #50C, Section 4.7 for any serious accident resulting in the death of a visitor.
- B. The Board will be **initiated** within 30 days of the incident.
- C. Incidents determined to be the cause of homicide and/or suicide activity will be exempt from this investigative standard operating procedure.
- D. While a Board of Review may provide lessons learned, not all fatal incidents will have correctable opportunities for the park because visitors will make risk choices that exceed their ability to manage that risk.
- E. Park staff should consult with a Department of Interior (DOI) Solicitor's Office before conducting a BOR.
- F. Members of a BOR must not discuss the details of a BOR case with anyone outside the BOR membership during the review process without first consulting with a DOI solicitor.

II. Purpose

The purpose of the BOR is to examine and evaluate all of the available facts relating to the accident to determine causal factors contributing to the mishap and to recommend actions (e.g. policies, procedures) to prevent recurrences.

III. Composition of the Board

- A. A minimum of four (4) staff members, from different divisions, shall conduct the review.
- B. The Park Safety Officer will be a member of each Board. In parks where there is no Safety Officer, the park manager will designate a park employee to serve as temporary safety officer for the purpose of the board of review.
- C. The park manager (Superintendent or Deputy Superintendent) shall serve as the Chairperson.

- D. The lead investigator shall be present to offer a narrative of events.

IV. Documentation

The report shall contain six (6) sections (A-F below) of information –

- A. List of Board Members, Chairperson, Recorder, and Investigative Lead
- B. Investigative Records Used

This section of the report should describe what records (i.e. Case Incident Report, Patient Care Record, witness statements, photographs) and other materials that were used to review the incident.

- C. Details of the Incident

The report should describe the actions, circumstances, and conditions which contributed to the incident. A description of the circumstances of the accident can include narratives/police reports of the event as described by NPS staff, local police, or others who witnessed the event. Information gathered from the victim can be included if it is available through police reports. The Board Members are not expected to interview victims or their families for the purpose of this review, unless the superintendent deems it necessary. Details of the human factors, equipment related issues, or the environment as they factored into the events can be described.

This section should not summarize or detail the National Park Service's (NPS) actions following the incident, except as those actions are important in describing medical detail, etc. Technical discussions of equipment, rescue activities, or other response details should not be included in this report, unless it contributes in some manner to understanding basic causes.

- D. List and description of Causal Factors (*victim* i.e. blood alcohol level, wilderness skill level; preparedness, pre-existing health conditions; *environmental conditions* i.e. weather, river levels, tides; *physical conditions* i.e. roadway surface, signs, guard rails; *response* i.e. timeliness/adequacy)
- E. List and description of any secondary, or indirect causes (i.e. stress of victim, sleep deprivation)
- F. Recommendations of the Board

List suggestions the group formulated to prevent this type of incident from recurring in the future. Recommended actions must be achievable. The Board should consider innovative, creative ideas that could make a real difference either in the short term or long term.

NOTE: The BOR should be sensitive to the possibility of internal or criminal investigations by authorized authorities. In such cases, the BOR is not to interfere with any investigation of this kind.

V. Responsibilities

A. Communications Center

1. Complete the "Fatal Log."
2. Compile copies of radio logs.
3. Establish a file folder.
4. Run computer checks as necessary.

B. Lead Investigator or equivalent

1. Designate and initiate a BOR within 30 days of the incident.
2. Ensure that autopsy report is included in file before the Board of Review is convened. (Note: boards will not be held until documented cause of death is available in the file.)
3. Make a copy of complete case file for each board member prior to Board of Review.
4. Ensure that each copy of case file is shredded after the Board of Review is complete.
5. Obtain autopsy and toxicology reports from the coroner's office.
6. Obtains reports from any other agencies involved.
7. Obtain Special Agent report.

C. Safety Officer or equivalent

1. Complete a report using the sample format attached.
2. Prepare a cover letter to "Working Files" Through "Superintendent."
3. Board of Review Report shall have a stamp with the worded message, ***"Official Internal Working Document Not For Public Release"*** on each page.
4. Forward report to Superintendent and Chief Ranger for approval/initials.
5. Maintain "Working File" until recommendations are implemented.
6. Track recommendation items to ensure follow-through.
7. Prepare memo to BOR stating closure has occurred.

D. Park Manager (Superintendent or Unit Manager)

1. Initial/approve "working file" Board of Review Report and forward to safety officer (or equivalent) for tracking/follow-through of recommendations.
2. Send final report to regional office and to WASO Public Risk Management Program Office under confidential cover at risk_management@nps.gov within 10 days of report completion.

MAY 2010

BOARD OF REVIEW REPORT FORM

***Official Internal Working Document
Not for Public Release***

Board Members (Representative Divisions):
Date/Time of Incident:
Date of Board of Review:
Location of Accident:
Brief Description/Summary of Accident:
Background Analysis:
Primary Causal Factors:
Recommendations for Prevention:
Conclusions:

MAY 2010

National Park Service

Fatal Log

Fatal Number:

Time and Date:

Case Number:

Cause of Death:

Case Ranger:

Notifications:

Person to be Notified	Who was Notified	Time Advised	Time on Scene
L.E. Agency			
Ambulance/Fire District			
Coroner			
Dist. Ranger			
Special Agent.			
Deputy Chief Ranger			
Chief Ranger			
Superintendent			
Deputy Superintendent			
Safety Officer			
Public Info Off.			
Legal Specialist			
Comm. Supervisor			
Regional Office			

Deceased's Name: DOB: Age:

Brief Summary of Events:

Ready for Release to press?

Has Next of Kin been notified?

Dispatcher(s)

MAY 2010

Regional Notification

Type of Incident	
Time and Date	
Location	
Description of Incident	
Name of Victim	
Age of Victim	
Sex of Victim	
Involved Agencies	
PIO Information Name/phone #	
Dispatcher sending report	
Level of report (Check the Reporting Procedures)	



National Park Service
U.S. Department of the Interior

National Park Service

EMERGENCY MEDICAL SERVICES

REFERENCE MANUAL

2009

Law Enforcement, Security, and
Emergency Services

RM-51



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Chapter 1

PROGRAM DIRECTION AND SCOPE

- 1.1 Introduction
 - 1.2 Overview
 - 1.3 Policy
 - 1.4 Purpose
 - 1.5 Program Funding
 - 1.5 Implementation
-

1.1 Introduction

The National Park Service (NPS) Management Policies, 2001, state that “The saving of human life will take precedence over all other management actions as the NPS strives to protect human life and provide for injury-free visits” (Section 8.2.5.1, *Visitor Safety*, page 85). The NPS ability to respond to emergency medical incidents supports that policy and is essential to the well being of all who enter NPS areas.

Because the NPS manages a wide variety of areas across the United States, with diverse physical environments and a diverse visiting public, where varying levels of Emergency Medical Services (EMS) may be required, it is necessary to provide guidance to NPS emergency medical providers for purposes of standardization of care and documentation. This document provides that guidance.

1.2 Overview

The initial response and pre-hospital care role for the NPS has grown with the increase of visitation to NPS units into a significant workload. In order to provide NPS managers with direction and guidance in establishing and managing emergency medical care programs, NPS-51, the NPS Emergency Medical Services Guideline, was released in November 1984. In October 1985, the National Association of State EMS Directors passed a resolution unanimously supporting the adoption of NPS-51 in all states and offered its assistance in its implementation. In November of the same year, the National Council of State EMS Training Coordinators unanimously supported this resolution. A second version of NPS-51 was released in January of 1991.

In 2005, the Director’s Orders 51 (DO-51) was signed and distributed to the field. In 2006, this Reference Manual 51 (RM-51) will be signed and distributed to the field. These two documents will replace the previously designated NPS Guidelines. These versions of DO-51 and RM-51 replace the previous NPS-51.

This document continues to provide a uniform approach to the policies, guidelines and procedures to be followed in order to achieve the desired Servicewide goal of providing quality patient care on a national level.

1.3 Policy

The public use of NPS areas is specifically directed by Congress, and the NPS is delegated the responsibility for the welfare of persons who use these areas.

The NPS will ensure that adequate EMS are available to visitors and employees who become ill or injured within park units. Qualified EMS in local communities may be utilized if they can provide a timely response to emergencies that occur within an NPS area. When such services are not available, the NPS will make a reasonable effort to provide a level of emergency medical service commensurate with park needs.

Each park manager will complete an EMS Needs Assessment and develop and implement a program to meet identified needs, in accordance with this Reference Manual.

The NPS will promote good neighbor relations with the state medical authorities by coordinating procedures to the benefit of both agencies.

The NPS National Medical Advisor provides national oversight and direction for the Servicewide EMS Program. The Branch Chief, Emergency Services (WASO) coordinates the Servicewide EMS Program.

1.4 Purpose

The purpose of the EMS Reference Manual is to provide the framework for an efficient program. In this Reference Manual, EMS refers to the pre-hospital care and/or transportation of the sick and injured. This broad category covers activities ranging from minor first aid to Advanced Life Support (ALS) cases in a wide variety of environmental settings. Transportation includes utilizing available resources ranging from hand-carried litters to air ambulances.

This Reference Manual will:

1. Provide program guidance
2. Define levels of care
3. Outline Needs Assessment and EMS plans
4. Establish Servicewide certification criteria
5. Establish administrative procedures
6. Establish operational procedures

1.5 Program Funding

The funding of a Park EMS Program is borne by individual park accounts and may be enhanced by donations and payment for services. Program costs may include training, supplies and equipment, vehicles, and registration fees for obtaining and maintaining EMS certifications. Section 317 of the Department of the Interior and Related Agencies Appropriations Act, 1993 (P.L. 102-381), authorizes funds that "...may (emphasis added) be used to reimburse employees for the cost of...certification fees pursuant to their employment."

1.6 Implementation

It is the responsibility of the NPS to ensure that adequate pre-hospital care is available for employees and visitors. In order to provide that service, established levels of EMS training are recommended and/or required of all employees.

Additionally, and in regard to the welfare of its EMS providers and other employees, park managers will provide for an incident debriefing (non-critique) within 36 hours following any incident involving circumstances that might have adverse emotional or psychological impacts to the EMS providers for the purpose of discussing and defusing these effects. A more formal Critical Incident Stress Debriefing session will be arranged as necessary. Any EMS member may request a Critical Incident Stress Debriefing session. Details of the Critical Incident Stress Management program may be found in RM-57 *Occupational Medical Standards and, Health and Fitness* and/or within local park policy.

Program accountability lies with the individual Park Superintendent as well as the Chief of the U.S. Park Police. Chapter 3, *Management and Supervision*, details the hierarchy of EMS medical control throughout the Service and on the park level.

Chapter 2

AUTHORITY AND JURISDICTION

- 2.1 Authority
 - 2.2 Jurisdiction
-

2.1 Authority

Traditionally, the NPS has provided visitor protection services, including varying levels of EMS. This obligation is as broad as the scope of uses within NPS areas.

The authority for providing these services began with the Organic Act of August 25, 1916 (16 USC 1-4), which states that the fundamental purpose of the NPS is "to conserve the scenery and the natural and historic objects and wildlife 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."

Providing for the enjoyment of NPS-managed areas requires providing a safe environment in which visitors have access to emergency services.

The authority continues in 16 USC 12, which states that "The Secretary of the Interior is authorized to aid and assist visitors within the national parks or national monuments in emergencies...." Emergencies may include search, rescue, and medical incidents.

The authority for EMS assistance to neighboring communities and outside agencies is specifically provided for in 16 USC 1b (1), which allows the "Rendering of emergency rescue, fire fighting, and cooperative assistance to nearby law enforcement and fire prevention agencies and for related purposes outside of the National Park System."

The authority for Volunteers-In-Parks (VIP) assistance is codified in 16 USC 18 g-i.

The authority for EMS protection for NPS employees is specifically provided for through the Occupational and Safety and Health Act of 1970 (OSHA), 29 USC 651 et. seq. This states that it is "the responsibility of the head of each Federal agency to establish and maintain an effective and comprehensive occupational safety and health program ...and provide safe and healthful places and conditions of employment...."

In addition, 16 USC 13 states that "The Secretary of the Interior, in his discretion, is authorized to provide... medical attention for employees of the National Park Service located at isolated situations, including the moving of such employees to hospitals or other places where medical assistance is available...."

2.2 Jurisdiction

Although this document has been developed based upon the authorities mentioned above, it will require the close cooperation and support of the various states and local governments within which the units of the NPS are located.

The state may not impose its regulatory power upon the NPS without specific congressional consent. However, relative to EMS, park areas may adopt all or part of the policies and guidelines established by the state EMS bureau in which they are located, as long as they do not conflict with NPS Direction and Policy as provided for in DO-51 and RM-51.

Superintendents may assist other agencies with emergencies that occur outside parks, but written agreements with such agencies shall be in place in conformity with the requirements of DO-20, *Agreements*. NPS employees who are directed by their supervisors to provide emergency medical assistance to such agencies outside of their jurisdiction will be considered to be acting within the scope of employment.

Chapter 3

MANAGEMENT AND SUPERVISION

- 3.1 Introduction
 - 3.2 Overview
 - 3.3 Organizational Levels and Responsibilities
-

3.1 Introduction

The purpose of this chapter is to explain the levels of EMS oversight that have been established within the NPS. These levels, as described, provide for standardization of EMS care, documentation, and program administration within the Service.

3.2 Overview

The day-to-day management and funding of a Park EMS Program resides at the park level. It is the responsibility of each Park Superintendent to ensure that the Park EMS Program is in compliance with DO-51 and RM-51. Superintendents will appoint Park EMS Coordinators, who will work with Park EMS Medical Advisors to ensure that their programs are in compliance with Servicewide policy and regulation, as well as applicable laws. The Washington and regional offices will provide guidance and assistance to the parks.

3.3 Organizational Levels and Responsibilities

3.3.1 Branch Chief, Emergency Services

The Branch Chief, Emergency Services is located in the WASO Division of Law Enforcement and Emergency Services, and is responsible for the overall national leadership of the Servicewide EMS Program. The Branch Chief, Emergency Services will provide both short- and long-term strategic planning and programming to the NPS EMS Program.

The Branch Chief, Emergency Services represents the Visitor and Resource Protection Directorate to the NPS National EMS Medical Advisor on strategic planning, development, review and revision of national policies including protocols, Servicewide training, data collection, standards of care, and quality assurance and improvement.

The Branch Chief, Emergency Services manages the EMS testing and certification program with the National Registry of Emergency Medical

Technicians (EMTs). The Branch Chief, Emergency Services liaisons with other EMS organizations including the National Highway and Safety Transportation Administration (NHTSA), Health and Human Services, the Federal Interagency Committee on EMS, the American Red Cross, the American Heart Association, and others. The Branch Chief, Emergency Services manages issues of mutual concern with states and territories through partnerships with the National Association of State EMS Directors and the National Association of State EMS Coordinators.

The Branch Chief, Emergency Services provides, through subject matter expertise, assistance, and guidance to the regions and parks on policy and legal matters regarding EMS. The Branch Chief, Emergency Services assists regions and parks in development of contracts with hospitals and Medical Advisors. The Branch Chief, Emergency Services liaisons with the Division of Risk Management on issues of mutual interest including infectious diseases and injury prevention planning.

The Branch Chief, Emergency Services is responsible for Servicewide EMS data collection for use in identifying trends in EMS, quality improvement, and injury prevention planning. The Branch Chief, Emergency Services maintains inventories on personal resources and EMS capitalized equipment including ambulances and rescue vehicles. The Branch Chief, Emergency Services plans, develops and manages training with the WASO Training Division, the Parkmedic Training Center, and the regional offices.

3.3.2 National EMS Medical Advisor

The NPS will retain a physician(s) as the National EMS Medical Advisor to provide advice, oversight and medical direction for the Servicewide program based on sound medical practice and standards. This may include recommendations regarding quality improvement, data collection, and scope of practice, and curriculum revisions to the Parkmedic program and other medical training programs.

Medical direction involves giving approval and accepting responsibility for the care provided by EMS personnel, and includes participation in the management of the program to ensure compliance with contemporary standards of medical protocol. Quality medical direction is an essential component in providing quality care for patients, and in the development of a proactive public safety prevention program.

The National EMS Medical Advisor will help develop and recommend Servicewide medical protocols covering nationally recognized procedures for established levels of care. Additionally, the National EMS Medical Advisor will collaborate with the Park EMS Medical Advisors to ensure compliance with

national standards. Parks with Level IV-VI programs and Automated External Defibrillator (AED) programs that are unable to obtain a Park EMS Medical Advisor through contractual agreement must obtain oversight and approval of protocols by the National EMS Medical Advisor.

3.3.3 Regional EMS Coordinator

Each region will assign a person to assist the National EMS Program Manager with EMS issues affecting parks in their region, the coordination and collection of EMS data, regional training, and coordination of recommendations made for revisions to national EMS policy. The Regional EMS Coordinator will maintain a resource list of EMS providers and EMS equipment available within the region.

3.3.4 Park EMS Coordinator

The day-to-day management of EMS Programs in the individual units of the NPS resides at the park level, and it is the responsibility of Park Superintendents to ensure that their programs are in compliance with the DO-51 and RM-51. Park Superintendents will appoint an EMS Coordinator to fulfill these obligations.

Duties of the Park EMS Coordinator include the following:

- Liaison with the Park EMS Medical Advisor
- Evaluate the welfare and effectiveness of the EMS Program and apprise park management and the Park EMS Medical Advisor
- Ensure that the area EMS plans are consistent and in compliance with DO-51 and RM-51
- Coordinate park EMS training and serve as EMS training officer
- Coordinate the purchase of controlled substances, EMS supplies and equipment
- Maintain necessary records such as personnel resources, and supply and equipment inventories
- Issue White Cards (EMS provider authorizations) and ensure that appropriate credentials are maintained
- Prepare and submit a summary of park EMS activities and the number of Level III, IV, V and VI EMS providers to the National EMS Program Manager and Regional EMS Coordinator at the end of each calendar year
- Provide for as necessary, Critical Incident Stress Management follow-up for all employees and supervisors who may be involved in emergency response and/or support; the specific details regarding Critical Incident Stress Management are to be published in RM-57 *Occupational Medical Standards and Health and Fitness Guidelines*
- Conduct EMS Needs Assessment for the park every 3 years

3.3.5 Park EMS Medical Advisor

Park EMS Medical Advisors are licensed doctors, preferably hospital-based emergency medicine physicians, and are approved by the Park Superintendent.

Park areas that provide Level IV-VI EMS Programs and all parks with AED programs must have a Park EMS Medical Advisor. The relationship will be formalized through a General Agreement or other appropriate Instrument of Agreement (see Chapter 17, *Instruments of Agreement*, and NPS DO-20 and RM-20).

Park EMS Medical Advisors will provide advice and oversight to individual park programs, including online medical control, quality improvement, data collection, continuing education, protocol implementation and development of local protocols when national protocols are not available, treatment authorizations, endorsement of qualified applicants for National Registry of EMTs certification at Levels IV-VI, and assist Park EMS Coordinators with the administration of examinations.

3.3.6 National EMS Advisory Group

The Branch Chief, Emergency Services may convene the National EMS Advisory Group to advise and work on issues important to the Servicewide EMS Program. This advisory group will represent a cross-section of the Servicewide EMS Program enlisted from EMS Program managers, advisors and technical experts.

The group size will be limited to nine. (See Chapter 8, *Medical Oversight*, section 3.8, for further details.)

The main focus of this group is to review and recommend changes to the DO and RM for EMS.

Chapter 4

NEEDS ASSESSMENT

- 4.1 Introduction
 - 4.2 Overview
 - 4.3 Guidelines
-

4.1 Introduction

This chapter provides guidelines to aid in the organization of a Needs Assessment.

The EMS Needs Assessment is the process used to assist managers in the development and ongoing evaluation of the Park EMS Program. The need for an EMS Program will be based on an evaluation of many attributes to determine if, and at what level, an EMS Program is appropriate. Per DO-51, an EMS Needs Assessment will be completed at least once every 3 years.

4.2 Overview

The objectives of the Needs Assessment are to identify current and projected needs, rather than to justify current operating conditions. The Needs Assessment process is a tool to be used to assess the current condition of EMS within a park and then to determine if those services being provided are consistent with contemporary standards. Continued improvements in emergency medical care are a major reason why the NPS reevaluates its EMS Program regularly on a park-by-park basis with attention to technological advances and current research.

A Needs Assessment identifies and evaluates (1) available internal and external resources, (2) the park's EMS workload, (3) requirements for training and certification, (4) transport capabilities and response times, (5) location and capability of the local area's medical facilities, (5) fiscal resources, (6) EMS communications, and (7) special considerations (e.g., mutual aid, out-of-park response, geographic location).

4.3 Guidelines

This section provides a suggested outline for completion of a Needs Assessment. Consider using the park's EMS data from no less than the previous 3 years to obtain an accurate representation of the Park EMS Program.

4.3.1 Park Information

- Visitation (total and by season if appropriate)
- EMS staffing levels (by season if appropriate)
- Hours of operation

4.3.2 Incident Information (incidents occurring within the park only)

- Total number of patients by type: medical (cardiac, seizure, stroke, diabetic, etc.) and trauma (fractures, soft tissue, etc.)
- Number of patients that received ALS; also valuable to identify cases where ALS was not available but would have been appropriate
- Number of patients that received Basic Life Support (BLS)
- Number of patients treated and released at the scene due to the minor nature of their injury/illness
- Total number of extended care patients (more than 1 hour with the patient)
- Fatalities by type
- Total number of patients transported
- Method of transport
- Average time to patient contact by a basic EMS provider
- Average time from BLS provider to ALS provider
- Average time from patient contact to arrival at hospital; may be helpful to separate remote evacuations from roadside in order to gain a meaningful average time frame of time spent with the patient in each setting
- Patient category (NPS employees, concession employees, visitors)

4.3.3 EMS Resources

An inventory of park and local community EMS resources can be compiled using the following:

- Locations, numbers, certification levels, and availability of EMS providers (NPS and non-NPS)
- Average response times to NPS EMS incidents by EMS providers from inside and/or outside the park
- Period of time that resources need to be available for response (hours and days of operation)
- Inventory and location of supplies and equipment

4.3.4 Transportation Services (air, ground and water)

- Total number patients transported by the NPS

- Total number of patients transported by non-NPS
- NPS patient transport unit types (air/ground/vessel), numbers, and availability
- Non-NPS patient transport unit types (air/ground/vessel), numbers, and availability
- Average time it takes transport unit to arrive on-scene from time notified
- Average time from scene to hospital or rendezvous with other EMS transport

4.3.5 Mutual Aid

- Total number of out-of-park patients treated by NPS EMS providers and the average response time to the patient
- Total number of in-park patients treated by outside agencies and their average response time to the patient
- Identify existing agreements (if any) and what they require

4.3.6 Area Medical Facilities

- Identify the local and regional medical facilities, distance from the park, their capabilities, and the number of patients that each receives from the park

4.3.7 Training Program

- Identify the current EMS training program and the availability of internal and external training available to park EMS personnel

4.3.8 Medical Advisor and Base Hospital

- For parks operating at Level IV or above (or if considering operating at this level) is there an EMS Medical Advisor available; is there an agreement in place with a local EMS Medical Advisor and Base Hospital
- Assess for appropriateness (EMS credentials, clinical capabilities, online communications, etc.)

4.3.9 Communications

- Determine how the EMS system is activated by both the public and employees and assess for appropriateness
- Factors that may exist that cause response times to be adversely affected
- Communications system available in-park or through external resource
- Nearest available 24/7 communications center
- Determine if 911 coverage exists

- Determine if employees responsible for EMS have on-scene communications (hand-held radios, etc.)
- Identify “dead spots” in the radio system
- Availability of online communications with a hospital (medical control)
- EMS providers trained and familiar with communication procedures
- Identify if the park’s communication center personnel (dispatchers) utilize Emergency Medical Dispatch and if they have been trained and certified in Emergency Medical Dispatch.

4.3.10 Fiscal Considerations

- Current EMS Program costs (training, supplies and equipment, and operations to the park)
- Non-programmed costs over \$500 billed to the National Search and Rescue (SAR) account
- Park’s annual EMS funding level

4.3.11 Other Considerations

- Status of the park’s current EMS plan and its relationship with other park plans such as Safety Plan, Exposure Control Plan, Aviation Plan, Emergency Response Plan, Critical Incident Stress Management Plan, Mass Casualty Incident Plan, etc.
- Each park area has its own unique set of circumstances to consider when completing a Needs Assessment; attributes such as hazardous materials storages, a highway passing through the unit, aircraft landing zone locations, remote locations such as mountainous regions, large expanses of water, etc., and how they may affect each component of the EMS system should be considered

4.3.12 Conclusion

The collection and analysis of the EMS data will allow park management (EMS Coordinator, Chief Ranger, and Superintendent) to assess the strengths and weaknesses of each component of their EMS Program, and enable them to make informed decisions as to where improvement is needed and what level of EMS may be most appropriate for them to provide at their park. Once a level has been selected, a plan for implementation (EMS plan) may be developed either within an existing plan (such as the park’s Emergency Operations Plan) or as an independent document.

Chapter 5

EMERGENCY MEDICAL SERVICES PLAN

- 5.1 Introduction
 - 5.2 Overview
 - 5.3 Guidelines
-

5.1 Introduction

Every park unit with an EMS Program will have an EMS plan approved by the Park Superintendent. For parks that provide EMS at Level IV and above, the plan should be reviewed and recommended by the Park EMS Medical Advisor. It is intended to be the guiding document for the park's specific EMS Program. This document needs to be written after a Needs Assessment has been completed. Per DO-51, the Park EMS plan will be reviewed at least once every 3 years in conjunction with the needs assessment and revised as necessary.

5.2 Overview

The EMS plan is an administrative document, and is intended to address the functions of the day-to-day operations of the Park EMS Program. Parks that rely on a non-NPS EMS provider may have a very brief plan, while others that provide a complex NPS EMS Program may have an extensive plan.

5.3 Guidelines

The EMS plan is a comprehensive document that provides the reader with information about the program and how it is to be implemented. It is intended to reflect local park policies and procedures consistent with DO-51 and RM-51.

Some elements to consider when drafting a Park EMS plan include the following:

- Introduction
 1. Describe the park unit
 - a. size and characteristics
 - b. visitation levels
 - c. general overview of EMS
- Summary of NPS authority and policy
- Purpose and goals of EMS Program

- Program management roles
 1. Park Superintendent
 2. Chief/District Ranger
 3. Park EMS Coordinator
 4. EMS Providers
 5. Park Medical Advisor
 6. Online Medical Control
- Level of care provided at the park
 1. Definitions
 2. Who is authorized to do ALS
 3. Who is accountable for medications
 4. Where are the medications maintained
 5. Who obtains the drugs
 6. What kind of system is in place to assure narcotics are current, secure, inventoried and exchanged
 7. Who inspects drug kits
 8. How often
 9. Who needs to be present
 10. Is there a checklist of supplies
- Overview of Needs Assessment
 1. What was determine by the Needs Assessment
 2. What is the workload
 3. Special concerns (i.e., remote wilderness settings)
- Training and Continuing Education
 1. Based on the level of care being provided address the training and continuing
 2. Education requirements (include the who, when, where, and how as appropriate for the park)
- Continuous Quality Improvement
 1. Describe the review process for the EMS incidents in terms of who conducts the sessions, how often, and who is required to attend (feedback to providers)
 2. Describe the review and approval process for the patient care records (PCRs)
 3. Describe procedures for addressing substandard performance
 4. Documentation
 - a. Describe process for routing, reviewing, approving PCRs
 - b. Address Freedom of Information Act and patient confidentiality issues

- Communications
Describe how the park's dispatch system is designed to work for EMS incidents including the role and responsibility for each link in the system
- Critical Incident Stress Management
Describe the park's mechanism for providing assistance to employees involved in critical incidents
 1. Multi-Casualty Incidents (MCI)
 2. State that the NPS utilizes the Incident Command System for MCIs and how the process is to be implemented
 3. If specific MCI scenarios are likely (hazardous materials storage facilities present, busy highways, etc.), provide a pre-plan including maps, potential hazards, staging and triage areas, etc.
 4. Provide a list of resources, both internal and external
- Patient Transport
 1. Describe the process of providing for ambulance transport (internal or external); if the ambulance is NPS operated, describe the operation in terms ambulance location(s), and responsibilities for maintenance, inventory, driver qualifications, fee schedules, billing procedures, patient transfers, and other components of the park's program
 2. Describe policies and procedures for air ambulance transports including pre-designated landing zones, altitude considerations, wilderness issues, etc.
- AED Program
Include AED policy and procedures
- Supplies and Equipment
 1. Responsible person(s) for purchasing and maintaining
 2. Procedures for replacing supplies when patient care is transferred
 3. Supply inventory list(s) for EMS kits
 4. EMS equipment and kit locations
 5. Procedures for cleaning reusable supplies and equipment
- General Agreements
Describe or include the General Agreements that are in place for the park relative to EMS
- Infectious Diseases policies and procedures for:
 1. Hepatitis B and other vaccination requirements for EMS providers
 2. Personal protective equipment
 3. Bloodborne pathogens. OSHA developed a compliance standard to protect employees who may be occupationally exposed to human blood or

other potentially infectious materials. Parks are required to comply with the OSHA Occupational Exposure to Bloodborne Pathogens Standard found in Title 29, Code of Federal Regulations, Part 1910.1030. The Exposure Control Plan (ECP) is for park employees who may have an occupational exposure to human blood, blood products, and other potentially infectious materials. (29 CFR 1910.1030 is available at www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=10051)

- Standing Orders and Treatment Protocols
Include a reference to NPS National Standard Protocols as appropriate and attach; protocols that are approved locally by the Park EMS Medical Advisor should also be included in this section
- Appendices
Include samples of all forms or other documents utilized in the Park EMS Program

Chapter 6

CERTIFYING ORGANIZATIONS, TRAINING, AND LEVELS OF CARE

- 6.1 Introduction
 - 6.2 Certifying Organizations
 - 6.3 Training and Levels of Care
-

6.1. Introduction

The NPS will provide employees the opportunity to obtain the level of EMS training required of them to perform their duties. To help ensure a comprehensive approach in providing patient care, Cardio Pulmonary Resuscitation (CPR) and First Aid are recommended for all NPS employees. Some parks, depending on their level of public contact and public safety responsibilities, may need to provide additional EMS training to some employees. In rural and wilderness areas, or where the existence of local EMS is limited or delayed, advanced levels of emergency care may be necessary in order to ensure that the transportation and care of patients is contemporary with today's standards.

Section 317 of the Department of the Interior and Related Agencies Appropriations Act, 1993 (P.L. 102-381) authorizes funds that "...may (emphasis added) be used to reimburse employees for the cost of...certification fees pursuant to their employment."

The NPS recognizes that it is appropriate for parks to provide different levels of EMS care. The appropriate level of care, determined by careful analysis of a park's individual Needs Assessment, is dependent upon many factors as described in Chapter 4, *Needs Assessment*.

The NPS recognizes six levels of care ranging from CPR (recommended for all park employees) to Paramedic. These levels correspond to national standards of certification that have been established by the American Red Cross, American Safety Health Institute, National Safety Council, American Heart Association, U.S. Department of Transportation and the NPS. NPS recognition of training and certification has been standardized within each level.

It is beyond the scope of this program to establish licensing requirements for medical professionals such as physicians and registered nurses. Their participation in the NPS EMS Program will be based upon licensing requirements in their respective states, and authorization by the Park EMS Medical Advisor. Chapter 7, *Certification and Authorization*, provides information in greater detail, regarding guidelines for registered nurses.

This chapter outlines the specific course of training and certifying organizations that the NPS has approved for each level of care.

6.2 Certifying Organizations

The following are the NPS recognized training and/or certifying organizations for courses in first aid and EMS. For current, detailed information on the courses listed below. Additionally, see each organization's website.

6.2.1 American Heart Association

The American Heart Association is a national voluntary health agency whose mission is to reduce disability and death from cardiovascular diseases and stroke. www.americanheart.org

6.2.2 American Red Cross

The American Red Cross is a humanitarian organization led by volunteers, guided by its Congressional Charter and the Fundamental Principles of the International Red Cross Movement, and provides relief to victims of disasters and helps people prevent, prepare for, and respond to emergencies. www.redcross.org

6.2.3 American Safety and Health Institute

The American Safety and Health Institute is an association dedicated to designing and delivering instructional programs. Reaching worldwide, these programs foster a learning process that advances the well-being of organizations and individuals. www.ashinstitute.com

6.2.4 National Safety Council

The National Safety Council's mission is to educate and influence society to adopt safety, health and environmental policies, practices and procedures that prevent and mitigate human suffering and economic losses arising from preventable causes. www.nsc.org

6.2.5 National Registry of Emergency Medical Technicians

The National Registry of EMTs is the NPS approved certifying (not licensing) organization for Level III (First Responder) through Level VI (Paramedic). EMS providers may be state certified as well, but not in lieu of the National Registry of EMTs certification.

The purpose of the National Registry of EMTs is to certify and register EMS professionals throughout their careers by a valid and uniform process that assesses the knowledge and skills for competent practice. However, the National Registry of EMTs is not a licensing agency and cannot authorize medical personnel to perform EMS in any jurisdiction.

The National Registry establishes and implements uniform requirements for First Responders and Emergency Medical Technicians, their training, examination, and continuing education.

Beginning January 1st, 2007, the National Registry of Emergency Medical Technicians (NREMT) will be implementing computer based testing (CBT) system for testing First Responders, EMT- Basic, EMT- Intermediate (85), EMT – Intermediate (99) and Paramedic. This new procedure will change the method that parks have been using to administer the practical and written tests. Requests for (paper) tests will no longer be approved.

The National Park Service is designated as a State with regard to the NREMT. The reason for this is that the NPS has an EMS program that emulates a State EMS program with many of the same functions of program administration and licensing.

Park EMS Coordinators will need to register their park EMS program with the NREMT in order to request tests for EMS providers. **The National Registry recognizes a Park EMS Coordinator the same as a Program Director.** Refer to **Exhibit 1, Procedures for PARK EMS COORDINATORS.** For a list of NREMT testing centers, go to <http://www.vue.com/nremt/>

6.2.6 Wilderness Medicine Institute
www.nols.edu/wmi

6.2.7 Wilderness Medical Associates
www.wildmed.com

6.2.8 SOLO Wilderness Medicine
www.soloschools.com

6.2.9 National Ski Patrol
www.nsp.org

6.3 Training and Levels of Care

6.3.1 Level I: CPR/AED Provider

Description

Level I courses teach employees how to recognize and treat life-threatening emergencies, including cardiac arrest and foreign-body airway obstruction for adult, child, and infant victims. Employees learn the proper application and use of an AED. Employees also learn to use infectious disease barrier devices in CPR.

Target Audience

All NPS employees

Approved Courses

A certificate of completion from any nationally recognized training agency or organization is acceptable. The CPR and AED components must be completed. Professional level CPR/AED may be substituted for the basic CPR/AED class. Examples of acceptable courses are as follows:

- American Heart Association or equivalent
- American Red Cross or equivalent

Refresher Process

A CPR/AED refresher is required every 2 years from a nationally recognized organization. There must be a hands-on practical element to the recertification course. There are many refresher courses available in the web. Employees may participate in refresher course work so long as the hands-on practical elements are completed with a certified CPR instructor from a national recognized training agency or organization.

6.3.2 Level II: Basic First Aid Provider

Description

Basic First Aid courses teach employees to respond to injuries and sudden illness in a systematic approach combining life-saving techniques with traditional first aid information and skills. These courses train employees to cope with life-threatening emergencies, as well as less-serious incidents, by teaching them how to use the EMS system in their parks and communities and what to do until more advanced help arrives.

First aid training is primarily received through the American Red Cross, the National Safety Council, and private institutions. The American Red Cross offers standard and advanced first aid courses via their local chapters. After completing the course and successfully passing the written and practical tests, trainees receive

two certificates (adult CPR and first aid). An emphasis on quick response to first aid situations is incorporated throughout the program. Other program elements include: basic first aid intervention, basic adult CPR, and universal precautions for self-protection. Specific program elements include training specific to the type of injury: shock, bleeding, poisoning, burns, temperature extremes, muscular-skeletal injuries, bites and stings, medical emergencies, and confined spaces. Instruction in the principles and first aid intervention of injuries will cover the following sites: head and neck, eye, nose, mouth and teeth, chest, abdomen, and hand, finger, and foot injuries. Employers are responsible for the type, amount, and maintenance of first aid supplies needed for their particular program. The training program should be periodically reviewed with current first aid techniques and knowledge. Basic adult CPR retesting should occur every year and first aid skills and knowledge should be reviewed every 3 years. The references below provide further fundamentals to help develop and maintain first aid program and skills.

Target Audience

The target audience is employees who would rarely provide emergency medical care, are not involved in routine visitor contact work, but may on occasion be confronted with having to provide initial BLS or first aid, and/or assist other trained EMS personnel.

Approved Courses

In addition to the following requirements, all requirements of Level I will be fulfilled. Any of the following courses may be used for Level II.

- American Red Cross
 - Basic First Aid
 - Community First Aid and Safety
- American Safety and Health Institute
 - Basic First Aid and CPR
- National Safety Council
 - The Standard First Aid, CPR and AED
- American Heart Association
 - Basic First Aid and CPR
- National Ski Patrol
 - Outdoor First Care

Recertification Process

The NPS has adopted the recommendations of each approved certifying organization listed above regarding re-certification and refresher training. Contact the specific agency for current details.

6.3.3 Level III: First Responder (Emergency Medical Responder)

Description

Level III, First Responder, is designed for persons who may be first on the scene of an emergency medical incident.

Scene assessment and security, and initial patient management are emphasized. First Responders normally are not involved with the transport of patients, long-term patient care, or the use of sophisticated medical equipment.

Certification at the First Responder level and above requires the successful completion of a Professional or Healthcare CPR/AED class (see Level I).

Based on recommendation of the Park EMS Medical Advisor, the expanded scope of practice that includes the use of epinephrine for acute allergic reactions and the use of oxygen delivery equipment may be adopted to meet a specific park's needs. Persons authorized to perform these procedures must have received documented training per the NPS National Standard Protocols and be authorized by the Park EMS Coordinator through the White Card process.

Target Audience

This level is appropriate for employees routinely involved with the public and whose primary duties are fire suppression, SAR, law enforcement and backcountry operations. Depending on availability of EMS providers, extent of visitor contact, and other factors such as isolation, it also may be appropriate for interpretive personnel, environmental educators, campground personnel, field researchers and field personnel on road, trail, and youth crews. This is the recommended minimum level for emergency service personnel.

Approved Courses

There are a number of agencies and companies that offer First Responder and Wilderness First Responder courses that comply with the NHTSA course curriculum. Any of these courses are acceptable so long as they comply with the NHTSA First Responder course curriculum.

Re-certification Process

In order to recertify, the National Registry of EMTs requires that a current professional level CPR course and a First Responder refresher course utilizing the NHTSA be successfully completed prior to the certification expiration date. The refresher class is a 12-hour (minimum) course designed to review the course curriculum. The National Registry of EMTs requires re-registration every 2 years.

6.3.4 Level IV: EMT Basic

Description

The EMT-Basic is recognized as the first component of the EMS system that involves specialized skills and equipment, and methods of patient transport. It is comprised of classroom instruction, emergency room clinical time, and a field internship with an ambulance service.

The participant receives instruction in role and responsibilities, patient assessment, triage, anatomy and physiology, medical and traumatic emergencies involving the major body systems, childbirth, pediatric emergencies, and crisis intervention. Specialized skill training includes the use of instruments for recording vital signs, adjuncts for administering oxygen therapy, suction equipment, splints (including cervical, traction, and full body), and patient transport equipment.

Based on the recommendation of the Park EMS Medical Advisor, the expanded scope of practice that includes the use of epinephrine for acute allergic reactions may be adopted to meet a specific park's needs. Persons authorized to perform that procedure must have received documented training per the NPS National Standard Protocols and be authorized by the Park EMS Coordinator through the White Card process.

In order to maintain the integrity of the NPS EMS standards, parks that have recognized the need for expanded scopes of practice such as intravenous therapy, advanced airway techniques, and pharmacology, may accomplish those needs by upgrading their programs to Level V and will provide their EMS personnel with the opportunity to acquire Parkmedic training.

Target Audience

This course is appropriate for park personnel responsible for providing emergency medical care in an NPS area that has identified a need for NPS-provided EMT-Basic care. It is the minimum level of training required for EMS personnel in parks that provide an ambulance transport service.

Approved Courses

The approved Level IV curriculum for EMT-Basic is the NHTSA EMT Basic curriculum. Once a course based on this curriculum has been successfully completed, an National Registry of EMTs certification will be required within 1 year in order for the EMT-Basic to be authorized to perform in the NPS at this level. (See Chapter 7, *Certification and Authorization*.)

Recertification Process

The National Registry of EMTs requires recertification every 2 years. An National Registry of EMTs 24-hour refresher class is required in addition to 48 hours of continuing education per 2-year cycle. A valid professional-level CPR certification is also required.

6.3.5 Level V: Parkmedic and Parkmedic-Cardiac

Description

This level is designed to provide the EMS provider with an in-depth knowledge of anatomy, physiology, patho-physiology and clinical symptoms as they pertain to pre-hospital emergency care of pediatric and adult patients. Emphasis is placed on ALS in the medical, trauma, and cardiac settings. Parkmedics spend extensive time in the clinical and internship components of this course in order to develop the important skills necessary to perform at this level.

- Parkmedic – The Parkmedic certification course, designed specifically for the NPS, incorporates the EMT-Intermediate National Standard Curriculum (1985) with additional training in pharmacology and wilderness/environmental medicine.
- Parkmedic-Cardiac – Requires completion of the 1999 EMT-Intermediate National Standard Curriculum or an NPS approved “bridge course” that bridges requirements for Parkmedic certification to the requirements in the 1999 EMT-Intermediate National Standard Curriculum.

Target Audience

This level is for the employee who may be required to provide EMS in a park that has determined a need for an ALS program.

Approved Courses

The Parkmedic course is comprised of the NPS curriculum for Level V. This course is offered through the NPS at University Medical Center, Fresno, CA. Certification at this level requires successful completion of the course and passing the Parkmedic and National Registry of EMTs - Intermediate (1985) exams.

The Level V curriculum for Parkmedic-Cardiac is the Department of Transportation 1999 National Standard Curriculum for Intermediate EMT. Certification at this level requires successful completion of the course and passing the Parkmedic and the National Registry of EMTs - Intermediate (1999) exam.

A Level V bridge course may be developed to allow an EMS provider to “bridge” from Parkmedic to Parkmedic-Cardiac. Approval of the curriculum for this course will be made by the Branch Chief, Emergency Services and the National EMS Medical Advisor. Once the course has been approved and the candidates successfully complete the course, they may apply for the National Registry of EMTs - Intermediate (1999) exam and certification. The park may then authorize those EMS providers to perform at the Parkmedic-Cardiac level.

Recertification Process

The National Registry of EMTs requires recertification every 2 years. A 36-hour refresher class per the National Standard Curriculum for EMT-Intermediate (1985 for Parkmedic or 1999 for Parkmedic-Cardiac) inclusive of the Parkmedic refresher training components, and a valid professional rescuer CPR certification are required.

6.3.6 Level VI: Paramedic

Description

This course is designed to provide the student with in-depth knowledge of anatomy, physiology, pathophysiology and clinical symptoms as they pertain to pre-hospital emergency care. Emphasis is placed on ALS in the cardiac and trauma settings. Extensive time is spent in the clinical and internship components of this course in order to allow the student full opportunity to develop important skills necessary to perform at this level.

Target Audience

This program is designed for the employee who may be required to provide EMS in a park that has determined a need for a fully comprehensive ALS program.

Approved Courses

The Level VI training course for EMT-Paramedic is the Emergency Medical Technician-Paramedic: National Standard Curriculum. At present, this comprehensive course is taught only at the state level in colleges, medical universities, and some hospitals with paramedic instructor-staffs.

Park areas that have determined a need for this level of care traditionally have relied on the recruitment of paramedics for targeted positions.

Successful completion of a paramedic course based on the National Standard Curriculum and certification by the National Registry of EMTs is required to become authorized as an NPS EMT-P.

Recertification Process

The National Registry of EMTs requires recertification every 2 years. A 48-hour refresher class is required in addition to 24 hours of continuing education unit hours. Valid professional rescuer CPR and Advanced Cardiac Life Support certification are also required.

Exhibit 1

**Procedures for Park EMS Coordinators
to Administer Tests**

Beginning January 1st, 2007, the National Registry of Emergency Medical Technicians (NREMT) implemented a computer-based testing system for testing First Responders, EMT- Basic, EMT- Intermediate (85), EMT – Intermediate (99) and Paramedic. Procedures for Park EMS Coordinators to administer the practical and written tests are outlined below.

Helpful Hints for NPS Trainers/Coordinators

- A Program is a Park EMS program
- A Program Director is the Park EMS Coordinator
- A Medical Director is a Park EMS Medical Advisors (Dr.)
- Go to <http://www.vue.com/nremt/>

Step 1 Create a Personal Account

- Go to the NREMT web site at www.nremt.org
- Click on “Login” – located the center area of blue frame
- Click on “Set Up New Account”
- Enter your personal information as prompted
- Create a username that you will remember (Do not give your username and password to anyone!)
- Request the Program Director user role.
- Click “submit”

Step 2 Create a Park Program Account

- Go to www.nremt.org
- Login – using your new username and password you just established

The screenshot shows a web browser window titled "NREMT - EMS Educators - Request for EMS Education Program Authorization - Microsoft Internet Explorer provided by National Park". The browser's address bar shows the URL. The website has a blue header with the NREMT logo and navigation links: "About the NREMT", "Registrants & Candidates", and "EMS Educators". The "EMS Educators" link is highlighted. Below the header, there is a sidebar with links: "Program Director News", "Locate an Exam", and "Home". The main content area is titled "Request for EMS Education Program Authorization" and contains a paragraph explaining the process for EMS Education Program Directors. It includes a form with the following fields: "Authorizing State" (a dropdown menu with "NP" selected), "Education Program" (a text box containing "Olympic National Park"), and "Program Director" (a text box containing "Martha.Hutchinson"). A "Logged in as: MHutchinson" status is visible on the right side of the form. The Windows taskbar at the bottom shows the "start" button and several open applications: "New Memo - Lotus ...", "Microsoft Excel - S...", "NREMT and NPS Po...", and "NREMT - EMS Educ...". The system clock shows "12:08 PM".

- Click on the link “request Authorization of an EMS Education Program” (Note: you will be able to edit the field Program Director)
- You will see two menu choices. Select “Request Authorizations for an EMS Education Program”.
- Enter the program information requested. Under State, enter NP (National Park) and under Program, enter the name of the National Park Unit....As in “Olympic National Park”. Spell it out completely.

The screenshot shows a web browser window titled "NREMT - EMS Educators - Request for EMS Education Program Authorization - Microsoft Internet Explorer provided by National Park". The form is for requesting EMS education program authorization. It includes fields for the individual responsible for the program (Martha Hutchinson), registration levels (First Responder, Basic, I/85, I/99, Paramedic), EMS Education Program Address (600 East Park Avenue, Port Angeles, WA, 98362), contact information (Phone: 360-565-3096, Fax: 360-565-3093, Email: Martha_Hutchinson@nps.gov), and a section for ALS Practical Exam Host.

The name of the individual responsible for the overall EMS education program.
Martha Hutchinson

***Registration Level:**
The levels of national registration at which the EMS Education Program is authorized to conduct education.
☒ First Responder
☒ Basic
☐ I/85
☐ I/99
☐ Paramedic

***EMS Education Program Address:**
The physical address of the educational facility which will be used by the NREMT when addressing packages for shipment to your facility.
Street Address: 600 East Park Avenue
City: Port Angeles
State: WA
Zip: 98362

***Contact Information:**
The telephone, fax number and email address where the NREMT can contact the program director during normal business hours.
Phone: (360) 565 - 3096 Ext.
Fax: (360) 565 - 3093
*Email address: Martha_Hutchinson@nps.gov

***ALS Practical Exam Host:**
I am also interested in hosting the NREMT Advanced Level Practical examinations. I request that the NREMT approve my facility as identified above to host NREMT Advanced Level Practical examinations and

- Select the level of courses that the park will teach and support. Include refreshers for the levels of National Registration.
- Enter Contact Information.
- If you are an ALS or ACLS park, consider being an ALS/ACLS Practical Exam Host site.
- Enter "Submit"
- Your request for registration will be sent to the Branch Chief of Emergency Services for approval. Upon approval, you will receive an email from the NREMT acknowledging your park program has been officially registered – and a DVD with more information about CBT.

EMS Certification Testing Centers

For an NREMT/Pearson VUE EMS Certification Testing Center list by state, go to <http://www.vue.com/nremt/>

Exhibit 2

STUDENT Instructions to Apply to take the NREMT Exam:



EMS Students!

Follow These Steps to Apply For Your NREMT Exam



Congratulations on nearing the completion of your EMS course. After you graduate, you will be taking the NREMT certification exam. We suggest you begin the application process 4-6 weeks before you intend to take the test. Prior to testing you will need the following:

- application
- course completion verification by your program director and
- application fee payment

You will need the following information from your instructor:

This course has been approved in the state of:

Program Name:

Section Code (if applicable):

Follow these easy steps to apply to take the NREMT exam. If you need additional assistance, please contact NREMT at (614) 888-4484. They're ready to help!

STEP 1: Create Your Account

- Go to www.nremt.org
- Click on 'Login' (found in the blue bar at the top of the page)
- Click on 'Set Up New Account'
- Complete all information in this section as prompted
- Request user role of 'Registrant or Candidate' (do not complete any information within the gray box)
- Read the submission statement
- Click on 'Submit'

STEP 2: Login

After you have completed Step 1, you can follow the link and login with the username and password you created.

STEP 3: Manage Your Account Information

Complete all information in the Personal Account Information fields as prompted. *Note: This is the name that will appear on your application, National Registry certificate and card upon successful completion of the examination.* When you have completed all fields, click 'Save'. You will receive a message indicating 'Account Saved'

STEP 4: Create a New Application

- Click on 'Create a New Application'
- Review the Personal Information Summary – if any items are incorrect, make corrections by clicking on
- 'Manage Account Information'
- Select the application level you wish to complete
- Review the Entry Requirements; check the acknowledgement to complete the online application
- Complete any statements as prompted
- Click on 'Next'
- Complete all information in this section as prompted. *Use the information in the box above provided by your instructor*
- Read the acknowledgement prior to clicking 'Submit'. Clicking 'Submit' is your electronic signature and indicates that you have read, reviewed and agree to the acknowledgement

STEP 5: Pay Application Fee

It is recommended that you pay your application fee at the time you complete your online application. However, if you choose, you may pay at a later date. An Authorization to Test (ATT) will not be issued until payment has been received and all other verifications are complete. You can pay by credit/debit online or print a money order tracking slip for mailing your money order to the NREMT

STEP 6: Monitor the Progress of Your Application

You can monitor the progress of your application any time.

- Login on the NREMT Home Page using your username and password
- Click on "Candidate Services"
- Click on "Check Application Status"
- Three areas of the application process are displayed:
 1. Course Completion Verification
 2. Payment of Application Fee, and
 3. Practical Skills Verification. Each topic provides an explanation of the status and who to contact for further assistance, if necessary.

For more information, ask your instructor, visit the NREMT website at www.NREMT.org, or refer to the NREMT instructional DVD.

Revisions and updates may be necessary to make the CBT transition as smooth as possible. Please refer to the NREMT website for the most current policies and procedures. Release date 11/06.

Chapter 7

CERTIFICATION AND AUTHORIZATION

- 7.1 Introduction
 - 7.2 Overview
 - 7.3 Guidelines
-

7.1 Normal

A large percentage of NPS EMS providers are trained by or transfer from agencies outside the Service. In addition, there is a high degree of mobility within the NPS that results in EMS providers regularly transferring between parks. The purpose of this chapter is to provide policy and guidelines for certification and authorization procedures within the NPS.

7.2 Overview

The NPS hires a substantial number of seasonal and permanent employees that regularly travel and transfer between parks. The NPS must have a structured system in place to evaluate and authorize employees to perform emergency care on park lands. The NPS may defray all costs associated with required EMS training and certification, pursuant to authority contained in 5 USC 4109.

7.3 Guidelines

7.3.1 Certification

It is important that EMS providers understand the distinction between *certification* and *authorization*. Possession of an EMS certification is not an authorization or license to perform EMS in a National Park.

It is the policy of the NPS that all providers at Levels III-VI will be *certified* by the National Registry of EMTs. A Park EMS Coordinator may *authorize* a person who possesses a state certification to be an EMS provider when it is based on the National Standard Curriculum and that person meets the requirements for National Registry of EMTs testing. The EMS provider must then become National Registry of EMTs certified within one year of entry into the NPS EMS system or the authorization will be suspended.

7.3.2 Authorization (Licensure)

Licensure is the approval by park management for certified EMS providers to perform EMS within a designated scope of practice. Under a defined scope, only those who are licensed may perform those tasks.

The first step in authorizing or licensing personnel to provide EMS in the park begins with the Park EMS Coordinator evaluating and verifying the prospective provider's certifications. Once certifications are verified, the EMS Coordinator may issue a White Card for specific levels of care based on the needs of the park program, the position description of the provider, and when appropriate, the recommendation of the Park EMS Medical Advisor. The White Card is covered in further detail later in this chapter.

7.3.3 Criteria

The following are certification/authorization criteria for Levels III-VI and Registered Nurses:

- First Responder First Responder

An EMS provider with a current First Responder certification obtained through a training course based on the NHTSA Standards and has passed a National Registry of EMTs exam, qualifies for authorization, and issuance of an NPS White Card.

- EMT-Basic

An EMS provider with a current EMT-Basic certification obtained through an EMS agency in which the course was based on the NHTSA standards and has passed the National Registry of EMTs examination qualifies for authorization and issuance of an NPS White Card.

- Parkmedic and Parkmedic-Cardiac

An EMS provider certified as a Parkmedic after completion of the NPS approved Parkmedic Course qualifies for authorization. A Park EMS Medical Advisor may recommend that qualifying candidates receive additional training, clinical hours, or testing as necessary.

EMS providers trained through other programs, such as a state EMT-Intermediate course may qualify for certification and authorization as a Parkmedic. In these cases, the EMS provider must have completed a course that meets or exceeds the Parkmedic curriculum and successfully completes the Parkmedic written and practical exam. The Park EMS Medical Advisor may

recommend that the EMS provider fulfill didactic, clinical or internship requirements prior to providing ALS care, in order to ensure that his/her knowledge and skills are consistent with the NPS national training standards for Parkmedic.

An EMS provider who has completed a state approved EMT-I (1999 NHTSA - I-99) course or, as a Parkmedic, has completed an approved Parkmedic bridge course to meet the requirements of the EMT-I (I-99), and qualifies for National Registry of EMTs I-99 testing, may be certified and authorized as a Parkmedic-Cardiac.

- EMT-Paramedic EMT-Paramedic

An EMS provider with a current EMT-Paramedic certification obtained through an EMS agency of any state qualifies for authorization as an NPS EMT Paramedic if the certification course was based on the NHSTA standards and the provider meets the requirements for National Registry of EMTs testing.

- Registered Nurses

Pre-hospital nursing is recognized as a special area of practice within emergency nursing by the Emergency Nurses Association. Professional registered nurses are obligated to acquire whatever knowledge and skills are required beyond their basic education to render safe and efficient care according to those standards. The association has taken the position that no certification beyond professional licensure should be mandated for nursing practice in the pre-hospital setting. Nurses in this area of practice are held accountable to professional nursing standards and not to standards for other health care providers. It is incumbent upon professional nurses to recognize deficiencies in their education and to obtain the necessary knowledge and skills required for nursing practice in the pre-hospital setting or to refrain from such practice.

It is recognized that the regulation of pre-hospital nursing practice should be a collaborative effort between the State Board of Nursing through the State Nurse Practice Act and the state EMS agency through pre-hospital legislation/regulations. The Emergency Nurses Association recognizes the State Boards of Nursing as the regulatory agency for the profession of nursing. Pre-hospital nursing is identified as a special area of practice within emergency nursing, thus, the association recommends that the State Board of Nursing be the regulatory agency and definitive authority in pre-hospital nursing. However, some states have enacted legislation that invests all authority for the regulation of EMS activities, including pre-hospital nursing, with the State EMS agency. As pre-hospital nursing is specifically practiced in the pre-

hospital environment, regulation of practice is state specific versus one Federal guideline.

Pre-hospital nurses working in the parks must be aware of the position of the State Board of Nursing within the state where they are working and must be licensed to practice in that state. The Medical Advisor in each park must be in agreement with these recommendations and be willing to provide medical direction to registered nurses who have the appropriate additional education to function in this role.

The EMS Coordinator may authorize registered nurses to perform pre-hospital care as NPS EMS providers, based on the recommendation of the Medical Advisor.

7.3.4 Details to Other Parks

Occasionally, park EMS providers are assigned temporarily to other parks. During emergencies, when training and protocol consistency cannot be evaluated, park EMS providers must possess a White Card and can only perform up to a BLS level of care.

During extended details with advance notice, ALS providers can be authorized by the receiving Park EMS Coordinator (with the recommendation of the Park EMS Medical Advisor) to perform ALS procedures up to their level of training and utilizing the NPS National Standard Protocols. This process will require the coordination between Park EMS Medical Advisors and EMS Coordinators. The ALS provider should receive adequate orientation and be equipped to access the receiving park's online medical control. The agreed upon scope of practice for the provider should be documented in writing with copies to the Park EMS Medical Advisor, the EMS Coordinator, and the EMS provider. The ability for NPS EMS providers to move from park to park and provide a specific level of care is anticipated to become more seamless as the Service begins to implement the NPS National Standard Protocols.

7.3.5 Out-of-Park Details

Periodically, NPS providers respond to areas outside their jurisdiction. In these circumstances, EMS providers may function only up to a BLS level unless operating within the scope of an agreement with the agency of jurisdiction.

7.3.6 Incident Management

All EMS incidents will be managed under the Incident Command System without regard to complexity or size. A single EMS provider on scene is the Incident

Commander until other EMS providers arrive on scene and a mutual agreement as to a delegation of incident management tasks is established.

7.3.7 White Card

The White Card is the EMS provider's evidence of NPS authorization to perform EMS at a specified level of care based on a certification, and while acting within their scope employment. White cards are issued for certification Levels III and above.

The White Card is issued at the park level once the Park EMS Coordinator has verified the applicant's qualifications and suitability as an EMS provider and the park's need for that provider in its EMS system. The White Card is returned to the Park EMS Coordinator when the employee is no longer employed at that park or for other reasons listed below.

Park, regional and national EMS Coordinators are the only persons authorized to issue the White Card and only after careful review of the provider's application packet. It is important that the EMS Coordinator verifies for each applicant the following:

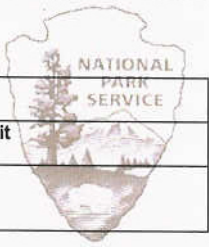
- The applicant possesses valid certifications for all levels of care that will appear on the White Card.
- The applicant is in a position description that allows them to perform EMS duties.
- The applicant has provided documentation of required immunizations.
- For Level V and VI providers, the Park EMS Coordinators will consult with the Park EMS Medical Advisor as part of the application review to ensure didactic, clinical, and testing requirements are met.

Instructions for Completing the White Card

The designee is authorized to provide emergency medical care for the National Park Service at the levels listed as prescribed by the DO-51, RM-51 and other applicable laws and policies.		
_____ Signature of EMS Provider		
_____ Signature of Park EMS Coordinator		
_____ Issue Date	_____ Expiration Date	_____ National Registry Number

(Back side of the White Card)

(Front side of White Card)

United States Department of the Interior National Park Service Emergency Medical Services	
Name	
National Park Unit	
Certification (s)	

- Type all entries. Attach photo to the right portion of the front side of the card. Laminate after completion.
- Blocks for name, signature, park unit, and issue date are self-explanatory.
- Certification(s): All Certifications listed on the White Card should correspond to those in Chapter 6, *Certifying Organizations, Training, and Levels of Care*. Only those levels of care that an EMS provider is being authorized to perform should be listed (e.g., a Parkmedic-Cardiac who will not be authorized to perform ACLS should not have ACLS listed on the White Card).
- Expiration Date: The expiration date on the White Card should correspond to the expiration date of the employee's EMS certification card. For example, an employee with an EMT-B certification would have their National Registry of EMTs certification expiration date as the expiration date of the White Card. Once the EMT renews their EMT certification, the White Card would be re-issued with a new expiration date. Seasonal employees should be issued White Cards with an expiration date that corresponds with the end of their season or their EMS certification expiration date, whichever comes first.

Suspension or Revocation

The Park Superintendent will suspend the EMS provider's White Card based on the recommendation of the Park EMS Coordinator and the Park EMS Medical Advisor. Suspensions are administrative provisions for failure to comply with the certification/re-certification criteria of this document or deviations in standards of care that may be harmful to the patient.

The Park Superintendent will revoke the provider's White Card based on the recommendation of a Board of Review (Chapter 20, *National Park Service Field*

Manual). Revocation will result from negligence, misconduct, incompetence, and other non-administrative failures of compliance with this reference manual.

The Park EMS Coordinator will notify the NPS National EMS Office (Branch Chief, Emergency Services), with a copy to the Regional EMS Coordinator, of all revocations and any suspensions of greater than 60 days. The Branch Chief, Emergency Services will notify the National Registry of EMTs of the EMS provider's status. The status of the provider's National Registry of EMTs certification will then be determined by that organization.

The Chief Ranger or Park EMS Coordinator can obtain White Cards from the Branch Chief, Emergency Services.

Chapter 8

MEDICAL OVERSIGHT

- 8.1 Introduction
 - 8.2 Overview
 - 8.3 Guidelines
-

8.1. Introduction

The purpose of this chapter is to establish guidelines for medical oversight of EMS Programs operating at Levels IV-VI.

8.2 Overview

NPS areas that provide patient care at Levels IV-VI are required to have an EMS Medical Advisor for their EMS Program, and areas with Level III programs are encouraged to do the same. All NPS areas that provide AED services are required to have a Medical Advisor to provide oversight for that specific program.

It is Servicewide policy that the NPS National Standard Protocols known as the NPS Field Manual will be implemented for Levels IV, V and VI Park EMS levels of care. This will ensure consistency throughout the Service and reduce liability concerns for local Park EMS Medical Advisors since protocol approval has shifted to the national level. All local protocols for Levels IV-VI will be reviewed by the National EMS Medical Advisors for quality assurance. At a minimum, the NPS National EMS Medical Advisor and the Branch Chief, Emergency Services will review the NPS EMS Field Manual annually and revise them as necessary. Recommendations from the field will be solicited and considered during this process. The U.S Park Police Aviation Section will establish a separate set of medical protocols at the Paramedic level.

8.3 Guidelines

8.3.1 Selection of a Park EMS Medical Advisor

As established by this policy, the Park EMS Medical Advisor is responsible for advising the Park EMS Coordinator and park EMS providers regarding all aspects of patient care including protocols, standing orders, online medical direction, and quality assurance and improvement.

To assure that treatment in an EMS Program is based on sound medical concepts, there must be strong medical oversight. The key to medical oversight is the Park EMS Medical Advisor, who has the responsibility for developing the medical

guidelines of the local program. When selecting a Medical Advisor, the American College of Emergency Physicians recommends the following criteria:

- Experience in pre-hospital and emergency department care of the acutely ill or injured patient
- Routine participation in base station radio direction of EMS providers
- Routine active participation in emergency department management of the acutely ill or injured patient
- Active involvement in the training of emergency care personnel
- Active involvement in the medical audit, review and critique of emergency medical care provided by EMS personnel
- Familiarity with the legislative processes affecting the pre-hospital EMS system

8.3.2 Components of Medical Oversight

- EMS Medical Advisor

As described in Chapter 3, *Management and Supervision*, the Medical Advisor is a physician that provides program oversight and is preferably a member of a hospital emergency department staff. He/she is responsible for recommending and reviewing policies, national protocol implementation, the development of local protocols as necessary, providing for and organizing continuing education, endorsing candidates for national certification, conducting incident reviews, and arranging for online medical control.

Pre-hospital care provided by NPS EMS personnel is considered to be an extension of the hospital-based physician. Therefore, the Park EMS Medical Advisor must have a high degree of confidence in the competency of the EMS providers. He/she must approve EMS providers to administer ALS procedures under their license and be supportive of the national training standards, scope of practice, NPS National Standard Protocols, and quality improvement for the Servicewide EMS Program.

The Park EMS Medical Advisor must work closely with the Park EMS Coordinator to ensure park EMS providers adhere to appropriate standards of care.

- Resident Liaison Physician

In some programs the Park EMS Medical Advisor has designated a resident physician at the base hospital to act as liaison with the park area. However, ultimate responsibility for medical oversight of the Park EMS Program remains with the Park EMS Medical Advisor.

- Base Station Physicians

Base Station Physicians are resident or staff physicians at the base hospital who provide immediate online control to EMS providers and may assist the Park EMS Medical Advisor in his/her duties. Mobile Intensive Care Nurses may also function as online medical control if appropriately trained, supervised, and approved by the Park EMS Medical Advisor.

8.3.3 Responsibilities

Medical control of an EMS Program requires appropriate physician involvement in all levels of EMS planning, administration and evaluation. Additionally, ALS programs require some skills that are practiced only through orders from a physician or previously approved standing orders. Multiple participants are involved in medical oversight both on and offline. Online medical control involves direct communication between a physician and EMS provider during an incident. Offline medical control involves planning and development and quality improvement.

8.3.4 Policies and Procedures

Nearly all policies pertinent to the EMS Program have some medical content; therefore the Medical Advisor should be directly involved in policy development. The Park Superintendent has the authority to approve all EMS policies and procedures at the park level.

8.3.5 Certification/Recertification Endorsement

In accordance with this document, the National Registry of EMTs, and local program direction, the Park EMS Coordinator, with the concurrence of the Park EMS Medical Advisor, will ensure that Park EMS providers meet all requirements prior to endorsement for National Registry of EMTs certification.

8.3.6 Protocols

Protocols provide a standard approach to commonly encountered medical emergencies. Protocols should be reviewed periodically, and at a minimum of once per year, to ensure that they are contemporary with today's emergency medical standards.

The NPS will implement the Servicewide NPS EMS Field Manual for EMS Levels IV-VI. Deviations from the Field Manual protocols, procedures and drugs need to be submitted to the Branch Chief, Emergency Services, who will consult with the National EMS Medical Advisors. This team will be known as the NPS

EMS Field Manual Review Board. If the deviation is approved by the Review Board, the new protocols, procedures, or drugs will be added to the NPS EMS Field Manual or approved for use at the local level.

If a deviation is not approved by the Branch Chief, Emergency Services and National EMS Medical Advisors, an appeal can be made to a special NPS EMS Field Manual Appeals Committee made up of two Park Medical Advisors, two Park EMS Coordinators and the Branch Chief, Emergency Services. No member of the appeals committee may be from the appealing park.

The U.S. Park Police Aviation unit will create and maintain separate Paramedic Protocols.

8.3.7 Standing Orders

The approved use of medications and advanced life-saving emergency medical procedures that EMS personnel may provide without direct communication with a physician, are known as standing orders. They authorize treatment before radio contact is made with online direction, usually when delay in patient care would be harmful or when online direction is unnecessary.

They also provide authorization for treatment when direct contact with online medical control is not possible (i.e., inoperative radio). Standing orders are established to provide clear instructions for patient care. In addition, standing orders:

- provide a written outline of systematic patient assessment and management in the field, and
- coordinate and standardize pre-hospital care for the program.

Standing orders may be established by the Park EMS Medical Advisor to permit the EMS provider to initiate treatment based on independent judgment. They will be based on the NPS EMS Field Manual, provider's level of training, and identified patient need. Standing orders based on protocols will be approved per guidelines established in section 3.6 of this chapter.

Standing orders provide legal authority to carry out procedures on behalf of the physician who signed them. When standing orders are used, there must be a review in a timely manner as to the actions taken by the EMS provider. Without this review, medical control would not exist and the provider becomes an independent practitioner. Standing orders are not transferable to other park EMS programs.

Without approved standing orders or online medical control, the Level IV-VI

EMT is authorized only to perform those skills within the parameters of the basic EMT, regardless of his/her training, experience, or certification.

The U.S. Park Police Aviation unit will create and maintain separate Paramedic Standing Orders.

8.3.8 National EMS - Advisory Group

The Branch Chief, Emergency Services will convene the National EMS Advisory Group to advise and work on issues important to the Servicewide EMS Program. The purpose of the committee will be solely to exchange views, information, or advice relating to the management or implementation of the NPS EMS Program and make recommendations to change or review policies set forth in the DO-51 and RM-51.

Membership will come from the Park EMS Coordinators, advisors and program managers. The group will consist of two Park Medical Advisors, two NPS EMT Basics, a Parkmedic, a paramedic, the Branch Chief, Emergency Services, Park Chief Ranger and a Regional Chief Ranger or Regional EMS Coordinator for a total of nine persons. One of the nine members must come from the Alaska Region.

The National EMS Advisory Group members will be appointed by the Branch Chief, Emergency Services for the initial appointments. Thereafter, appointments will be made by the National EMS Advisory Group through majority vote. A chairman and a secretary will be appointed by the group, neither of which can be held by Branch Chief, Emergency Services. Appointments will consist of a 2-year commitment.

The National EMS Advisory Group will meet annually or in conjunction with the NPS EMS Conference or as often as needed to resolve the issues at hand. The National EMS Advisory Group will be administered in a manner that does not entail chartering under the Federal Advisory Committee Act.

8.3.9 Continuing Education

As part of continuing quality improvement, ongoing continuing education programs should include individual and group feedback, as well as information and data obtained from PCRs and other sources.

Through coordination with the Park EMS Coordinator, the Park EMS Medical Advisor is encouraged to provide continuing education sessions that are focused on topics driven by Continuing Quality Improvement data.

Credit for continuing education courses for Levels IV-VI is subject to review by the Park EMS Medical Advisor.

8.3.10 Advanced Life Support Program Approval

Approval to implement an ALS program is the responsibility of the Park Superintendent and the Park EMS Medical Advisor. (See Chapter 4, *Needs Assessment*, for guidance on assessing EMS needs in the parks, and Chapter 6, *Certifying Organizations, Training, and Levels of Care*, for the components required in an ALS program.)

8.3.11 Physician On-Scene

On the scene of an emergency medical incident, EMS personnel may not provide ALS under the direction of a physician on the scene unless that physician has had the authority for control of that scene transferred to him by the base hospital physician. In most cases, if any ALS orders are carried out upon the order of the physician on the scene, that physician will be required to accompany the patient to the hospital and sign the PCR as having authorized the treatment provided. If the physician on the scene prefers to help, but not be primarily in charge, his/her assistance may be utilized through medical control.

There are rare situations where medical control cannot be established (radio out, isolation, etc.) and the assistance of a qualified physician has been offered. Assistance can be accepted, but the NPS provider will have to take measures to authenticate that the person on scene is in fact a physician. A state medical license number or other information regarding a medical practice or hospital affiliation should be obtained prior to accepting medical services. If ALS services are performed under that person's direction, the same procedures will apply as described above in paragraph one.

8.3.12 Quality Assurance/Continuing Quality Improvement

It is of utmost importance to provide quality assurance and quality improvement (QA/QI) in both the training and provider aspects of an EMS Program.

The EMS provider's ability to render appropriate emergency pre-hospital care at the ALS level is a direct reflection on the NPS, the Park EMS Medical Advisor and his/her staff. Ongoing quality improvement can be maintained in several ways:

- All PCRs will be reviewed by the EMS provider's supervisor, EMS Coordinator, and as appropriate, the Park EMS Medical Advisor.
- Regular review will help generate an increased awareness of the EMS provider's responsibilities, while potentially decreasing Service liability during medical responses.

- Incident reviews should be conducted on a regularly scheduled basis in order to have any value to the improvement of the system. The PCR is the primary document to be used for case reviews.
- Any member of the EMS Program may initiate reports indicating a need to review any component of the EMS Program for improvement. Concerns may also arise from outside the NPS. The Park EMS Coordinator and Park EMS Medical Advisor will review those issues and provide recommendations to the Superintendent.
- Continuing education must be provided for and completed by EMS providers within a specified timeframe in order to maintain current certifications.
- The administration of National Registry of EMTs examinations is performed by the Park EMS Coordinator with endorsement of the Park EMS Medical Advisor and approval from the Branch Chief, Emergency Services.
- Periodic inspection and maintenance of all EMS equipment is to be performed as necessary to ensure proper function. Regular inventories of all emergency medical supplies, including medications, are necessary to ensure that they are current and in adequate supply.
- Scheduled radio communication checks should be performed where applicable to ensure contact with medical control.
- The Park EMS Medical Advisor is responsible for reviewing any cases in which disciplinary action is being considered (Chapter 7, *Certification and Authorization*). When necessary, an EMS provider's White Card may be suspended or revoked.
- All EMS providers must maintain the knowledge and skill proficiency required for their level of certification. This is accomplished by providing patient care in either the field or hospital setting and obtaining ongoing continuing education. Level V and VI EMS providers must maintain ALS skill proficiency as required by the Park EMS Medical Advisors. It is the responsibility of the EMS provider to ensure documentation of their EMS experience and education.

8.3.13 Statistical Review

A file of all PCRs (NPS Form 10-342) will be maintained by the Park EMS Coordinator containing, at a minimum, the nature of the complaint, persons involved, treatment rendered, and disposition of each incident. In keeping with the Privacy Act, non-patient specific EMS data will be provided in the form of an annual report for use by park management, as well as to the regional and national office for statistical purposes (Chapter 9, *Documentation*).

8.3.14 Deficient Performance

Refer to Chapter 18, *Performance and Conduct Issues*

8.3.15 Emergency Medical Communications

All parks providing Level IV-VI EMS Programs will establish a communication link with their Park EMS Medical Advisor or a designated emergency physician and/or hospital emergency department.

Online medical direction allows EMS providers to communicate directly (by telephone or radio) with a physician or Mobile Intensive Care Nurse who assumes responsibility and gives direction for patient management. This allows for retrospective review for both continuing education and continuing quality improvement. Once contact has been made, the pre-hospital provider becomes the agent of the online physician regardless of any other employee-employer relationship. The Park EMS Medical Advisor should approve all base stations established for online medical control.

ALS may be administered only while in voice contact with a base station physician unless the Park EMS Medical Advisor has included standing orders within the program protocols. For parks providing care at Levels IV-VI, it is essential that EMS providers have access to direct 24-hour-a-day communications with a medical facility and/or physician to help ensure that adequate patient care is being delivered.

Parks should evaluate their technical capability to effectively communicate with their Park EMS Medical Advisor. Regulations may allow a park's frequency to be placed in the base hospital radio. Phone patch technology has been successfully utilized for voice and biotelemetry (for ECG transmission) applications in some parks. Parks are encouraged to explore opportunities to enter into agreements with local EMS organizations to utilize existing EMS frequencies.

Areas that have a Level V (Parkmedic-Cardiac) and Level VI (Paramedic) programs should have biotelemetry capability in order to transmit ECG information directly to the base hospital. This is normally accomplished through one of 10 specifically designated EMS frequencies reserved by the FCC for that purpose.

Communications for the online medical direction should be located, where possible, in an emergency department and be staffed 24 hours by physicians experienced in emergency medicine. The online physician should be familiar with the EMS provider's training and capabilities, and have access to the program's emergency medical protocols. This will minimize the chance of deviation from established guidelines, as well as reduce expectations for the EMS

provider to perform procedures that he/she is not capable or authorized to perform.

In some NPS areas, more than one base station may be necessary due to considerations such as a park's geography. The Park EMS Medical Advisor should also review those incidents for continuing quality assurance.

Chapter 9

DOCUMENTATION

- 9.1 Introduction
 - 9.2 Guidelines
-

9.1 Introduction

An important component of an EMS Program is a well-maintained system of complete and accurate medical records. It is the practice of the NPS to maintain written records in the form of a PCR (Exhibit 3) whenever an on-duty employee treats or evaluates a patient. The PCR contains information that the physician will use in evaluating and treating the patient. A Servicewide PCR (Form 10-342) is available for this purpose. It has been developed to document BLS and ALS incidents. In addition to being the Bureaus official record of medical care provided, it is used in case reviews as a component of the quality improvement and assurance aspect of the EMS Program. The non-Privacy Act information is also used for regional and rational data collection, in conformance with the Department of Transportation's *EMS Data Points and their Definitions*. This document contains 80 EMS data points and their definitions as agreed upon by at the August 1993 Uniform Pre-Hospital EMS Data Conference sponsored by the National Traffic Safety Administration. It is available at www.nhtsa.dot.gov/people/injury/ems/products.htm

9.2 Guidelines

9.2.1 Patient Care Record

Field-level reports have been the basis for legal action alleging negligence due to the omission or poor documentation of patient information.

Quality assurance provided by reviewing supervisors or EMS Coordinators is essential in reducing the potential for litigation as well as ensuring professional EMS in the field.

The PCR and its contents should be treated with patient confidentiality in mind. Information made available under the Freedom of Information Act should contain only a summary of the type of EMS incident. Further information regarding patient confidentiality is presented in Chapter 16, *Legal Aspects of Emergency Medical Services*.

Considerations for completing the PCR:

- The primary purpose of the report is to obtain and document a pertinent past and current patient history, physical exam, and to record the treatment provided.
- If a procedure is not written down, it will be perceived as not having been performed.
- Use only simple medical abbreviations that are easy to understand.
- If an item on the PCR is not applicable, write N/A or draw a line through the box.
- One PCR will be completed per patient. If extra narrative space is needed, use the supplementary patient care report.

Considerations for supervisors and EMS Coordinators who review the PCR:

- All blanks filled in
- Narratives initialed
- Errors: draw a single line through an error; date and initial.
- Correct spelling and terminology
- Times recorded accurately
- Documentation is performed chronologically
- Mechanism and time of injury/chief complaint stated
- Primary survey performed and recorded
- Medical signs and symptoms derived from secondary survey recorded
- Vital signs taken on all patients and repeated when appropriate
- Assessment appropriate to method of injury and/or chief complaint
- All treatment recorded, including change in patient status and response resulting from the treatment
- Use supplemental reports if information needs to be added or changed
- Appropriate care given with respect to the assessment
- Appropriate protocols utilized

9.2.2 Patient Refusal

There are times when a patient will refuse treatment and/or transportation. To refuse treatment and/or transportation the patient must meet the following conditions:

- Adult (18 years old or greater, or emancipated minor)
- Mentally Competent
- Alert and oriented

- Is not impaired due to alcohol or drugs
- Has no obvious medical or traumatic condition that would impair the patient's ability to make an informed decision
- Informed of physical condition and presumptive condition requiring transport.
- Informed of risk of not going to the hospital or medical facility

When a patient meets the above criteria, and the EMS provider and/or online medical control recommends that they be evaluated by a physician, complete the Patient Refusal Form found on the backside of the NPS PCR. The patient should read the refusal form statement. Explain the statement to them, and make sure that they understand it by answering in the affirmative. Ask them to sign the release form. Ask an impartial witness sign if possible (i.e., a non-government employee).

Complete the PCR and document how the patient met the refusal criteria. Document what information and/or instructions were relayed to the patient regarding their condition and the need for transportation and treatment.

Online medical control may be able to convince the patient to be treated and/or transported. The EMS provider should attempt to contact medical control before releasing the patient.

When a patient is not an adult, the patient's parent or legal guardian will make the decision to refuse treatment and transportation. The parent/guardian needs to read, state that he understands, and then sign the form. If a parent/guardian is not available, contact medical control for orders, guidance, and assistance.

When there is a language barrier making it difficult for the patient to make an informed decision to refuse care, contact medical control for orders, guidance, and assistance. Attempt to locate and utilize a translator that can assist you.

When a patient refuses EMS, to the best of your ability, document the patient's physical condition by observation. When a patient refuses to sign the Refusal Form, document that the patient refuses to sign and obtain witness signatures.

When the crew believes that the patient is not mentally competent to refuse care, contact medical control for guidance. If medical control orders the transportation of the patient, request Protection Rangers to assist with the transportation of the patient. Protection Rangers may place the patient into protective custody and transport them to the hospital. Refer also to Chapter 16, *Legal Aspects of Emergency Medical Services*.

If the patient refuses a specific treatment, document refusal and continue with other treatments as appropriate.

9.2.3 Training and Re-certification

Either through the EMS Coordinator or other designated means, the park is responsible for ensuring that EMS training provided by the park is documented for quality assurance. Those documents are the administrative record for EMS provider re-certification, program audits, statistical information, and other related purposes.

9.2.4 Annual Reports

At the end of each calendar year, the parks are responsible for reporting annual data to the regional offices. The data in those reports will be compiled and forwarded to the Branch Chief, Emergency Services by February 1 of the following year.

9.2.5 Records Retention

Managers are required by policy to maintain records in all cases where emergency care is provided by EMS personnel. This information may serve to protect the rights of the patient as well as the rights of the EMS provider if any legal questions arise. The Park will maintain a file of all EMS cases, and compile an annual statistical report (Exhibit 4). PCRs should remain on file as follows:

- Major visitor accidents resulting in death or tort claim *Permanent
- Minor visitor accidents *2 years
- Accidents resulting in government property damage *6 years after case is closed
- Employee accidents (file alphabetically by name) *6 years after case is closed

* NPS Records Disposition Schedule, approved 1986.

The written record provides information to the physician and others about what has occurred and the patient status while under the care of the NPS EMS provider. This information may serve to protect the rights of all parties involved, if any legal questions arise.

Exhibit 3

**Prehospital Care Record
NPS Form-10-342
Instructions**

- **Case Number (C.I #) :** _____

Enter Park case incident number and four letter code

- **Date**

Enter incident date that EMS was notified- MM/DD/YY.

- **Location**

Enter incident location based upon common names. Include incident site coordinates in either Lat/Long or UTM

- **Medical or Trauma**

Incident Type- mark Medical or Trauma based upon complaint and mechanism of injury

- **FA/BLS/ALS/ACLS**

Indicate if First Responder, BLS, ALS or Advanced Cardiac Life Support care is initiated.

- **Patient's Age**

Enter patient's age in years or months.

- **DOB**

DOB- Date of Birth: MM/DD/YY.

- **Sex**

Check box to indicate patient's sex M (male) or F (female)

- **Weight**

Enter patient's weight in pounds.

- **SSN**

Enter Social Security Number of patient if U.S. Resident. SSN is required for EMS transport billing.

- **Patient Name, Address and Phone Number**

Enter identifier information for patient including legal name and current mailing address.

- **Chief Problems/Complaints**

Use patients own words in direct "quotes" to record what they describe as the main problem(s). When the patient is unable to provide the information, describe what the EMS provider observes. Include time of onset for injury or illness.

- **Mechanism of Injury/History of Present Illness**

Cause of the injury/illness if known.

- **Allergies**

Record patient allergies to medications or other substances

- **Medications**

Record all medications (prescribed or otherwise) that the patient has taken or is prescribed to take. Include time(s) last taken and dosage.

- **Pertinent Medical History**

Record any significant past medical history (e.g., ailment involving heart, lungs, kidneys, diabetes, etc.)

- **Last Meal/Drink/Urination/Menstruation**

Note intake of food, water and outputs of urine or vaginal bleeding

- **Events of Incident/Prior Care/Anticipated Problems**

Document situation and any major medical care, patient movement or medications taken prior to arrival of EMS.

- **Narrative**

Provide a detailed and articulate description of what the patient and witnesses tell you, assessment made and care provided. Accepted formats for charting a detailed narrative include SSOAP (Scene, Subjective, Objective, Assessment and Plan). Be sure to record the time and description of all treatments applied to the patient and their responses to the therapy if not documented elsewhere on this record. This includes all medication administrations, reduction maneuvers, etc. Record scene description as appropriate. Check the box if narrative is continued on the reverse side.

- **Treatment/Response**

- **Time**

Indicate time of measurement.

- **Position**

Note position of patient (supine, sitting, standing). Stick figures may be easily used to indicate patient position.

- **Pulse**

Record the rate per minute and whether it is regular or irregular.

- **Blood Pressure**

Record the patients blood pressure as systolic over diastolic when auscultated, or systolic over P when palpated.

- **Resp**

Record how many times the patient breathes per minute.

- **Lung Sounds**

Record sounds from left and right lungs (bilaterally)

- **Temp**

Patient's core temperature. Designate Fahrenheit or Celsius, and method used to record (oral, rectal, axillary).

- **Skin**

Record patient's skin color, temperature and moisture.

- **SP0₂**

Record oxygen saturation percentage if a pulse oximeter is used.

- **Glucose**

Record blood glucose reading from a glucometer.

- **EKG/Defib**

Document patient's EKG rhythm (NSR- normal sinus rhythm), AED shocks and defibrillation.

- **GCS**

Record Glasgow Coma Scale score

- **Time/Drug/Dose/Route/Treatments**

Record interventions such as drugs administered, including the route it was delivered (e.g., IV, ETT, SQ, etc) and dosage. Document all other treatments and responses such as spinal immobilization, splinting, CPR, , etc.

- **Airway Procedures**

Check appropriate box for the type of airway used. Record how many liters per minute of oxygen was administered and check the appropriate box for the type of device used to deliver oxygen.

- **IV Therapy**

Check appropriate box for the type of IV solution used; LR (Lactated Ringer's), NS (Normal Saline) or Saline Lock. Record the gauge of the IV needle. Record the location of the IV. Record the flow rate of the IV - to keep open (TKO), ml/min, etc. Record the time when the IV was initiated. Record the volume of fluid administered to the patient while under control of the EMS provider that initiated the therapy. Record the number of unsuccessful attempts performed to establish the IV. Note the name of the provider that established or attempted the IV.

- **Provider Name**

Complete name of the primary care provider.

- **Time of Onset:**

Time provider received the call

- **Initial Call- Time Received**

Time of the initial report to dispatch

- **First Unit- Time Arrive On Scene**

Time of arrival of the first unit (care provider) on the scene.

- **Ambulance/Transport- Time Arrived On Scene**

Time of arrival for responding ambulance, helicopter or vessel.

- **Ambulance/Transport- Time Depart Scene**

Time of departure for responding ambulance, helicopter or vessel.

- **Ambulance/Transport- Time Arrived Destination**

Time of arrival at destination. This may include a landing zone or rendezvous point with another transporting ambulance.

- **SAR Number**

SAR incident number (if applicable)

- **Base Hospital Contact**

Check the appropriate box whether contact was made with the base hospital.

- **Time of Contact**

Time communication was established with base hospital.

- **Hospital Name**

Name of base hospital

- **Contact Name**

List persons contacted (MD or RN).

- **NPS Mileage Transported**

Mileage that patient was transported by NPS ambulance. Record distance from the location of the ambulance at time of call to the point of patient transfer.

- **Level/Certification:**

Circle the appropriate care provider level for the primary EMS provider administering care to the patient named on this document; First Responder, EMT, EMT-Intermediate, EMT- Paramedic or Registered Nurse. Include certification number for care provider issued by state agency or National Registry of EMTs

- **Additional Team/Certification**

Name(s) and certification level(s) of other EMS providers

- **Mutual Aid Response**

Check box for yes or no

- **Service or Agency**

Name of Mutual Aid response agency or service.

- **Time Called**

Time Mutual Aid unit was call to response

- **Time Arrived**

Time Mutual Aid unit arrived on scene

- **Glasgow Coma (GCS)**

- **Verbal and Motor Response, Eye Opening**

Circle appropriate number and total of all three categories into Initial GCS

- **Loss of Consciousness**

Did the patient lose consciousness - Yes or No

- **Duration**

Length of time patient was unconscious

- **Initial GCS**

The first GCS that was taken

- **Time**

Time the first GCS was taken

- **Physical Exam**

- **General Appearance**

Record how the patient presents (well or appears ill, comfortable or in pain). For any aspect of the physical exam, if there are no unusual findings, check the box marked “WNL” (within normal limits).

- **Head/Face**

Palpate the head and face. Include ears, eyes, nose, jaw, teeth and tongue in exam. Record trauma, pain, tenderness and deformities. Include all unusual observations such as cerebrospinal fluid, blood in the hair, wounds, airway obstructions, breath odor, etc. Pupils PERRL (pupils equal, round and reactive to light).

- **Neck**

Palpate neck. Record pain, tenderness or deformities. Record unusual observations such as tracheal deviation, stoma, etc. Look for a medical alert tag. Full ROM (range of motion). JVD (jugular venous distention)

- **Chest/Back**

Palpate, observe and auscultate the chest. Record trauma, pain, tenderness and deformities. Observe for unusual signs such as unilateral chest movement, subcutaneous air, “floating” sections of the chest wall, diminished, gurgling, wheezing or other abnormal lung sounds. Breath sounds are normally recorded from auscultation (stethoscope) but may be audible without it. Record unusual breathing sounds such as stridor, crackles, wheezing, etc. Report if one or both sides are diminished or absent. If breath sounds are clear and equal bilaterally, record as normal or WNL. Sub Q (subcutaneous) air.

- **Abdomen**

Palpate and observe the abdomen and record trauma, pain, tenderness and deformities. Record findings if the abdomen is tender, rigid or distended and/or observations such as a colostomy bag, guarding, etc.

- **Pelvis**

Observe and palpate. Record trauma, tenderness, or deformities. Record findings such as genital bleeding, priapism, etc.

- **Extremities**

Palpate and observe arms, hands, legs and feet. Record trauma, pain, tenderness and/or deformities. Record findings such as crepitus presence/absence/quality of distal pulses, inward or outward rotation of legs and arms, capillary refill, medical alert tag, etc. Determine status of motor sensory functions. Record all abnormalities. Full ROM- Full Range of motion. CSM (circulation, sensation and motor movement) *Intact X4* refers to all four extremities. Intact pre- and post-splinting refers to a check of CSM prior to the application of a splint and following splint being applied.

- **Method of Transport**

If patient was transported to a medical facility indicate by what means. If method of transport is not listed, indicate under other category. AMA indicates “against medical advice.” Include ID number for ambulance or aeromedical helicopter receiving patient.

- **Disposition**

Record the hospital or ambulance name to which the patient was transferred. Time that the transfer took place. Signature of person to whom patient care was transferred. If signature is unreadable, it is advisable to print the individual’s name next to the signature. Signature of primary NPS EMS provider.

Reverse Side of Form

- **Continuation and Narrative**

Additional space to continue narrative from front page.

- **Signature of Provider**

Signature of primary EMS provider.

- **Waiver of Treatment**

To be used if the patient refuses medical treatment and/or transportation to a hospital after being advised by the EMS provider and/or medical control that their condition may result in serious injury, illness or death. Before the patient/guardian signs the statement, explain the potential consequences to the patient if they do not see a doctor. Print the patient’s name or guardians (for a minor) signature. If guardian, identify relationship to patient. Witness signature (preferably an impartial, non-government employee).

- **NPS Ambulance Transport Billing**

Completed when NPS unit bills patient for medical transport costs. Signature of patient is required to acknowledge they understand there is a cost associated with this emergency transport. Their signature also authorizes the release of their medical record information (individually identifiable health information) as identified by HIPAA (Health Insurance Portability and Accountability Act of 1996). Where NPS units are involved in ambulance transport

billing and exchange individually identifiable health information with covered entities the following security provisions apply;

- **Administrative Safeguards** - policies and procedures designed to clearly show how the entity will comply with the act
 - Covered entities (entities that must comply with HIPAA requirements) must adopt a written set of privacy procedures and designate a privacy officer to be responsible for developing and implementing all required policies and procedures.
 - The policies and procedures must reference management oversight and organizational buy-in to compliance with the documented security controls.
 - Procedures should clearly identify employees or classes of employees who will have access to protected health information (PHI). Access to PHI in all forms must be restricted to only those employees who have a need for it to complete their job function.
 - The procedures must address access authorization, establishment, modification, and termination.
 - Entities must show that an appropriate ongoing training program regarding the handling PHI is provided to employees performing health plan administrative functions.
 - Covered entities that out-source some of their business processes to a third party must ensure that their vendors also have a framework in place to comply with HIPAA requirements. Companies typically gain this assurance through clauses in the contracts stating that the vendor will meet the same data protection requirements that apply to the covered entity. Care must be taken to determine if the vendor further out-sources any data handling functions to other vendors and monitor whether appropriate contracts and controls are in place.
 - A contingency plan should be in place for responding to emergencies. Covered entities are responsible for backing up their data and having disaster recovery procedures in place. The plan should document data priority and failure analysis, testing activities, and change control procedures.
 - Internal audits play a key role in HIPAA compliance by reviewing operations with the goal of identifying potential security violations. Policies and procedures should specifically document the scope, frequency, and procedures of audits. Audits should be both routine and event-based.

- Procedures should document instructions for addressing and responding to security breaches that are identified either during the audit or the normal course of operations.
- **Physical Safeguards** - controlling physical access to protect against inappropriate access to protected data
 - Responsibility for security must be assigned to a specific person or department. This responsibility includes the management and oversight of data protection and personnel conduct with respect to data protection. Frequently, a Chief Security Officer position is established to fulfill this requirement. This position typically reports to executive level management.
 - Controls must govern the introduction and removal of hardware and software from the network. (When equipment is retired it must be disposed of properly to ensure that PHI is not compromised.)
 - Access to equipment containing health information should be carefully controlled and monitored.
 - Access to hardware and software must be limited to properly authorized individuals.
 - Required access controls consist of facility security plans, maintenance records, and visitor sign-in and escorts.
 - Policies are required to address proper workstation use. Workstations should be removed from high traffic areas and monitor screens should not be in direct view of the public.
 - If the covered entities utilize contractors or agents, they too must be fully trained on their physical access responsibilities.
- **Technical Safeguards** - controlling access to computer systems and enabling covered entities to protect communications containing PHI transmitted electronically over open networks from being intercepted by anyone other than the intended recipient
 - Information systems housing PHI must be protected from intrusion. When information flows over open networks, some form of encryption must be utilized. If closed systems/networks are utilized, existing access controls are considered sufficient and encryption is optional.
 - Each covered entity is responsible for ensuring that the data within its systems has not been changed or erased in an unauthorized manner.

- Data corroboration, including the use of check sum, double-keying, message authentication, and digital signature may be used to ensure data integrity.
- Covered entities must also authenticate entities it communicates with. Authentication consists of corroborating that an entity is who it claims to be. Examples of corroboration include: password systems, two or three-way handshakes, telephone callback, and token systems.
- Covered entities must make documentation of their HIPAA practices available to the government to determine compliance.
- In addition to policies and procedures and access records, information technology documentation should also include a written record of all configuration settings on the components of the network because these components are complex, configurable, and always changing.
- Documented risk analysis and risk management programs are required. Covered entities must carefully consider the risks of their operations as they implement systems to comply with the act. (The requirement of risk analysis and risk management implies that the act's security requirements are a minimum standard and places responsibility on covered entities to take all reasonable precautions necessary to prevent PHI from being used for non-health purposes.)

- **NPS Billing- Level of Care**

For the purposes of NPS EMS Transport billing document the level of patient care. BLS, ALS-1 (One ALS intervention only) and ALS-2 (More than one ALS intervention). These levels correspond to the accepted levels used within the medical billing industry.

- **Drug Disposal**

To document the disposal of unused narcotics, record witnessed amount disposed, name of the drug, time disposed, signature of witness and printed name.

NATIONAL PARK SERVICE- PATIENT CARE RECORD										C.I. #			
Date		Location		GPS Coordinate:		Provider Name:		Level/Certification					
MEDICAL <input type="checkbox"/> or TRAUMA <input type="checkbox"/>		Level of Care Provided: FA <input type="checkbox"/> BLS <input type="checkbox"/> ALS <input type="checkbox"/> ACLS <input type="checkbox"/>		Time of Onset		SAR Number		Additional Team/Certification					
Age	DOB	Sex M <input type="checkbox"/> F <input type="checkbox"/>	Weight	SSN	Initial Call- Time Received	Base Hospital Contact: Yes <input type="checkbox"/> No <input type="checkbox"/>		Additional Team/Certification					
Patient Name					First Unit- Time Arrive On Scene	Time of Contact		Mutual Aid Response Yes <input type="checkbox"/> No <input type="checkbox"/>					
Address					Ambulance- Time Arr On Scene	Hospital Name		Service or Agency					
					Ambulance- Time Depart Scene	Contact Name		Time Called					
Phone					Ambulance- Time Arr Destination	NPS Mileage Transported	Time Arrived						
CHIEF COMPLAINTS / SYMPTOMS					GLASGOW COMA (GCS)								
					Verbal Response		Motor Response		Eye Opening				
					5 Oriented & Converses	6 Obey Verbal Command	4 Open Spontaneously						
					4 Disoriented & Converses	5 Localizes Pain	3 Open to Verbal						
					3 Inappropriate Words	4 Withdraws from Pain	2 Open to Pain						
					2 Incomprehensible	3 Inappropriate Flexion	1 No Response						
					1 No Response	2 Inappropriate Extension							
					1 No Response	1 No Response							
MECHANISM OF INJURY / HISTORY OF PRESENT ILLNESS					Loss of Consciousness? Yes <input type="checkbox"/> No <input type="checkbox"/>		Duration (min):		Initial GCS:				
									Time:				
Allergies Denied <input type="checkbox"/> Unknown <input type="checkbox"/>					PHYSICAL EXAMINATION								
Medications Denied <input type="checkbox"/> Unknown <input type="checkbox"/>					General Appearance: Comfortable, Pale, Distressed, Sleepy								
Past Medical History Denied <input type="checkbox"/> Unknown <input type="checkbox"/>					Head/Face: Atraumatic, Pupils PERL, Face Symmetrical								
Last Meal / Drink / Urination / Menstruation Denied <input type="checkbox"/> Unknown <input type="checkbox"/>					Neck: Atraumatic, Full ROM, Non-tender, Crepitus, JVD								
Events of Incident / Prior Care / Anticipated Problems Denied <input type="checkbox"/> Unknown <input type="checkbox"/>					Chest: Atraumatic, Non-tender, Crepitus, Sub Q Air, Lung Sounds Clear Bilaterally								
NARRATIVE					Abdomen: Atraumatic, Soft, Non-tender, Firm, Distended, Bowel Sounds								
					Pelvis: Atraumatic, Stable, Non-tender, Negative Incontinence								
					Extremities: Atraumatic, Non-tender, Edema, Deformity, Full ROM								
					CSM: Intact x4 <input type="checkbox"/> CSM Intact Pre-Splint <input type="checkbox"/> CSM Intact Post-Splint <input type="checkbox"/> Peripheral Pulses Intact <input type="checkbox"/>								
					Cont'd On Back- Yes <input type="checkbox"/> No <input type="checkbox"/>								
TREATMENT / RESPONSE													
Time	Position	Blood Pressure	Pulse	Respirations	Lung Sounds	Temp	Skin	SPO ₂	Glucose	EKG/ECG	GCS	Time / Drug / Dose / Route /	
		/						RA O ₂					
		/						RA O ₂					
		/						RA O ₂					
		/						RA O ₂					
		/						RA O ₂					
		/						RA O ₂					
		/						RA O ₂					
		/						RA O ₂					
AIRWAY PROCEDURES (Show Provider Initials)										METHOD OF TRANSPORT		DISPOSITION	
<input type="checkbox"/> Oropharyngeal (OPA)		<input type="checkbox"/> Combitube		Time		Fluid		Transport Yes <input type="checkbox"/> No <input type="checkbox"/>		Transfer To: MD/RN <input type="checkbox"/> ALS <input type="checkbox"/> BLS <input type="checkbox"/>			
<input type="checkbox"/> Nasopharyngeal (NPA)		<input type="checkbox"/> BVM		Rate		Lock		<input type="checkbox"/> Patrol Car		Receiving Signature:			
<input type="checkbox"/> ETT Intubation- Size: mm		<input type="checkbox"/> Nasal Cannula		Gauge		Total Infused		<input type="checkbox"/> Ambulance		Time of Transfer: Location:			
<input type="checkbox"/> Cricothyrotomy		<input type="checkbox"/> Non-Rebreather		Site		Provider		<input type="checkbox"/> Helicopter		Signature of Provider:			
<input type="checkbox"/> Airway Suction		<input type="checkbox"/> Other:						<input type="checkbox"/> Vessel					
<input type="checkbox"/> Thoracostomy								<input type="checkbox"/> Private Auto					
<input type="checkbox"/> Gastric Tube		Oxygen Liters/Min:						<input type="checkbox"/> Mule / Horse					
<input type="checkbox"/> Foley Catheter				Number of Attempts:				<input type="checkbox"/> Refusal / AMA					
								<input type="checkbox"/> Treat and Release					

[illegible]


 NATIONAL PARK SERVICE FOLLOW-UP INSTRUCTIONS		
CASE # _____ PATIENT NAME: _____		
SPECIAL INSTRUCTIONS: _____ _____ _____		
PROVIDER NAME: _____		
MEDICAL CONTROL CONTACTED: YES <input type="checkbox"/> NO <input type="checkbox"/> Reason not contacted: _____		
<p>I hereby acknowledge receipt of the instructions as indicated. I understand that I have had emergency first aid treatment only, and that I am requesting to be released before all of my medical problems are known or treated. I will arrange for follow-up care as instructed above. I understand I may recontact the National Park Service at the number listed below to obtain additional assistance.</p>		
Date	Signature of responsible party	Relationship
HEAD INJURY	OPEN WOUNDS	
<p>Although no evidence of serious injury is found at this time, careful observation for 24-48 hours is advised. You should contact your doctor, the National Park Service, or an emergency department if you develop the following:</p> <ul style="list-style-type: none"> • Vomiting (more than two times) • Severe headaches which are getting worse. • Increased drowsiness or stupor • Difficulty with thinking or speech • Unequal pupils or convulsions <p>Alertness should be checked hourly during waking hours and every two hours when sleeping for 24 hours. Rarely problems occur after several days; if so, you should be seen by a doctor at that time. Alcohol should be avoided for 24 hours to avoid masking symptoms.</p>	<p>The wound care you have received is of a first aid nature. Any gaping wounds should be evaluated at your emergency department for suturing and or damage to tendons, nerves, and vessels. Wounds needing suturing should be seen within 6-12 hours. Wounds should be observed as soon as possible for signs and symptoms of infection: which include redness, increased-pain, swelling, red streaks, pus, or fever. At any sign of infection, you should see your doctor or go to your emergency department immediately. If you have not had a tetanus booster within 5 years, you should see your doctor within 72 hours for one. Tetanus (lockjaw) may result from even minor wounds and can be fatal. For complex wounds, which could require surgical repair, you should not eat or drink anything in transit to the hospital.</p>	
BLUNT TRAUMA	SPRAINS, STRAINS, FRACTURES	
<p>Although serious internal injury is not apparent at this time, observation for internal injury or bleeding should follow any significant blow to the body. You should go to your emergency department immediately if you develop:</p> <ul style="list-style-type: none"> • Increasing pain or extending pain • Increasing weakness, increasing light-headedness, or any fainting when trying to stand upright • Pale skin color • Cold, sweaty skin 	<p>It is not possible to determine the full extent of injury to bones without x-rays. You are advised to go to your emergency department for further examination. Splinting devices should remain in place to immobilize the injury while in transit to the emergency department. Elevation and intermittent ice application to the injury site is beneficial. Before highly suspicious injuries are determined negative for fractures, you should not eat or drink due to the possibility of surgery.</p>	
TREATMENT/ ADVISE: _____ _____		
NATIONAL PARK SERVICE DISPATCH: Phone Number: _____		

Exhibit 4

Annual Emergency Medical Services Report
Year _____

PARK:	REGION:			
EMS COORDINATOR:	PHONE:			
ADDRESS:	FAX:			
	E:Mail:			
HUMAN RESOURCES:	National Registry		State	
	Perm	Seas.	Perm.	Seas.
First Responders				
EMT-Basics				
IEMTs/Parkmedics				
Paramedics				
Other (RNs,PA,NP,DR)	XXXXXXXXXXXX			
TOTAL				
EMS WORKLOAD:	Basic Life Support		Advanced Life Support	
Trauma				
Medical (Non-Cardiac)				
Cardiac				
First Aid Only	XXXXXXXXXXXX			
TOTAL				
CARDIAC ARRESTS				
# of Patients AED Shock Delivered				
# Survival (Hospital Release)				
FATALITIES:				
Traumatic				
Non-traumatic				
TOTAL				
TRANSPORTATION:	NPS		Other	
# ground transports				
# of helicopter transports				
# of fixed wing transports				
# of vessel transports				
# of NPS Responses outside Park	XXXXXXXXXXXX			
TOTAL				
CAPITALIZED EQUIPMENT:	NPS			
Ambulance (DOTKKK specs)				
Rescue Vehicles (non-ambulance)				
Helicopters used in EMS/SAR				

# AED's	
TRAINING:	NPS Other
Training Person/days (CY) All levels	
ALS	
BLS	
Funds expended EMS Training NPS ONLY (no salaries)	
PROGRAM MANAGEMENT:	
EMS Funding (CY) (except training)	
Park Medical Director	

Data Dictionary

Park: enter full name and four-letter designator

Region: self-explanatory

EMS Coordinator: Need name, phone number, address, fax and cc:Mail address

Human Resources

Enter the number of first Responders, Emergency Medical Technicians, Intermediate EMTs or parkmedics (NPS designation), Paramedic or other higher level of providers. Indicate whether they are National Registry certified or State and whether they are seasonal or permanent. If the employees are both NR and state, credit them as national registry for this report. Attach list of names of all parkmedics and paramedics. We will not be surveying first aid trained employees

EMS workload:

Each category is divided into Basic Life Support and Advanced Life Support intervention.

Advanced Life Support is defined as EMS calls that required ALS skill intervention. For example, an IV was started, patient received medications, patient intubated, etc.... . These skills can be performed by either NPS ALS providers or outside providers. However, having an ALS provider on scene does not constitute an ALS call, they must either perform an ALS skill or attempt to. Everything else is considered a BLS call.

Sudden Death Cardiac Arrest: The number of sudden death cardiac arrests Sudden death is defined as death occurring unexpectedly and instantaneously or within 1 hour of the onset of symptoms in a patient with or without known pre-existing heart disease.

AED Used: The number of incidents in which the AED was used. In other words, in how many cardiac arrest calls was the AED applied to the patient?

Utstein Survival: Utstein survival is defined as survival from a sudden cardiac arrest death. Survival is further defined as patient being discharges from hospital.

Minor Cases: Number of minor first aid, visitor assists of a first aid nature. No EMS run sheet was generated nor did ambulance, etc transport the patient.

Mutual Aid: Emergency assistance rendered to agencies outside the boundaries of the NPS

Fatalities:

Traumatic: Due to accident, injury or self inflicted injury

Non-traumatic: Due to a medical cause or natural death

Saves: Likelihood that without intervention by the NPS the victim would not have survived the incident.

Transportation: Number of NPS and non-NPS transports in each category

Capitalized Equipment:

We will be conducting an inventory of the listed capitalized equipment. The number of ambulances meeting DOT requirements, the number and brief description of other types of rescue vehicles the parks might use (for example: suburbans with attachment for litters, etc., heavy rescue vehicles, multi-casualty vehicles). Use attachments as needed.

Training:

Training person days: $(\# \text{ Of training hours}) \times (\# \text{ of trainees}) \text{ divided by } 8 = \text{training person days}$

EMS Funding for CY: Include salary time of EMS Coordinator if appropriate.

Medical Director: Name and all pertinent information to contact for follow-up.

Chapter 10

AUTOMATED EXTERNAL DEFIBRILLATORS

- 10.1 Introduction
 - 10.2 Overview
 - 10.3 Guidelines
-

10.1 Introduction

An AED is a device designed to improve the survival rate for victims of cardiac arrest. The AED is applied to the chest to administer an electric shock to the heart. This is done to terminate lethal cardiac rhythms and allow the heart to resume normal pumping activity.

Built-in computers assess the patient's heart rhythm, judge whether defibrillation is needed, and then administer the shock. Prompts provided on a screen and audibly, guide the rescuer through the appropriate sequence of steps to follow.

Because of the wide variety of situations in which it will typically be used, the AED is designed with multiple safeguards and warnings before any energy is released. The AED is programmed to deliver a shock only when it has detected ventricular fibrillations or other specific abnormal heart rhythms. However, potential dangers are associated with AED use. Training, safety and maintenance are important components of any AED program.

AEDs are designed to be used by both medical and non-medical personnel who have been properly trained. NPS employees trained to provide CPR and automated external defibrillation may greatly increase sudden cardiac arrest survival rates of visitors and employees.

10.2 Overview

The goal of an AED program is to increase the rate of survival of people suffering from sudden cardiac arrest. The key is to minimize the time from the onset of cardiac arrest to defibrillation. This can only be accomplished when the site has an appropriate number of AEDs placed in strategic and easily accessible locations and the appropriate number of people trained to use them.

10.3 Guidelines

10.3.1 Determining the Need

As part of the overall EMS Needs Assessment, the following criteria should be considered in determining the need for an AED program:

- Probability of use of an AED due to cardiac arrest is at least one use in 5 years.
- Is the EMS call-to-shock time interval of less than 5 minutes reliably achieved with conventional EMS services and if not, can NPS AEDs be brought to the same location within that time frame?
- Do large numbers of people frequent the area?
- Does this location have an at-risk workforce and/or visitor population?
Risk factors include:
 1. Men age 40 or older
 2. Post-menopausal women
 3. High blood pressure
 4. High cholesterol
 5. Sedentary lifestyle
 6. Diabetes
 7. Personal history of heart disease
 8. Family history of heart disease
- Is this location considered a high-risk location? High-risk locations include:
 1. High activity/recreation area
 2. Areas where people experience high levels of stress
 3. Areas where people spend long periods of time
- Hazardous materials/conditions (chlorine, electrical, etc).
- Physical layout of the facility.
 1. Multiple floors
 2. Size of office space or number of rooms

10. 3.2 Medical Oversight

All park units that have an AED will have a Medical Advisor that provides oversight to the AED program. The Medical Advisor's duties are as follows:

- Provide medical direction for determining equipment selection and use of the AED.
- Write a prescription for new AED purchases. The Food and Drug Administration has classified the AED as restricted, prescription devices.
- Provide and review guidelines for emergency procedures related to the use of the AED.
- Evaluate and review all AED patient encounters

10.3.3 Training

AED and CPR training is vital because early CPR and AED use is an integral part of providing lifesaving aid to people suffering from sudden cardiac arrest. To provide victims of sudden cardiac arrest with the greatest opportunity for survival, it is recommended that all NPS employees be certified in CPR/AED.

Training and re-certification requirements are established by NPS-approved organizations listed in Chapter 6, *Certifying Organizations, Training, and Levels of Care*. Parks may also develop their own, more frequent training and review schedules. Periodic scenario based training is highly recommended as a component of an AED providers continuing education.

10.3.4 Placement and Number of AEDs

Optimal locations and numbers of AEDs are such that trained individuals can access them and reach the patient within a target response time of three to five minutes (3 minutes is optimal, 5 minutes is considered acceptable). This is defined as the time it takes a responder to go from his/her work area to retrieve an AED and then, walking at a rapid pace, to reach the victim.

When locating an AED, the responder should consider placing them in areas where the risk assessment is highest (i.e., visitor centers, administration buildings, campgrounds, etc). Consider equipping all EMS first response vehicles and ambulances with an AED that are not already equipped with an ALS defibrillator.

Specific considerations to be made for AED locations are:

- An easily accessible position (e.g., placed at a height so those shorter individuals can reach and remove, unobstructed access, etc.)
- A secure location that prevents or minimizes the potential for tampering, theft, and/or misuse, and precludes access by unauthorized users
- A location that is well marked, publicized, and known among trained staff
- A nearby telephone or radio that can be used to call EMS

Limited vs. Open Accessibility: Limited accessibility restricts access to the AED to a defined individual or group. This means the general public can not easily obtain and use the AED. Access to AEDs may be limited to park personnel or may be expanded to include defined trained rescuers (rescuers not a part of the park unit but who are properly trained in CPR and AED.) Open accessibility is the placement of AEDs so that they are available to the general public.

Automatic Notification System: This type of system automatically notifies a responding entity when the AED is removed or the cabinet is opened. This

notification may be sent directly to the local EMS agency or to an in-house communication center that will then notify the appropriate responders. Where automatic notification of the opening of an AED storage cabinet or removal of an AED from a cabinet is not implemented, emphasis should be placed on notification procedures and equipment placement in close proximity to a telephone or radio. There may also be an audible alarm that is activated by the removal of the AED. This will alert other persons within hearing distance.

10.3.5 Supplies

A supply inventory to include a razor, barrier device, spare battery, disposable gloves, and two sets of electrodes are stored in the case with each device. Also consider including a biohazard bag, small towel, and a set of concise instructions for performing CPR, and pen and paper.

10.3.6 Maintenance Procedures

Maintenance and performance checks of all AEDs and associated equipment are to be performed per manufacturer's recommendations. Each NPS area will designate a person(s) responsible for this task.

Each AED should have a written checklist to assess the preparedness of the AED and supplies. Per the NPS Records Schedule, A7615 Health and Safety, completed checklists should be kept on file in the park for a minimum of 15 years. (See Exhibit 5 for a sample AED Log). This checklist may be used as a supplement to regularly scheduled, more detailed maintenance checks recommended by the manufacturer.

At minimum, the checklist should include the following:

- Date of inspection
- Verification of placement
- Verification of battery installation
- Checking status/service indicator light
- Inspecting exterior components and sockets for damage
- Inventory of supplies
- Name of the person who inspected the unit

10.3.7 AED Policy

Each NPS area must have a current written policy available to all participants that contains the protocols and procedures for their AED program. This policy should address roles and responsibilities, protocols, and procedures for program. (See sample AED Policy in Exhibit 6.)

10.3.8 Post-Event Considerations

The following measures are to be taken:

- Return the AED to a state of readiness as soon as possible with the replacement of the pads, pocket mask, and other peripheral supplies as necessary.
- Provide the data to the Park EMS Medical Advisor.
- Review the case with the AED Medical Advisor, Park EMS Coordinator and involved rescuers within 30 days of the incident. The information gathered from the incident review process is intended to be used to help improve the AED program. At a minimum, the review should include protocol and procedure implementation, scene safety, and a review of the AED recorded data.

10.3.9 Sources of Information Regarding AEDs and AED Programs

American Heart Association (www.americanheart.org)

National Center for Early Defibrillation (www.early-defib.org)

General Services Administration (www.gsa.gov)

(Insert Park Name) National Park
Monthly AED Check and Maintenance Log
AED # _____ Year _____

[illegible]

When form is completed, keep copy and return original to EMS Coordinator. Immediately notify EMS Coordinator if an AED is taken out of service.

Exhibit 6

Sample AED Policy

(Insert Park Name) National Park
Automated External Defibrillator Policy

1. **National Park Responsibilities**

- Assure qualifications and training of responders as required.
- Coordinate training of responders.
- Coordinate equipment and maintenance.
- Coordinate with Medical Advisor on all issues related to AED program.
- Review and revision of this policy as required.

2. **AED Medical Advisor Responsibilities**

- Provide medical direction for use of AEDs.
- Provide a prescription for AED purchases.
- Provide and review guidelines for emergency procedures related to the use of AEDs.
- Evaluate and review of all AED patient encounters.

3. **EMS Coordinator Responsibilities**

- Maintain training records.
- Maintain log of AED repairs.
- Liaison between AED manufacture(s) and (Insert Park Name) National Park.
- Liaison with AED Medical Advisor and (Insert Park Name) National Park coordination of post-event reviews.
- Liaison with hospital that receives patients.

4. **AED Responders Responsibilities**

- Possess and maintain a current CPR/AED certification by an organization that is recognized by the NPS.

5. **Indications for Use**

- The AED shall be applied per the attached protocols.

6. Location(s) of the AED(s)

- Location(s) of the AED(s) as determined by a Needs Assessment are as follows: (list)
- Each AED will contain the following supplies: (list)

7. Refresher Training

- AED providers will renew their CPR/AED certifications as required by the organization providing the initial training (i.e., American Heart Association, American Red Cross, American Safety Health Institute, or National Safety Council).
- Each authorized user will refresh their AED skills using either computer based training or direct observation/hands on from an authorized AED instructor on an annual basis.

8. Documentation

- An NPS PCR shall be completed for all incidents involving the application/use of an AED.
- Any documentation generated by the AED shall be submitted for review with the PCR.
- The PCR and any additional documentation shall be routed per park protocol.

9. Equipment Maintenance

- All equipment necessary for support of medical emergency response with an AED shall be maintained in a state of readiness.
- Specific maintenance requirements include equipment and maintenance checks, and cleaning and decontamination consistent with the guidelines of the AED manufacturer. Immediate notification will be made to the EMS Coordinator in the event of a malfunction or unavailability of an AED.
- AED Coordinators will be responsible for ensuring that monthly inspections of AEDs are made and that the AED is fully functional.
- A log shall be maintained indicating the results of the inspection including all deficiencies and actions taken to repair them.

(Insert Name), MD Date
AED Medical Program Advisor

(Insert Name) Date
Superintendent

Chapter 11

SUPPLIES AND EQUIPMENT

- 11.1 General
 - 11.2 Controlled Substances
 - 11.3 Military Supply
 - 11.4 Other Supplies and Equipment
-

11.1 General

Each park will fund its own basic supply and equipment costs. Part of these costs may be defrayed through donations and payment for services as covered in Chapter 13, *Payment for Services*. Park areas that provide ALS programs may consider minimizing costs by arranging with assisting hospitals to issue them supply and equipment inventories such as heart monitors, intubation instruments, and medications.

In cases where a hospital supplies ALS equipment to a park, the Park EMS Coordinator will maintain records of all hospital property.

11.2 Controlled Substances

With the approval of the Park EMS Medical Advisor, the Drug Enforcement Agency recommends that parks utilize the Park EMS Medical Advisors Controlled Substances Registration Certificate to acquire their initial medication inventory. In addition to the acquisitions of medications, a replacement and disposal policy should be developed between the park and the Park EMS Medical Advisor.

In cases where assisting hospitals do not provide drug inventories to the parks, but will give medical orders for the administration of drugs by trained individuals, the park will need to purchase controlled substances. In order to purchase many of the drugs required, the park must obtain a Controlled Substance Registration Certificate from the Drug Enforcement Agency. The purchase of controlled substances does not imply that there is approval to administer these medications. Approval for administration rests solely with the physician either through direct order or previously approved protocols that contain standing orders for the administration of medications.

Applications for registration with Drug Enforcement Agency and online forms may be found at www.deadiversion.usdoj.gov/drugreg/reg_apps/index.html.

Other useful information is also included on the Drug Enforcement Agency website.

In either of the above cases, it is mandatory that the Park EMS Coordinator keep current and accurate inventories of all ALS medications and that proper measures are taken to ensure the security of these substances. Drug Enforcement Agency security measures may be found in 21 CFR 1301.72.

11.3. Military Supply

Significant savings to the government can be accomplished by purchasing basic and ALS supplies and equipment through military supply centers. Park EMS Coordinators, through appropriate channels, can contact the medical supply officer at the nearest military installation for detailed information. The military has established procurement procedures for dealing with other government agencies.

11.4 Other Supplies and Equipment

- **Oxygen Cylinders**

Oxygen cylinders may be obtained by a park in several ways. The park may choose to purchase cylinders, and refill them by contract with a private oxygen supplier. Alternatively, the park may enter into a rental agreement or contract for the cylinders with a private company. Typically, these companies charge a rental fee for the cylinders, which are then picked up by the company or dropped off at a company collection center when empty. The company may or may not include the price of refilling the cylinders in the rental price. Parks may also enter into agreements with hospitals, ambulance companies, and other EMS providers to use or rent oxygen cylinders.

There are two types of materials used to manufacture oxygen cylinder, steel and aluminum. By far, aluminum cylinders are the most common, least expensive and lightest. Nearly all oxygen cylinders have a working pressure of 2150 pounds per square inch. All oxygen cylinders need to be labeled with a large green oxygen label and/or need to be painted green.

The use, maintenance and handling of these high pressure cylinders is of utmost importance to protect NPS employees and visitors from accidents and to ensure patients are receiving the highest quality oxygen service.

1. Cylinders are required to be protected from falling and are to be placed in a labeled, protective case or padded carrying pack.
2. Cylinders standing upright against a wall are to be secured with a chain or strap to prevent them from falling.

3. Cylinders in emergency response vehicle such as a patrol trucks and cars, fire trucks, ambulances and in aircraft are to be secured to prevent them from becoming airborne in the unlikely event of an accident.
4. Parks are required to maintain a list of oxygen cylinders to include the make, size, serial number, location, date of last hydro, purchase date and condition at last inspection.
5. All cylinders, regardless of the material from which they are made, are required to undergo periodic professional testing at a Department of Transportation certificated hydro testing facility. All high pressure cylinders submit to a hydro test every 5 years as per the month and year date stamped on the cylinder head. Hydro testing entails over-pressurizing the cylinder under very a controlled environment to test the cylinder integrity and expandability. The cylinder valve is also inspected.
6. Do not refill any cylinder that has lost internal pressure for no apparent reason, as this may be an indication that defects have developed. Immediately remove it from service and conduct inspections.
7. Use only certified oxygen clean equipment to refill oxygen cylinders
8. Receive training in handling and filling high pressure oxygen cylinders from a reputable training organization before allowing NPS employees to fill oxygen cylinders.
9. Refrain from filling cylinders quickly as this creates heat that could weaken the cylinder or cause a failure of the tank value or seals.
10. Do not fill cylinders that have an expired hydro date or have evidence of damage or abuse.
11. Label the cylinder as to the date the cylinder was filled. Oxygen cylinders should be drained and refilled every 2 years if not used.

Procedures for inspecting high-pressure aluminum cylinders can be obtained by contacting Luxfer Gas Cylinders at www.luxfercylinders.com, (909) 684-5110, or Compressed Gas Association at www.cganet.com, (703) 412-0900, ext. 799.

The National Institute for Occupational Safety and Health and the Department of Transportation recommend the following safety precautions for users of high-pressure aluminum seamless and aluminum composite hoop-wrapped cylinders made of *aluminum alloy 6351-T6*. Some of these cylinders are susceptible to sustained load cracking in the shoulder and neck area, which could cause cylinder ruptures, resulting in injury or death. The cylinder head will be stamped with a AL 6351 mark indicting the alloy used to manufacture the cylinder. Parks that have aluminum cylinders made from this alloy are advised to replace them with

new aluminum cylinders made of the latest alloy. Any other alloy number indicates the cylinder is made from a different alloy.

1. Increase the frequency of visual inspections. An internal visual inspection should be performed on an annual basis by a qualified inspector.
2. Inspections should be performed by qualified individuals who are able to follow Visual Inspection guidelines and who have been trained in visual inspection. Parks that have dive programs can follow the same procedures for annual Visual Inspections that Scuba cylinders must follow.

- Glucometers

The use of these devices is covered in the NPS Field Manual. However, glucometers are generally made for diabetics that use the device daily or several times a week. NPS EMS providers would use the device far less frequently, therefore requiring that the unit be inspected several times a month to ensure the batteries, test strips and data chip are current and operational. Extra batteries and supplies should be carried in the case storing the device.

- Pulse Oximeters

The use of these devices is covered in the NPS Field Manual. These devices are valuable in that they can help evaluate the patient's oxygen saturation in percentage. These devices require batteries and periodic testing to ensure the device is operational. These devices are not inexpensive and should be properly cleaned and stored in a protective case.

- AEDs

The AED is covered in Chapter 10, *Automatic External Defibrillators*, of this manual plus the NPS Field Manual. Some manufactures have 5-year lithium batteries in the units and internal self-test software that tests the units' battery and functions. These units need to be periodically inspected to ensure proper placement. For user replaceable batteries such as the Zoll units, an extra set of batteries and pads is recommend to be carried with the case storing the unit.

- EMS Kits

EMS kits contain an large assortment of dated products from over the counter medications to simple bandages. Periodic inspection of EMS trauma kits and drugs kits and the removal and replacement of dated and unclean or non-sterile dressing, drugs, ointments, blood pressure cuffs, scissors, excreta, is

important in maintaining the quality and integrity of medical care and to the whole kit to ensure it is operational during an emergency response.

- ALS

ALS parks will carry a wide array of devices and equipment in ambulances, patrol vehicles and in storage, in addition to the equipment mentioned above. Periodic and routine inspection of these devices and equipment is needed to maintain the quality and integrity of the equipment and to ensure it is operational during an emergency response.

Chapter 12

PATIENT TRANSPORT AND EMERGENCY VEHICLES

- 12.1 Introduction
 - 12.2 Policy
 - 12.3 Guidelines
-

12.1 Introduction

If local ambulance services do not exist, or are not available to serve the park in a timely manner, the park may select to provide that service.

An emergency response to an emergency medical incident, performed in an ambulance or other emergency vehicle, should be based on a reasonable belief that immediate assistance is required to safeguard a person's life. An ambulance operator is responsible for the safety and efficient transport of the patient(s) and crew, and the safety of the public. While the operation of an emergency vehicle often occurs during times of crisis, the operator needs to remain aware that they are legally accountable for their actions.

12.2 Policy

Vehicles used for the normal ground transportation of patients will meet or exceed Federal ambulance specifications KKK-A-1822. In special circumstances, other means of transportation may be used, such as aircraft, boats, sleds, etc. The means selected for conveyance should be in the patient's best interest, given the circumstances and other means available. Every effort will be made to minimize the risk to patients during transport, regardless of mode, device or vehicle utilized.

Aircraft dedicated for use in patient transportation shall meet applicable standards for aircraft as required by the Department of the Interior, and the Commission on Accreditation of Medical Transport Systems. Aircraft not configured for emergency medical transport, such as helicopters used for fire management, may be used in special circumstances where immediate transport is in the patient's best interest.

All NPS employees who operate a government vehicle will possess a valid state license for the class of vehicle being operated.

After proper orientation and instruction, and with supervisory approval, an NPS employee or volunteer who has a valid state driver's license for the class of vehicle being operated may operate an EMS vehicle in a non-emergency mode

(no emergency lights or siren). The driver of an EMS vehicle being operated in a non-emergency mode, will obey all traffic regulations, and travel without activation of emergency lights and siren.

To operate an EMS vehicle in the emergency mode, an NPS employee or volunteer must have received documented orientation and instruction in the operation of that vehicle for that purpose, and will have completed the NHTSA Emergency Vehicle Operations Course (EVOC) for Ambulances (available at www.nhtsa.dot.gov), or an emergency vehicle operations course at FLETC, an EVOC course at an approved seasonal law enforcement training school, or equivalent course. (For a sample of an ambulance driver requirements check-sheet, see Exhibit 7).

All emergency vehicle responses will be carried out in accordance with applicable state laws. While the operator of the emergency vehicle remains responsible for operating the vehicle with due regard for the safety of persons and property, during emergency operation (i.e., with lights and siren based on a reasonable belief that immediate attention to a patient is required based on the serious nature of their condition) may:

- Operate the vehicle in excess of the posted speed limit in a reasonable and prudent manner given the prevailing conditions of the roadway, weather, and traffic conditions,
- Obstruct traffic to the extent that it is necessary to carry out the operation and such activities do not unnecessarily endanger human life or property,
- Proceed through an intersection past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation,
- Disregard regulations governing direction of movement or turning in specified direction, and
- Shall operate the vehicle in such a manner so as not to further compromise or aggravate the condition of the patient(s) on board.

Patients may be transferred from a Park EMS provider to an equal, or higher, trained provider who will complete transport to a medical facility. The patient may also be transferred to a "lower level" of care based on the nature of the patient's illness/injuries, the treatment provided, and the approval of medical control (base hospital).

12.3 Guidelines

Ambulance specifications can be found by selecting "ambulance" at the GSA website at www.fss.gsa.gov/vehicles/buying.

The responsibility for transporting patients may be fulfilled by entering into agreements with other agencies or organizations; or, through contract with other agencies or private services.

Costs incurred by the government for ambulance transportation may be charged to the patient, in accordance with applicable laws, agreements, and contracts. See Chapter 13, *Payment For Services*, for details.

On a periodic basis, park ambulances and other emergency services vehicles will be inventoried to ensure that they are properly supplied (see Exhibit 8).

A periodic check will be conducted on park ambulance(s) to confirm that all equipment is in working order (Exhibit 9). Each vehicle operator will ensure that all mechanical, safety, and special equipment are operational at all times. Any deficiencies will be immediately corrected or reported through channels for repair or replacement.

Not all patients require transportation to a medical care facility in an ambulance. Park EMS Medical Advisors may establish protocols for allowing patients, to be transported by privately owned vehicles or similar methods.

Exhibit 7

Ambulance Driver Training Requirements National Park Name

The following must be signed off before an individual may be permitted to operate the ambulance unsupervised.

Name _____

Section 1: General Topics:

Complete descriptions of the topics are covered in the US Dept of Transportation, Emergency Vehicle Operators Course, National Standard Curriculum
www.nhtsa.dot.gov/people/injury/ems/products.htm

Topic	Date	Signature and Printed Name of Proctor\Instructor
1. Ambulance inspections		
2. Backing with a ground guide		
3. Seat belts		
4. Accelerating smoothly		
5. Braking smoothly		
6. Anticipation of other vehicles		
7. Obey all State traffic regulations		
8. Emergency Signaling Devices—appropriate use		
9. Parking and placement at the scene		
10. Use of emergency (vehicle) equipment (triangles, jack, fire extinguisher, etc)		
11. Scene safety (i.e. down power lines, flammable liquids, crowds, traffic, etc)		
12. Response to emergencies		
13. Use and location of all equipment (including radio)		
14. Pre-departure from Scene		
15. Local issues/considerations/protocols		
16. Post-run procedures		

Section 2: Driving Course:

Shall be done in the ambulance. The following skills must be performed, but are not limited to:

Driving Course	Date Completed	Signature and Printed Name of Proctor\Instructor
1. Diminished Clearance		
2. Serpentine Course		
3. Straight line breaking		
4. U-turn		
5. Braking While Turning		
6. Three point turn		
7. Right side road turn		
8. Left side road turn		
9. Slow Speed Lane Change		
10. Perpendicular Parking		

Section 3: Driving on an Ambulance call:

May ONLY be done after section 1 and section 2 have been completed

Case Number	Date	Location Drove to	Signature and Printed Name of Proctor\Instructor

Final Approval By EMS Coordinator _____ **Date** _____

Exhibit 8

Ambulance Inventory

Date _____ Ranger _____

Ambulance Mileage _____ Next Service Due _____

Replace all O₂ at 500 PSI

Engine Compartment

- ___ Coolant level
- ___ Brake fluid
- ___ Power steering fluid
- ___ Transmission fluid
- ___ Oil level
- ___ Windshield wiper fluid
- ___ Left air filter
- ___ Right air filter

Drivers Compartment

- ___ Spot light
- ___ RPM control
- ___ A/C (run for a minute)
- ___ Heater (run for a minute)
- ___ Fuel level is full
- ___ P/A - siren
- ___ Hazardous materials book
- ___ Binoculars
- ___ Lodge fire key

Outside of Ambulance

Headlights

- ___ High beams
- ___ Low beams

Turn Signals

- ___ Front
- ___ Rear
- ___ Reverse lights
- ___ Reverse alarm
- ___ Primary lights
- ___ Secondary lights

Flood Lights

- ___ Left
- ___ Right
- ___ Rear

Wall Mounted Spare O₂ Tanks

- Left _____ PSI
- Right _____ PSI

Oxygen Kit

Right Side Compartment

- ___ Adult BVM, reservoir and tube
- ___ Infant BVM, reservoir and tube
- ___ Adult blob face mask
- ___ Infant blob face mask

Left Side Compartment

- ___ Manual suction (assembled)
- ___ Esophageal airway (mask, tube and syringe)
- ___ Rubber gloves (20)

Front Compartment

- ___ Set of airways (8 different sizes)
- ___ Bag of extra size 10 airways
- ___ Nasopharyngeal airways (2)
- ___ K-Y Jelly

Center Compartment

- ___ O₂ wrench

O₂ tank _____ PSI

- ___ Adult nasal cannula (2)
- ___ Adult non rebreather masks (3)
- ___ Ped non rebreather masks (2)
- ___ O₂ Tubing (2)
- ___ Pocket face mask

Laerdal Suction Unit

- ___ Green light on
- ___ Test pump - high - low - reverse
- ___ AED w/ battery
 - ___ Defib Pads (2)
 - ___ Spare Battery
 - ___ Razor blade

Sharps Cabinet

- ___ Sharps container (not full)
- ___ Garbage bags (5)
- ___ Zip lock plastic bags (5)
- ___ Red bags (5)
- ___ Fire extinguisher
- ___ Soap water spray bottle-full
- ___ Garbage pail (empty)

First Aid Kit

Right Side Compartment

- ___ Adult blood pressure cuff
- ___ Stethoscope

Quad-Cuff B/P Kit

- ___ Stethoscope
- ___ Adult XL cuff
- ___ Adult regular cuff
- ___ Child cuff
- ___ Infant cuff
- ___ bulb and gauge

Left Side Compartment

- ___ MCI toe tags (5)
- ___ Multi-trauma dressings (2)
- ___ Convenience bags (2)

Center Compartment

Top

- ___ Pen
- ___ Airways (3 different sizes)
- ___ Nasopharyngeal airway
- ___ EMS field guide
- ___ Spanish Field Guide

Main Compartment

- ___ Sam splint
- ___ Bulb syringe
- ___ Alcohol preps (5)
- ___ Swab sticks (5)
- ___ Pocket face mask

Eye Wash - Expires _____

- ___ Adhesive bandages (10)
- ___ Butterfly closures (10)
- ___ Seat belt cutter
- ___ Paramedic sheers

Epi Pen Expires _____

Epi Pen Jr. Expires _____

- ___ Ace bandages (2)
- ___ Note pad
- ___ Triangular bandages (2)
- ___ Red bags (2)
- ___ Face masks (2)
- ___ Glucose
- ___ Emergency blanket
- ___ Rubber gloves (20)
- ___ 4 inch gauze wrap (5)
- ___ 3 inch gauze wrap (2)
- ___ Petrolutum gauze (4)
- ___ 4x4 inch gauze (5)
- ___ 2x2 inch gauze (5)
- ___ Combine dressings (4)
- ___ Eye pads (2)

Road Crash Compartment

- ___ Speed straps (8)
- ___ Nylon straps (8)
- ___ Spare head rolls (3 pair)
- ___ KED
- ___ MAST
- ___ Spare O₂ tanks (2)

Road Crash Kit

- ___ 6 cervical collars--different sizes
- ___ Spider strap
- ___ Duct tape
- ___ Head rolls (2 pair)
- ___ Triangular bandages - straps(10)
- ___ 3 inch tape roll

Cabinet #1 - ALS

- ___ Assorted size needles
- ___ Veni-guards (5)
- ___ Primary IV sets (3)
- ___ Alcohol preps (10)
- ___ Iodine preps (10)
- ___ Endotracheal tubes (6)
- ___ Pre made IV sets (2)
- ___ Irrigation (5)

Wall Unit

- ___ Suction Unit
- ___ Main wall O₂ _____ PSI

Clipboard

- ___ Run sheets (5)
- ___ Hospital directions (5)
- ___ EMS field guide
- ___ Extra pen
- ___ Speedy Spanish guide
- ___ High dome lights
- ___ Medium dome lights
- ___ Low dome lights
- ___ Box of gloves
- ___ Positive flow O₂ tube
- ___ Fan (at rear)
- ___ Air conditioning

Cabinet #2 – O₂ and Suction

- ___ Nasopharyngeal airway
- ___ K-Y Jelly
- ___ Adult non rebreather face masks (6)
- ___ Adult simple face mask (2)
- ___ Adult nasal cannula (4)
- ___ Ped non rebreather face masks (3)
- ___ O₂ Tubing (2)
- ___ Adult BVM, reservoir and tube
- ___ Infant BVM, reservoir and tube
- ___ Stethoscope
- ___ Esophageal Airway (mask, tube and syringe)
- ___ Wall B/P cuff set of (4 different sizes)
- ___ O₂ humidifiers (3)
- ___ Soft suction catheters (3)
- ___ Rigid suction catheters (3)
- ___ Soft O₂ face masks (2)
- ___ O₂ nipples (3)
- ___ Spare suction bags
- ___ Manual suction (assembled)

Cabinet #3 – Trauma

- ___ 5x9 inch gauze (15)
- ___ 4x4 inch gauze (15)
- ___ 4 inch kling (10)
- ___ 2x2 inch gauze (15)
- ___ Eye pads (10)

Adhesive Bandages

- ___ Band-Aids (10)
- ___ Butterflies (10)
- ___ Four wing (5)
- ___ Knuckle (5)
- ___ Large (5)

- ___ Petrolatum gauze (6)
- ___ 3 inch tape (3)
- ___ 2 inch tape (1)
- ___ 1 inch tape (10)
- ___ Medic Shears (2)
- ___ Bulb syringe

Cabinet #4

- ___ Large Trauma dressings (3)
- ___ Large burn sheets (3)
- ___ Spare Lancets (Glucometer)
- ___ Spare Test Strips -Glucometer

Poison Control Kit**Charcoal Expires** _____**Ipecac Expires** _____**Bin #1****Epi Pen Adult Expires** _____**Epi Pen Jr. Expires** _____

- ___ Glucose (2)
- ___ Glucometer – With test strips, lancets and lancing pen
- ___ Hydrogen peroxide

Eye Wash Expires _____

- ___ Pen light
- ___ 4 extra batteries for pen light
- ___ Cortisone

Bin #2

- ___ Emergency blanket (2)
- ___ Baby foil
- ___ Mole skin
- ___ Medicine swabs
- ___ Ammonia inhalants
- ___ Clamp
- ___ Bandage sheers
- ___ Ring cutter

Cabinet #5**Ace Bandages**

- ___ 3 inch (5)
- ___ 6 inch (3)
- ___ Sam splints (2)
- ___ OB kit
- ___ Triage tags (20)
- ___ Triangular bandages (10)
- ___ Snake bite kit
- ___ Convenience bags
- ___ Heat packs (3)
- ___ Cold packs (5)

Cabinet #6 – BBP

- ___ BBP sleeves (4)
- ___ Masks (4)
- ___ Box of gloves
- ___ Electrolyte (2)
- ___ Extra goggles
- ___ Antimicrobial hand wipes (10)
- ___ Extra foam soap
- ___ Sheets (10)
- ___ Pillowcases (10)
- ___ Disposable blankets (2)

Cabinet #7 – Splints

- ___ Leg splints (2)
- ___ Arm splints (2)
- ___ Wrist splints (2)
- ___ Air splint kit
- ___ Water Gel Burn Kit
- ___ Bleach-water solution spray bottle

Overhead Nets (2)

- ___ Spare c-collars (5 different sizes)

Back Open Compartment

- ___ Bench cot
- ___ Short Board (2)
- ___ Flares (3)
- ___ Roadside triangles (3)
- ___ Wool Blankets (2)
- ___ Reflective Vests (2)

Cot

- ___ Made (sheets, pillow and pillowcase)
- ___ Seatbelts fastened

Bench**Small Compartment**

- ___ Head lanterns (3)
- ___ Spare batteries (12)
- ___ Large tarp
- ___ Ear plugs (4 pair)
- ___ Paper towels
- ___ Flashlights (w/ cones) (4)
- ___ Spare “D” batteries (6)

Large Compartment

- ___ Trauma kit
- ___ Hare Traction Splint
- ___ Ped. Hare Traction Splint
- ___ Sager splint
- ___ Duct tape
- ___ Air splints
- ___ Jumper cables

Lower Large Compartment

- ___ Main Wall O₂
- ___ Nomex shirt
- ___ Leather gloves
- ___ Body bag

Missing or Defective Equipment**REPLACE ALL MISSING ITEMS**

Exhibit 9

Daily Ambulance Check and Maintenance Log

Ambulance _____ **Year** _____

[illegible]

When form is completed, keep original in local files and send copy to Park EMS Coordinator. Immediately notify EMS Coordinator if an ambulance is taken out of service.

Chapter 13

PAYMENT FOR SERVICES

- 13.1 Introduction
 - 13.2 Overview
 - 13.3 Guidelines
-

13.1 Introduction

This chapter provides the authorities and guidance for the NPS to collect monies to defray the costs of its EMS Program.

13.2 Overview

Title 16, Sections 12 and 17c of the USC, are the statutory provisions enabling park areas to bill at cost for emergency supplies and services provided to visitors. Section 1b(5) of Title 16 USC allows for cooperating medical services (ambulance providers and hospitals) to bill for, and make payment to, reimbursable accounts established by the parks; the funds do not need to be deposited in miscellaneous receipts. Further, Title 31 USC, Section 9701 (user charge statute) provides that no person should receive the benefit of any service provided by the United States without charge. Although these statutes provide the legal means to recover the costs of EMS and help them to be self-sustaining, they do not require parks to charge for these services.

In most park areas, ambulance services are provided by local communities. Expendable supplies are "loaned back" in kind either by the ambulance companies or the local hospitals. Park areas that provide their own ambulance service have found this to be a considerable cost savings to their operations.

13.3 Guidelines

13.3.1 General

The level of care, caseload, and number of patient transports provided by a park area may be useful factors in determining whether to enter into a cost-recovery program for medical supplies and services.

13.3.2 Cooperative Agreements (third-party billing)

Some park areas have found that agreements with cooperating medical organizations are an effective means of providing EMS to park visitors and

recovering the cost of delivered care. Many parks are located in remote areas where ambulance and hospital services are not immediately available. In these areas it has proven advantageous for trained EMS personnel from the park to respond to emergency medical incidents and provide treatment, supplies, and transportation as needed. Park personnel then transport the patient either to a rendezvous with a private or municipal ambulance service or to a receiving medical facility.

Patient billing to recover costs for services, transportation and supplies can be made directly by the park or through a cooperating medical service. Generally it is most efficient to allow the cooperating service to charge the patient because the billing procedures, personnel, and facilities are already in place.

If a cooperating service is utilized, a Memorandum of Agreement should clearly state how the billing and collection is to be accomplished. In most of these agreements, the receiving medical facility or ambulance service will restock the park with any medical supplies and medications expended in caring for the patient. Generally, this is done in kind without procurement transactions taking place, and the patient is charged for those items by the cooperating service. This leaves only the park's transportation costs to be recovered. In parks that do not transport patients, the in-kind replacement of supplies generally meets the park's needs without additional agreements or billing procedures.

In most third-party billing arrangements, the medical facility or ambulance service assumes all responsibility for calculating medical expenses incurred by each patient, and bills them accordingly. The park is then reimbursed for its share of the medical expenses based on a supply list and/or odometer readings as recorded by the park EMS personnel for the medical services. It is recommended that DO-20 and RM-20 be consulted for additional information on instruments of agreement.

Cooperative agreements for reimbursement must contain the following information:

- A statement identifying both parties in the agreement
- Purpose of the agreement
- Period of performance
- Maximum funding amount
- Name and phone number of the NPS project manager
- Name and phone number of project manager for the other agency or business
- Agency Location Code
- Name and address where the bills should be sent
- Frequency of billings

- Type of bills (i.e., OPAC, 1080 or bill for collection)
- A statement regarding how amendments are handled
- Authorized signatures

Once the agreement is finalized, two copies must be sent to the region.

The cooperating service keeps records of the NPS activity provided to them on the ambulance run sheet. The collected funds are then remitted to a reimbursable account established by the park, on an agreed upon time interval (monthly, quarterly, etc.). These receipts will assist the park in obtaining medical equipment, supplies and training.

Examples of Memorandums of Agreement are available on request to park managers through the Branch Chief, Emergency Services. One example is shown in Exhibit 10.

13.3.3 Donations

Park areas may accept donations for medical rescue services provided by park operations. An account may be established and earmarked specifically for the purchase of medical rescue supplies and equipment. Donated accountable property must be recorded on the area's personal property records. The details are contained in NPS Staff Directive #84-1, *Donations Policy and Procedures*.

Visitor information about making a donation may be printed on a card and handed to them upon request. An example is shown in Exhibit 11.

13.3.4 Direct Billing

As noted above, the authority exists for parks to bill at cost for medical supplies and services. Once medical care has been rendered, the park prepares a bill of collection that is sent directly to the patient. When payment is received either from the patient or their insurance company, funds are deposited into an account earmarked for EMS. These funds can then be used to pay for expenses related to providing EMS services.

Fee schedules should be designed to recover expenses, but not to derive profit. Therefore, fees charged may be comparable to local EMS services, but may be higher or lower depending on factors including the remoteness of the park, the level of care provided, etc.

It is possible for parks to obtain Medicare provider numbers in order to be paid for patients who are Medicare recipients. Medicare payments are typically less than actual costs billed.

Because direct billing requires an administrative workload and potential non-payment losses, parks need to carefully weigh factors such as call-volume, ability to arrange third-party billing, and the availability of administrative support before undertaking a direct billing program.

13.3.5 Ambulance Restocking

Ambulance restocking is a common practice in many parts of the country, with hospitals and other healthcare providers replacing ambulance supplies that are used when a patient is either transferred to another ambulance or to the hospital facility. This allows the ambulance to be ready immediately in the event they are needed for another emergency.

On December 4, 2001, the Department of Health and Human Services Office of Inspector General issued a final safe harbor rule addressing ambulance restocking arrangements under the anti-kickback statute. By issuing this safe harbor regulation, healthcare entities that participate in ambulance restocking, and structure their arrangements according to the final rule, are exempt from liability or prosecution under the anti-kickback statute. The final safe harbor regulations outline three categories of restocking and most parks that provide ambulance service will qualify under the first category called “general restocking.” Refer to the final rule for details at www.access.gpo.gov/nara (Office of the Federal Register).

Exhibit 10

**GENERAL AGREEMENT
between
NATIONAL PARK SERVICE
SEQUOIA AND KINGS CANYON NATIONAL PARKS
and
THREE RIVERS AMBULANCE SERVICE**

This General Agreement is entered into between the US Department of the Interior, National Park Service, Sequoia and Kings Canyon National Parks (hereinafter referred to as "Park Service") and Three Rivers Ambulance Service, Three Rivers, California (hereinafter referred to as "Ambulance Service").

ARTICLE I. BACKGROUND AND OBJECTIVES

WHEREAS, the National Park Service is authorized under 16 USC 12 to render emergency assistance to visitors; and,

WHEREAS, National Park Service Management Policies, Chapter 7, Page 25, mandates the National Park Service to assure adequate emergency care and transportation services are available for visitors who are injured or ill; and,

WHEREAS, the National Park Service and local ambulance companies cooperate to provide emergency care and transportation services for visitors; and,

WHEREAS, the National Park Service contacts the local county emergency dispatcher (California Department of Forestry (CDF) in Tulare County), which dispatches the closest available ambulance service depending on geographic location and priority; and,

WHEREAS, 16 USC 1b5 allows for cooperating medical services (ambulance providers and hospitals) to bill patients and make payment to reimbursable accounts established by the Parks; and,

WHEREAS, this Agreement does not grant the Ambulance Service exclusive rights to provide ambulance or other emergency services, and similar agreements with other ambulance companies may be entered into by mutual agreement.

NOW, THEREFORE, the parties agree as follows:

ARTICLE II. STATEMENT OF WORK

1. The National Park Service and the Ambulance Service will transport and transfer sick and injured patients by the most efficient and expedient means possible. In a majority of circumstances, this means that patients will be transferred from the National Park Service's ambulance to the Ambulance Service's ambulance at various locations within Sequoia and Kings Canyon National Parks.
2. When such a patient transfer occurs, the crew of the National Park Service's ambulance will provide a Patient Pre-Hospital Incident/Medical Summary, commonly referred to as a "run sheet," to the staff of the Ambulance Service's ambulance. This run sheet will document the patient's medical condition from the time that care and transportation first began until the time of transfer to the Ambulance Service, and will include circumstances surrounding the medical incident. The run sheet will also include the one-way trip mileage of the National Park Service's ambulance for that particular trip.
3. The Ambulance Service will replace in kind medical supplies that are used by the National Park Service during the pre-hospital care and transportation of each patient. This included intravenous fluids, injection needles, medications and drugs, nasal cannulas, etc. Charges for these items will be levied against each patient's account.
4. The National Park Service will adopt the Ambulance Service payment schedule, including the Tulare County MIA, medicare, medical and any and all penalties for late payments. The National Park Service does not expect reimbursement when the Ambulance Service has not been paid. Any changes to the Ambulance Service ambulance rates will automatically be adopted into this agreement.
5. Within 30 days of the end of each quarter, the Ambulance Service will issue a financial statement to the Administrative Office, Sequoia and Kings Canyon National Parks. This statement will show the number of ambulance runs which occurred the previous quarter which involved the National Park Service ambulance by listing the patients name, the mileage of the particular run, and the charges for the National Park Service ambulance. This statement will also show any Balance Due to the National Park Service and an appropriate check for that amount will be enclosed and made out to the "National Park Service." Any collected funds will be placed in a reimbursable account of Sequoia and Kings Canyon National Parks.
6. The National Park Service assumes no responsibility for the collection and investigation of overdue accounts other that would normally be assumed under criminal or civil legal process. The National Park Service does not hold the Ambulance Service responsible for the collection of overdue accounts beyond their normal means and procedures.
7. The National Park Service shall retain liability responsibility pursuant to the Federal Tort Claims Act prior to transfer of said patients to the Ambulance Service.

8. The National Park Service will require each park medical personnel to conform to all applicable Hospital and Park Service policies, procedures and regulations. It is the hospital's responsibility to inform the National Park Service of all applicable hospital policies, procedures and regulations.

ARTICLE III. TERM OF AGREEMENT

The term of this Agreement is November 17, 1998 through November 16, 2003. Unless terminated pursuant to ARTICLE VIII below, this Agreement shall cover a period of five years at which time it will be reviewed to determine whether it should be renewed, modified or terminated.

This agreement shall be amended only by the mutual consent of the parties.

ARTICLE IV. KEY OFFICIALS

For Park: Superintendent
Sequoia and Kings Canyon National Parks
Three Rivers, California 93271
Telephone: 209-565-3101 Fax: 209-565-3730

Key Contact: Emergency Medical Services Coordinator
Sequoia and Kings Canyon National Parks
Three Rivers, California 93271
Telephone: 209-565-3790 (summer); 209-335-5545 (winter)

For Service: President, Board of Directors
Three Rivers Ambulance Service
P.O. Box 253
Three Rivers, California 93271
Telephone: 209-561-4264

ARTICLE V. PROPERTY MANAGEMENT AND DISPOSITION - Not used.

ARTICLE VI. PRIOR APPROVAL - Not used.

ARTICLE VII. REPORTS

The National Park Service agrees to provide records of medical incidents in individual and/or summary form as requested by the Ambulance Service for purposes of teaching and research and to provide annual summary statements as requested by the Ambulance Service.

ARTICLE VIII. TERMINATION

Either party may terminate this agreement upon sixty days advance written notice to the other party.

ARTICLE IX. STANDARD CLAUSES

1. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, nondiscrimination and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex or national origin.

2. Officials Not to Benefit

No member or delegate to Congress, or resident Commissioner, shall be admitted to any share or part of this agreement, or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

3. Promotions

The Ambulance Service shall not publicize, or otherwise circulate promotional material (such as advertisements, sales brochures, press releases, speeches, still and motion pictures, articles, manuscripts or other publications) which states or implies Governmental, Departmental, bureau or Government employee endorsement of a product, service, or position which the Ambulance Service represents. No release of information relating to this agreement may state or imply that the government approves of the Ambulance Service's work product, or considers the Ambulance Service's work product to be superior to other products or services.

4. Public Information Releases

The Ambulance Service must obtain prior government approval from the Service for any public information releases which refer to the Department of Interior, any bureau, park unit, or employee (by name and title), or this agreement. The specific text, layout, photographs, etc., of the proposed release must be submitted with the request for approval.

ARTICLE X. AUTHORIZING SIGNATURES

IN WITNESS HEREOF, the parties hereto have signed their names and executed this Memorandum of Agreement.

THREE RIVERS AMBULANCE SERVICE

NATIONAL PARK SERVICE

President
Board of Directors
Parks

Superintendent
Sequoia and Kings Canyon National

Date: _____

Date: _____

Exhibit 11

DONATION CARD



Thank you for your inquiry concerning a donation for Medical Rescue Services provided by National Park Service Rangers. If you would like to make a contribution to a fund established for medical rescue equipment, please send your gift to:

Superintendent
(PARK ADDRESS)

or call (PARK PHONE NUMBER)

Thank You from The Staff at (YOUR PARK)

Chapter 14

ASSISTANCE TO OTHER AGENCIES OUTSIDE OF PARK BOUNDARIES

- 14.1 Introduction
 - 14.2 Policy
 - 14.3 Guidelines
-

14.1 Introduction

The NPS is often called upon to provide emergency assistance outside the National Park System. Emergency assistance may include EMS being provided by NPS EMS providers. The following policy and guidelines are provided to help park managers understand how this assistance may be provided.

14.2 Policy

The authority for providing EMS assistance to neighboring communities and outside agencies is specifically provided for in 16 USC 1b (1), which allows the "Rendering of emergency rescue, fire fighting, and cooperative assistance to nearby law enforcement and fire prevention agencies and for related purposes outside of the National Park System."

The NPS may provide emergency assistance to other agencies outside of the park boundaries, so long as:

- The incident is an emergency,
- The incident it is in the vicinity or near the park,
- NPS personnel or resources have been requested,
- NPS personnel and resources have the proper certifications and authorizations needed to provide care, and
- The ability to provide appropriate emergency medical care within NPS areas is maintained.

14.3 Guidelines

NPS EMS providers assisting other agencies outside of the park must ensure that their certifications and authorizations allow them to do so. There are several ways that this can be accomplished:

- NPS providers may be certified and authorized by the state or other local agency.

- NPS providers may be certified by the National Registry of EMTs, and the state or local agency may recognize National Registry of EMTs credentials.
- The state may grant NPS EMS providers certification based upon reciprocity of National Registry of EMTs credentials, the credentials of another state, or the NPS EMS White Card.

NPS providers assisting other agencies outside of the Park remain Federal employees acting within the scope of their employment. Accordingly, NPS EMS providers must always act within their scope of practice and certification, even if that differs from other providers on the scene.

In order to provide external assistance, the NPS areas will establish written agreements with the agencies of jurisdiction. These agreements will specify that the NPS unit must maintain the ability to provide appropriate emergency medical care within the park, remain under the direction of the Park EMS Medical Advisor, follow NPS Field Manual of protocols and procedures, and include required certification, authorizations, and limitations specific to the agency with whom the agreement is made.

NPS EMS providers may be dispatched to an incident through the Interagency Incident Coordination System and may be assigned directly to a crew or to the Medical Unit. Those personnel assigned to provide EMS must be authorized by a Federal agency with jurisdiction or by the state in which the incident is occurring. This may be accomplished in the same manner as outlined above in sections 14.1-14.3.

Chapter 15

INSTRUMENTS OF AGREEMENT

- 15.1 Introduction
 - 15.2 Overview
 - 15.3 Procedures
-

15.1 Introduction

It is often necessary for parks to enter into agreements with physicians, medical groups, hospitals, ambulance providers and other entities in order to facilitate management of an EMS Program. Some EMS Programs, including ALS, EMT-Basic, and AED programs, require an agreement with a local Park EMS Medical Advisor. In other cases, it may be advantageous for the park to enter into a relationship with one or more local entities for purposes of online medical control, training, cooperative response, patient transportation, acquisition of equipment, and other forms of assistance. The appropriate type of instrument of agreement may differ in each case. This chapter outlines procedures for developing agreements and provides examples.

15.2 Overview

The NPS is authorized by law to enter into agreements with other agencies, organizations, and individuals to establish formal relationships that allow the NPS to more efficiently and economically accomplish its mission (DO-20, *Agreements*, Section 1.2, page 1). The NPS is not only allowed, but is encouraged, to enter into such agreements. According to DO-20 (Section 3.1, page 1), “NPS park and program managers should actively seek opportunities to efficiently and economically accomplish the NPS mission by entering into advantageous relationships with Federal and non-Federal entities.”

These relationships are formalized through the use of several different Instruments of Agreement that are outlined in this chapter. Specific policies and procedures regarding agreements not covered in this chapter can be found in DO-20 and RM-20, *Agreements*.

15.3 Procedures

The Instruments of Agreement currently authorized under DO-20 and RM-20 are the Cooperative Agreement, the Interagency Agreement, and the General Agreement, which include the agreements previously referred to as the Memorandum of Understanding and Memorandum of Agreement.

15.3.1 Interagency Agreements

According to DO-20, “the NPS will use Interagency Agreements only to document arrangements that entail the transfer of funds, goods, property, or services between the NPS and another Federal agency. When the purpose of the agreement is merely to document mutually-agreed-to policies, procedures, objectives, and/or relationships, with no funds, goods, property, or services exchanged, a General Agreement will be the instrument of choice.” (Section 3.4, page 2)

Interagency Agreements, which involve the receipt of funds from another Federal agency, do not require the signature of the NPS Contracting Officer (unless the other Federal agency requires it). Interagency Agreements which obligate NPS funds, however, must be reviewed and signed by a Level IIB Contracting Officer, and any obligation of NPS funds over \$250,000 must be reviewed by the Manager, Contracting and Procurement Program Office, WASO.

15.3.2 Cooperative Agreements

New statutory authorities (16 USC 1g, 16 USC 5933, and 16 USC 1a-2j) allow the NPS to make greater use of Cooperative Agreements than was possible in the past. In general, a Cooperative Agreement is used to “transfer money, property, services, or anything else of value from the NPS to a partner,” where the principal purpose of that assistance is “to carry out a public purpose of support or stimulation” between “the NPS and a state, local government, tribal government, or other non-Federal entity,” or “to carry out the public purpose of any National Park Service program,” or “to develop adequate, coordinated, cooperative research and training programs,” and “the NPS anticipates substantial involvement” in carrying out the proposed activity.

If an agreement does not meet the above definition, it will be a General Agreement rather than a Cooperative Agreement. In cases where the park does not anticipate participating to a great extent in the process, a contract may be a more appropriate instrument.

15.3.3 Cooperative Management Agreements

Cooperative Management Agreements are used for the acquisition or provision of supplies and services between the NPS and a state or local government agency when the purpose of that acquisition is cooperative management of an NPS, state or local resource. Policy guidelines are being developed for Cooperative Management Agreements and will be found in RM-20 when available.

15.3.4 General Agreements (previously Memoranda of Understanding and Memoranda of Agreement)

According to DO-20, a General Agreement is “a generic instrument used to document a wide range of mutually-agreed-to-policies, procedures, objectives, understandings and/or relationships with Federal and non-Federal entities” (Section 7.1, page 4). The term may be applied to any agreement that does not fit one of the definitions of Instruments of Agreement above. DO-20 provides a list of examples of General Agreements in Section 7.1 a-g, on page 4.

A General Agreement can not obligate the NPS to provide financial assistance or transfer NPS goods or services to any other entity (including Federal). However, a General Agreement may establish a working outline or framework of a program under which a future Cooperative Agreement or Interagency Agreement will be developed. General Agreements do not have to be reviewed or signed by a Contracting Officer (DO-20, Section 7.4, page 4). However, if the park or program manager developing the General Agreement has questions regarding legal implications of the agreement, they are “encouraged to consult with the office of the Solicitor” (Section 7.5, page 4). Solicitor’s Office review is also required for any fundraising agreement (Section 7.5, page 4).

Description

The term General Agreement covers the two agreements previously referred to as the Memorandum of Understanding and the Memorandum of Agreement. According to RM-20, Chapter 7, *Memoranda of Understanding*, “document a handshake” agreement by parties to use cooperative management policies or procedures, to provide mutual assistance, or to exchange results for promotion of common endeavors. A Memorandum of Understanding “must not commit the NPS to provide financial assistance in any form, nor transfer NPS property, goods, or services.” (RM-20, Chapter 7, page 167).

A Memorandum of Agreement allows a non-Federal entity to reimburse the NPS for supplies, property, or services. As noted above (Section D, paragraph 2), an Memorandum of Agreement can provide a framework that will allow the park to subsequently enter into a more expansive agreement, such as a Cooperative Agreement, but it can not, in and of itself, be used to expend NPS funds.

A General Agreement may be used in any situation in which either an Memorandum of Understanding or Memorandum of Agreement would previously have been the correct instrument of agreement.

Elements of a General Agreement

RM-20 provides a list of essential elements that must be included in every General Agreement in Chapter 7, Section 7.3 (page 169). For a detailed description of each element, refer to that chapter.

- General Agreement Number
- Background and Objectives
- Legislative Authority
- Statement of Work
- Term of Agreement
- Key Officials
- Prior Approval (if required)
- Reports and/or other deliverables
- Property Utilization (if any)
- Modification and Termination Clause
- Standard Clauses (see Section 7.4, RM-20)
- Signature and Dates of both parties

A General Agreement that involves receipt of funds must also include Award and Payment Information, including an Agreement Information Sheet (found in Attachment 7.6, RM-20), which must be provided to the Accounting Operations Center.

Other Considerations

RM-20 details signature requirements, reporting requirements, post-award administration, and agreements involving fundraising in Chapter 7. These sections should be carefully reviewed during the development of the General Agreement.

RM-20, Chapter 7 also includes a number of examples of General Agreement s and a sample Agreement Information Sheet.

Volunteers and Volunteer Agreements in EMS

Physicians and/or other medical personnel who are under contract with the Federal Government, charge for medical control or directorship, or are compensated in any other manner for (during) their assistance may not be appointed as VIPs. However, those providing medical assistance while in private practice may participate in the VIP program. If the physician is working outside the scope of his/her employment, (i.e., SAR) then the physician should be covered under a VIP agreement.

Compensation agreements with one park do not exclude medical personnel from entering into VIP (non-compensated) relationships with other parks.

Public Law 91-357 established that VIPs shall be considered employees for the purposes of the Federal Employee's Compensation Act relating to compensation of Federal employees for work injuries, and for claim provisions of the Federal Tort Claims Act.

The VIP may be issued a government drivers license and operate government vehicles if park management determines it to be in the best interest of the program. The program also authorizes the NPS to provide payment to the VIP for incidental expenses.

Exhibit 12

**SAMPLE GENERAL AGREEMENT
EMERGENCY MEDICAL SERVICES**

Agreement Number XX123450005

Page _____ of _____

**General Agreement
between
The United States Department of the Interior
National Park Service
and the
Life Support Company, Inc.**

[The introductory section should contain the name of the National Park and the name of the company as well as the signature officials. For example:

“This agreement is entered into by and between the National Park Service (hereinafter “NPS”), United States Department of the Interior, acting through the Superintendent of Example National Park, and Life Support, Inc. (hereinafter “the Company”), a private company located in Townville, acting through its CEO.]”

ARTICLE I - BACKGROUND AND OBJECTIVES

This section should explain what the objectives of the General Agreement are [i.e., to establish the standards, terms and conditions under which a company will perform certain tasks for the NPS]. Explain why this agreement is necessary. Explain what each party hopes to accomplish through this Agreement.

This section can be worded in a readable format. Unless requested or required by the private party with whom the NPS is making the Agreement, terms such as “Whereas” can be eliminated.

ARTICLE II – AUTHORITY

State the statutory authority simply: “The authority for this Agreement is 16 USC Section 12 (date), etc., etc.” You may summarize the authority in a statement as well.

ARTICLE III - STATEMENT OF WORK

State in simple outline form what each party has agreed to do:

A. The Company will:

- 1.
- 2.

B. The Park will:

- 1.
- 2.

ARTICLE IV - TERM OF AGREEMENT

“This Agreement will be effective for a period ...from the date of final signature, unless it is terminated earlier by one of the parties pursuant to Article IX that follows.”

ARTICLE V - KEY OFFICIALS

“All communications and notices regarding this agreement will be directed to the following key official(s) for each party:

A. For the NPS:

[Superintendent]
[Example National Park]
[Address]
[Contact numbers]

B. For the Company

[Insert Title]
[Insert Company Title] [Address]
[Contact numbers]”

ARTICLE VI – PRIOR APPROVAL

Outline, in this section, what actions of either party require prior approval from the other party. This section may be used when one party uses equipment or supplies belonging to the other party; for example, use of a specific ambulance or rescue equipment may require prior approval. Specify whether there are laws or regulations affecting approval.

Specify whether it may be verbal or in writing and to whom it should be addressed. Include any other factors that may affect approval, such as time of day or year. If no prior approvals are required in the scope of this Agreement, specify “Not Applicable”.

ARTICLE VII – REPORTS AND/OR OTHER DELIVERABLES

Reports may include Patient Care Reports, billing reports, or other reports specific to the EMS field, but a report may also be the end product of the Agreement. “Other Deliverables” are products expected to be provided by the Company or the NPS to the other party under the terms of the Agreement. If not applicable, state “Not Applicable”.

ARTICLE VIII – PROPERTY UTILIZATION

Define how each party can use property of the other, if this is a factor in the Agreement. Make sure this section agrees with Section VI, Prior Approval, and Section VII, Reports and Other Deliverables. If not applicable, state “Not Applicable.”

ARTICLE IX – MODIFICATION AND TERMINATION

Specify whether modification or termination requires a written instrument. Specify how each party may terminate the Agreement, the time period required for termination, and any agreement regarding resolution of differences. Specify what will occur once the Agreement is terminated: must property be returned, purchased, replaced, or otherwise accounted for?

ARTICLE X – STANDARD CLAUSES

These clauses are required in every Agreement:

A. Civil Rights

During the performance of this Agreement, the participants agree to abide by the terms of U.S. Department of the Interior – Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, sexual orientation, national origin, disabilities, religion, age, or sex.

B. Promotions

The Company will not publicize, or otherwise circulate, promotional material (such as advertisements, sales brochures, press releases, speeches, still and motion pictures, articles, manuscripts, or other publications), which states or implies governmental, Departmental, bureau, or government employee endorsement of a product, service or position, which the Company represents. No release of information relating to this Agreement may state or imply that the Government

approves of The Company's work product, or considers the Company's work product to be superior to other products or services.

C. Public Information Release

The Company will obtain prior Government approval from the NPS Superintendent for any public information releases which refer to the Department of the Interior, any bureau, park unit, or employee (by name or title), or this Agreement. The specific text, layout, photographs, etc., of the proposed release must be submitted with the request for approval.

The text of the above three standard clauses can be found in RM-20, Agreements, Chapter 7, Attachment 7.4. Other standard clauses may be required in Fundraising Agreements, for example: Liability, Non-discrimination, or Lobbying Prohibition. Text for these clauses can be found in RM-20, Agreements, Chapter 7, Attachment 7.3.

ARTICLE XI – SIGNATURES

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date(s) set forth below.

FOR THE NATIONAL PARK SERVICE:

Signature: _____

Name: _____

Title: _____

Date: _____

FOR THE COMPANY:

Signature: _____

Name: _____

Title: _____

Date: _____

[Add the number and title of any following attachments at the bottom of this page

Chapter 16

LEGAL ASPECTS OF EMERGENCY MEDICAL SERVICES

- 16.1 Introduction
 - 16.2 Overview
 - 16.3 Definitions and Descriptions
 - 16.4 Policies and Procedures
-

16.1 Introduction

Laws, statutes, regulations, policies, and procedures, as well as training and certification levels, have been established to protect patients as they move through the emergency care system. All of these considerations can affect how the Service operates, the equipment and supplies used, and the procedures we follow. NPS EMS providers have a responsibility to act in a manner that both ensures appropriate patient care and minimizes NPS and personal liability.

16.2 Overview

Monies may be awarded as a result of claims for damage or loss of property or for personal injury or death caused by the negligent or wrongful act or omission of an employee, or by violation of the Constitution or Federal statutes by an employee. Depending on the circumstances of the case, such damages may be awarded against the United States or against the employee.

This chapter defines terms and outlines procedures for assuring proper documentation and reporting, complying with OSHA and other Federal regulations, and assuring the rights of patients who come under the care of employees of the NPS.

16.3 Definitions and Descriptions

16.3.1 Malpractice

Malpractice cases are civil wrongs (suits or torts) alleging negligent action on the part of a professional such as a doctor, nurse, or EMS provider. Four specific elements must be proved:

- A duty to act
- Breach of that duty
- Compensable damages
- Proximate cause (the act or omission caused the damages)

16.3.2 Duty to Act

A duty to act is an obligation on behalf of the provider to provide treatment to a patient. The duty to act exists if the provider is functioning as an EMS provider as part of his/her job with a designated agency and is on-duty in the location in which the designated agency is responsible for EMS response. Duty to act may also be created by mutual aid agreements, formal or otherwise. The actions of acknowledging a call and agreeing to respond may be sufficient to create a duty to act (Cohn, 1998).

If a provider is not on-duty, a duty to act may still exist in some circumstances. If the provider responds to a call-out or offers services at an incident, a duty to act has been created. Some state statutes may also obligate anyone using state highways to stop and ascertain if aid is required at the scene of an accident (Cohn, 1998).

16.3.3 Abandonment

In EMS, abandonment means that the provider terminated care that he/she had a duty to provide. In the case of an EMS provider, the situation usually arises when the provider fails to assure that the patient has been formally turned over to another agency or professional when that patient requires ongoing care (Cohn, 1998).

In some cases, it is acceptable to turn a patient over to a provider with a lower level of qualification than the initial responder. This situation may arise when the patient's care needs clearly do not include the techniques possessed solely by the initial responder (i.e., ALS certification is not required for a patient with isolated bumps and bruises). The responder with a more advanced level of certification may be needed elsewhere. Turning a patient over to a provider with a lower level of qualification is not in itself abandonment.

16.3.4 Breach of Duty to Act and Standard of Care

A breach of duty to act is a "departure or derivation from good and accepted practice" (Cohn, 1998). The law asks what a "reasonably prudent person" would do in the same situation. The "good and accepted practice" is also referred to as the Standard of Care. Standard of Care differs depending on the level of certification of the provider. There are often several alternatives in a specific situation. The standard is defined through the use of textbooks; level of care provided by like providers in the community; state, Department of Transportation, and local protocols; and the agency's own operating procedures, policies, and rules.

16.3.5 Negligence

Simple negligence is “a failure to adhere to reasonable standards of care” (Cohn, 1998). It may also be an act or failure to act as another reasonable provider of the same level would have acted. Gross negligence occurs when the provider intentionally goes beyond his/her scope of practice and thus intentionally causes harm to the patient. It goes beyond simple negligence to the point of being reckless or dangerous.

16.3.6 Consent and Refusal

The informed consent of a patient is necessary before an EMS provider renders treatment (Cohn, 1998). Patients have the right to refuse treatment, except in certain special circumstances (detailed below). There are three essential elements that must be considered regarding consent:

- Legal capacity: Is the patient legally capable of consenting? The patient must be of legal age to consent (see exceptions below).
- Mental capacity: Can the patient understand his/her medical condition and the consequences of not being treated?
- Information: Has the patient been provided with sufficient information to make a reasonable decision?

There are three categories of consent:

- Informed consent: voluntary and based on the three factors above
- Expressed consent: the patient actually agrees, verbally or otherwise, to specific treatments
- Implied consent: not expressed, but implied from the conduct of the patient, because the patient is incompetent, or because the patient is a minor with no guardian available.

Patients do not have to consent to treatment. If a patient refuses treatment, evaluate the patient on the three elements above. If the patient is competent and informed, he/she can legally refuse treatment. There are several elements of refusal:

- Document the situation thoroughly, and have witnesses document it as well, if possible.
- Ask the patient again and enlist family and friends to help convince the patient to accept treatment.
- Advise the patient that he/she can change his/her mind at any time and suggest that he/she seek other medical help or advise.

Ask the patient to sign the Patient Refusal of Treatment on the Patient Care Report (included at the end of this chapter). In order to be valid, the refusal must be based upon adequate information regarding possible consequences and the elements of refusal listed above.

Special cases of consent and refusal

Minors

In general, EMS providers must obtain consent to treat a minor from the legal guardian. However, if the guardian is not present and there is a clear need to provide emergency care to prevent serious injury or death, consent is implied. A minor may also be emancipated in certain situations. A minor parent can consent to the treatment of his/her child, for example. In some cases, minors can be termed “mature,” or reasonable enough to consent to treatment despite chronological age.

Parental refusal to allow a child to be treated should be dealt with in the same way as any other refusal to allow care.

Incompetent adults

A patient is incompetent when he/she is unable to make a rational, informed decision regarding his/her condition or medical care. Causes of incompetence include head injury, shock, alcohol or drug use, mental illness, and other situations. Providers have an obligation to treat patients, but are not required to endanger themselves in order to do so. If a true emergency exists, assistance should be requested in order to transport an incompetent adult who is refusing treatment.

Do Not Resuscitate Orders (DNR)

A valid DNR is the same as any other patient refusal. However, when there is doubt as to the validity or applicability of a DNR, the provider should initiate care and document the situation thoroughly. The provider should also attempt to validate the DNR by contacting local medical control.

Prisoners in Custody

Competent prisoners have the same rights to accept or refuse treatment as anyone else. Incompetent prisoners may be treated as any other incompetent adult.

16.4 Policies and Procedures

16.4.1 Liability

The possibility always exists that a lawsuit may be filed against an NPS EMS provider for negligent or wrongful acts or omissions. However, the Federal Torts

Claims Act, 28 USC 2672 et seq., provides that no lawsuit for common law torts may lie against a Federal employee for damages to property or personal injury or death which results from the employee's negligent or wrongful conduct and which is within the scope of the employee's employment. The act provides absolute immunity for Federal employees from personal liability for common law torts within the scope of their employment and mandates that the exclusive remedy for common law torts is through an action against the United States.

The exclusive remedy provisions of the act do not extend to lawsuits that allege constitutional torts or violations of Federal statutes. In those situations, the Federal employee may be sued personally, and although the United States may represent the Federal employee, if there is an adverse judgment, it is the employee who is personally liable.

The Department of the Interior has taken steps to provide protection for its employees. The Department has adopted a statement of policy concerning indemnification of employees sued in their individual capacity. It is the policy of the Department, at the discretion of the Secretary, to settle or compromise lawsuits against employees by the payment of available funds, provided that the alleged conduct which gave rise to the personal damage claim was within the employee's scope of employment, and that it is in the interest of the Department to indemnify the employee. This policy is codified in 43 CFR 22.6.

16.4.2 Bloodborne Pathogens

The Occupational Safety and Health Administration (OSHA) is responsible for developing standards and guidelines to provide a safe working environment. The regulations promulgated by OSHA are codified in 29 CFR 1900-1999.

29 CFR 1910.1030 contains regulations pertaining to bloodborne pathogens. The purpose of the section is to limit occupational exposure to potentially infectious body fluids. It covers all employees who may be reasonably anticipated to have occupational exposure to body fluids.

The standard requires that each employer have the following:

- An Exposure Control Plan identifying employees who may have occupational exposure and the tasks performed by those employees that may create the exposure.
- The plan must detail methods of compliance, including mandating universal precautions, engineering and workplace controls, and appropriate personal protective equipment.
- The employer must make the Hepatitis B vaccine available to all employees with occupational exposure risks within 10 days of their assignment to the job

duties which place them at risk. A declination form must be signed by each employee who refuses the vaccination. The series must be offered at no cost to the employee.

- The employer must detail a post-exposure evaluation and follow-up procedure for exposed employees.
- The employer must use easily identifiable labels on containers used to transport or store biohazard.
- The employer must provide training at the time the employee is hired and annually thereafter. All employees must attend the training.
- Medical records must be kept confidential and kept on file for the term of employment plus 30 years.

Each park should develop its own Bloodborne Pathogens and Infectious Disease Control Plan, which may be included in the Park Safety Plan, Emergency Incident Management Plan, or EMS plan.

16.4.3 Mandatory Reporting Requirements

Virtually every state mandates that emergency services providers report certain specific types of incidents and conduct. Each park should provide a summary of the state's applicable reporting requirements to its EMS providers. All EMS providers should become familiar with state statutes regarding reporting requirements.

Incidents which must be reported in most states include:

- Suspected child or elder abuse
- Wounds from guns or knives
- Assaults
- Deaths
- Dog bites
- Rape and sexual assault and abuse
- Possession of controlled substances

In general, personnel who properly report suspected incidents or conduct meeting the above definitions are protected from civil liability arising from that reporting requirement or process.

16.4.4 Patient Confidentiality

Medical information about a patient will not be shared with any third party without the consent of the patient unless there is a legitimate medical or legal need to do so. Confidentiality applies to the written PCR, any other written notes,

and oral statements made by the patient (Cohn, 1998). However, only information necessary for the care and treatment of the patient is confidential.

Many states have specific statutes regarding patient confidentiality and what information may or may not be released, to whom. EMS providers should become familiar with the regulations and statutes in their respective states.

It is not necessary to obtain patient consent to release information necessary for proper patient care and transport during an incident, such as a patient status conveyed over the radio. PCR copies may also be given to other care providers. In addition, patient information may be reviewed for QA/QI by formal committees or QA/QI personnel. However, information may be shared among health-care providers only when it is necessary to provide appropriate patient care. This does not apply to informal discussions of patient injuries and care as long as the patient is not identified.

A patient may authorize the release of a PCR or other records by providing the NPS with a written request. This information may be forwarded to an attorney, physician, or other party if specifically requested by the patient in writing. Otherwise, it should be forwarded to the patient.

If the park bills for services, the patient usually must sign a release form directing payment. It may be necessary to release certain information regarding the incident to a third-party payer, such as an insurance company. Only the information necessary for billing should be provided.

Some states have laws requiring that PCRs be turned over to law enforcement personnel investigating criminal conduct that is related to the incident. If such a law is not present in the state, PCRs should be obtained via subpoena. EMS providers who are called to testify regarding events at which they provided EMS care may, upon advice of an attorney, refuse to answer questions which would violate patient confidentiality. These requirements differ from state to state and it is essential that EMS providers become familiar with the regulations in their respective state.

Without written consent, any use of photographs in which the patient can be identified may constitute an invasion of privacy. Photographs used to show nature of injury or mechanism of injury to emergency department personnel for medical purposes may not constitute an invasion of privacy.

Patient care reports and other reports that include patient information that can be connected to a specific patient may not be posted in public files.

Specific state laws may limit the release of HIV information, above and beyond the requirements for release of other patient information. EMS providers should become familiar with the state's statutes regarding HIV information.

16.4.5 Equipment

Unexpected failures of patient care and medical monitoring equipment can occur and have the potential for legal consequences. It is the responsibility of the provider to reduce potential liability by assuring that everything is in working order. Following are suggested steps:

- Analyze the intended use of a piece of equipment, the abilities of the end users, and the advantages and disadvantages of a variety of types or models before purchase or lease. Consider the track-record of the company providing the equipment and the equipment itself.
- Obtain all documentation regarding the equipment and use it for training and familiarization purposes. Keep it in a location where it is accessible to personnel using the equipment.
- Train personnel in all aspects of the equipment, including its use, indications for its use, contraindications, storage location, and maintenance requirements. Train on the actual model that will be used to eliminate operator error.
- Maintain maintenance records, inspections records, and records of service, parts replacements, breakdowns and problems, and how the problems were solved. Maintain equipment according to manufacturers' specifications. This includes vehicles. Develop a course of preventative maintenance for all equipment.
- Use up-to-date and modern equipment that meets the current industry standard.
- Develop standards for shift checks of equipment. (See Chapter 12, *Patient Transport and Emergency Vehicles*, for Exhibits.)

Make sure all operators of any equipment have the necessary licenses or certifications for that equipment and that they remain current.

16.4.6 Medical Control

Potential liability arising out of medical control communications and direction exists for both the online physician and the provider in the field (Cohn, 1998, page 133). The failure of an EMS provider to provide the emergency physician with complete and accurate assessment information may make it difficult for the physician to provide meaningful direction and may result in liability on the part of the provider. Other examples include failing to follow medical control's directions, administering medications or treatments without authorization, and failure to update assessment information.

The Medical Advisor can also be held liable, if he/she issues incorrect orders, refuses to authorize necessary treatments which it is within the provider's capability to perform, or directs the patient to the wrong facility.

Providers may refuse the Medical Advisor's directions under certain specific situations.

- The provider has been directed to perform procedures or administer treatments or medications which are beyond his/her scope of practice/level of certification or beyond the established protocols.
- The provider reasonably believes that the order would cause harm to the patient

In these cases, the provider must clarify the reported assessment information and indications the provider is observing and discuss treatment options with the online medical control. The circumstances involved in the refusal of the Medical Advisor's directions will be documented on the Patient Care Report (10-342) by the EMS provider.

16.4.7 Instructors

Instructor or training facility liability falls into several categories. Claims may be filed against instructors or facilities if students are subjected to discrimination, sexual harassment, or other actions illegal under Federal anti-discrimination law.

Claims for injuries suffered during classes may be made if the injury can be shown to be the result of negligence on the part of the instructor in some way (Cohn, 1998).

Patients who are injured by EMS providers may attempt to claim that the injury was the result of improper training of the provider by an instructor; however, these cases are very difficult to prove. Instructors can limit their own liability and the liability of the NPS by following official curricula and documenting each student's participation and proficiency in the class (Cohn, 1998).

16.4.8 Physicians on Scene

Occasionally a physician may be at or arrive at a scene of a medical emergency within the park. It is necessary to establish that such a physician has the qualifications to assume control, if that is their intention, and that they fully understand the consequences of such action. Most states have statutes covering such eventualities, and in general they include the following:

- The physician must be licensed in that state.
- The physician must accompany the patient to the hospital.
- Medical control must authorize the EMS providers to operate under the physician's control.
- The physician must sign the PCR accepting control of patient care.

If a physician takes control of patient care, the rest of the incident should continue to be managed by the park or cooperating agency incident response-trained personnel.

16.4.9 Hospital Selection

The selection of facility to which the patient will be transported can be based on many factors. In some parks, only one hospital may be available within a reasonable distance and time for patient transport, or only one hospital in the area may meet the obvious needs of the patient (i.e., one trauma center).

In other parks, a protocol or procedure may be developed containing an algorithm helpful for making destination decisions. In cases where selection of the destination is an issue, medical control should be contacted.

In some cases, patients may be able to choose their own destination based on reasonable information and advice. Problems arise when the patient chooses a facility outside the transport range of the park or transport service provider. In this case, the park may transport the patient to a specific location or transfer the patient to another service provider in order to facilitate eventual arrival of the patient at the facility of his/her choice. Options such as this should be based on area facilities and transport service agreements and should be discussed with medical control before the situation arises.

16.4.10 Dispatch

Park areas use a wide variety of dispatch services, ranging from in-park through county and other Federal agencies. In general, it is the responsibility of the dispatch office to obtain accurate and complete information, interpret that information to determine the nature of the emergency, contact and dispatch appropriate services, provide responders with accurate information, assist the caller in providing aid, and document the call accurately and in a timely manner.

16.4.11 Responding to Incidents While Off-Duty

In many cases, EMS responders may utilize park areas while off-duty and may therefore respond to in-park incidents while technically off-duty. In general, once an off-duty EMS provider has responded to an in-park emergency, he/she will be

considered on-duty, with a duty to respond and act within park protocols and policies, given the fact that usual equipment may not be available. The provider will be covered under the Federal Tort Claims Act for suits alleging simple negligence.

EMS providers may also encounter incidents outside park boundaries while off-duty. In these cases, the EMS provider should identify him/herself to citizens and providers on-scene, and should repeat that identification whenever a new provider arrives. This identification should include level of certification, and scene control and patient care should be released to an on-duty responder with a higher level of certification when that responder arrives. The EMS provider will follow the directions of the on-scene control and stay on-scene if requested until released, and not interfere if the offer of help has not been accepted.

The NPS EMS provider may request to use equipment at the scene, but in general the on-scene providers must contact their medical control before giving such permission, and their medical control may refuse to accept intervention, as skills and certification of the EMS provider cannot be verified by them or may not be valid in that jurisdiction.

The EMS provider should document everything he/she did and observed at the scene afterwards. The EMS provider also may want to make an official report to his/her supervisor or park, depending on the circumstances and location of the incident.

“Good Samaritan” laws have been passed in nearly every state. These statutes limit the liability of passersby and in some cases trained professionals in emergency assistance situations (Cohn, 1998). They typically provide that a person who renders emergency care voluntarily to another person (as in the case of an off-duty EMS provider on non-NPS property) is liable only for gross negligence (see above).

In *Flynn v. United States* (10th Cir. 1990), the 10th Circuit held that off-duty NPS officers who rendered assistance at an accident outside of the boundaries of the park, benefited from the Utah Good Samaritan statute. In that situation, the officers were under no duty to act and did so voluntarily, and thus were covered by their state’s Good Samaritan Act against negligence claims.

Literature Cited

Cohn, Bruce M., JD, EMT-CC, and Alan J. Azzara, JD, EMT-P. *Legal Aspects of Emergency Medical Services*. W.B Saunders Company, 1998.

Chapter 17

PRINCIPLES AND CODE OF ETHICS

- 17.1 Principles
 - 17.2 Goals
 - 17.3 EMS Code of Ethics
 - 17.4 Basic Obligation of Public Trust
-

17.1 Principles

17.1.1 Objectivity

All action taken by EMS providers should be directed toward accomplishing the mission of the NPS. EMS is one method to achieve this goal but is not a goal unto itself.

17.1.2 Adaptability

NPS EMS Programs offer as many unique assignments as there are areas within the system. It is essential that the EMS provider develop the confidence and flexibility necessary to adjust to the different attitudes and procedures that exist throughout the country. Rangers should be able to cultivate the support and cooperation of the public in the Service's operations, as citizen approval is essential to an effective program.

17.1.3 Integrity

Public respect is essential to any EMS Program. To establish this respect, the provider must always render care in good faith and within the scope of training.

17.1.4 Versatility

National Park rangers are much more than EMS providers; they are protectors of park resources and the public welfare. They must possess the ability to perform other visitor services and be adept in all facets of visitor use management and resource protection required by their current assignment.

17.1.5 Compatibility

The role of the EMS provider is just one of several directed at the same mission. The ranger must have the capacity to understand the purpose and function of these

other activities, and must be able to work in concert with others in pursuit of the common goal.

17.2 Goals

The goals of the NPS EMS Program are as follows:

To preserve life, to alleviate suffering, to promote health, to do no harm, while ensuring the quality and equal availability of EMS. This service will be provided based on human need with respect for human dignity, unrestricted by considerations of nationality, race, creed, color, religion, sex, disability or status.

17.3 EMS Code of Ethics

I will faithfully abide by all laws, rules, regulations and policies governing the performance of my duties and I will commit no act that violates these laws or regulations, or the spirit or intent of such laws and regulations while on or off duty.

In my personal and official activities, I will never knowingly violate any local, state, or Federal law or regulation, recognizing that I hold a unique position of public trust that carries an inherent personal commitment. I understand that this code places special demands on me to preserve the confidence of the public, my peers, my supervisors, and society in general.

I will commit no act in the conduct of official business or in my personal life that subjects the Department of the Interior or the National Park Service to public censure or adverse criticism.

While an EMS provider, I will neither accept outside employment nor make any display, representative of the Department of the Interior or the National Park Service that will in any way conflict with the interests or jeopardize the activities or mission of the Department of the Interior or the National Park Service, or give the appearance of conflict.

As an EMS provider, I will maintain professional competence and demonstrate concern for the competence of other members of the EMS health care team.

I will always place the safety and welfare of a patient, and my safety above all else during an emergency medical services incident.

As a representative of the Department of the Interior and National Park Service, I will render emergency care impartially and in good faith, and document the results thereof fully, objectively, and accurately.

As an EMS provider, I will work harmoniously with, and sustain confidence in, other members of the emergency medical services health care team.

In all cases, I will refuse to participate in unethical procedures, and assume the responsibility to expose incompetence or unethical conduct of others to the appropriate authority in a proper and professional manner.

In the course of rendering care and throughout the incident I will be judicious at all times and I will release information pertaining to my official duties, orally or in writing, only in accordance with the law and established policy.

I will respect and hold in confidence all information of a confidential nature obtained in the course of my duties unless required by law to release such information.

In connection with my official duties, I will accept no gift, gratuity, entertainment or loan except as provided by Departmental regulations.

Chapter 18

PERFORMANCE AND CONDUCT

- 18.1 Policy
 - 18.2 Boards of Inquiry
 - 18.3 Boards of Review
-

18.1 Policy

Board of Inquiry

When an EMS provider's performance does not indicate compliance with Servicewide policies or established standards of care, or any behavior that calls into question his/her suitability to perform EMS, supervisors must take prompt action. Such actions may include training, counseling, suspension of authority to perform EMS (White Card), or disciplinary or adverse action as appropriate. This action may also include the recommendation to convene a Board of Inquiry.

Boards of Inquiry are convened for the purpose of making a focused inquiry into allegations of misconduct on the part of one or more individuals, or other work-related behavior that impairs operational efficiency or causes the loss of public confidence in the NPS.

Findings and recommendations of Boards of Inquiry should be applied, where appropriate, to bring about needed changes or modifications to the NPS EMS Program, and where appropriate, should be incorporated into incident summaries and training bulletins disseminated to the field to facilitate learning through the documented experiences of others.

The requirements to conduct such a board, under certain specific circumstances, do not relieve supervisors or managers of their responsibilities to provide ongoing review and evaluation of NPS EMS Programs and the individual actions of EMS providers.

Copies of all Boards of Inquiry will be provided to the Branch Chief, Emergency Services.

Boards of Review

Significant EMS incidents require a thorough and objective review. These actions or incidents should be the subject of a Board of Review.

A Board of Review differs from a Board of Inquiry in that it is not a fault-finding exercise and is not focused on the actions or conduct of individuals. A Board of Review is a fact-finding body that objectively reviews significant EMS actions or incidents. It serves the same function (and may otherwise be known) as an “incident critique,” “incident review,” or “after-action review.” The primary purpose of the review is to identify organizational strengths and weaknesses, to take corrective program action where appropriate, and to build upon successes.

Boards of Inquiry and Boards of Review will be conducted in accordance with the procedures specified in this chapter.

18.2 Board of Inquiry

18.2.1 Convening a Board of Inquiry

18.2.1.1 Authority to Establish

A Board of Inquiry may be convened only upon approval of a one of the following:

- Director
- Regional Director
- Chief, Law Enforcement and Emergency Services
- Superintendent

18.2.1.2 Membership

A Board of Inquiry will consist of at least three but not more than seven voting members. The immediate supervisor of the employee whose actions are being reviewed will not be included as a member of the board. Board members will be chosen as follows:

The employee whose actions are being scrutinized may select one other NPS employee as a member of the board. This employee may be anyone within a 500-mile radius who was not involved in the incident. If the employee whose actions are being reviewed declines to select a board member, the convening official will appoint an EMS provider who is of the same grade and whose duties are similar to those of the employee whose actions are being reviewed.

- One member will be a park manager selected by the convening official.
- A qualified personnelist.
- All other voting board members will be EMS personnel from within or outside of the NPS.
- Where training may be an issue or factor, one member will be a recognized

training specialist selected by the Park Superintendent.

18.2.2 Functions and Procedures of a Board of Inquiry

18.2.2.1 Functions of Board

At a minimum, the functions of a Board of Inquiry include the following:

- Finding the facts and circumstances of the incident, situation, or conduct being reviewed and those that may have contributed to it.
- Identifying legal and policy requirements that apply to the facts of the incident, situation, or conduct and determining compliance with those requirements by all individuals involved.
- Conducting an objective critique of the incident, situation, or conduct, including a review of applicable operational procedures.
- Making written findings to the convening official for the purpose of recommending corrective action, including disciplinary action. The board's recommendations may address, as appropriate, the areas of policy, procedures, equipment, training, counseling, the continuation of the suspension of a White Card, or the revocation of a White Card.

18.2.2.2 Preliminary Arrangements

The convening official is responsible for coordinating and making all necessary arrangements for the board. This includes making all board assignments, consistent with policy.

18.2.2.3 Scheduling

The convening official is responsible for scheduling the board as soon as practical, considering the circumstances of the incident, situation, or conduct, but no later than 60 days from the date a determination is made that a Board of Inquiry is required.

18.2.2.4 Consultation

In a case where there is a reasonable likelihood of criminal prosecution or tort claim action as a result of the incident, the regional solicitor's office and the U.S. Attorney's Office will be consulted before the board is convened. The directions of the Solicitor or U.S. Attorney may, as necessary, affect compliance with other sections of this chapter (especially with respect to time lines).

18.2.2.5 Chairperson

When convening a Board of Inquiry, the convening official will appoint a chairperson to lead its deliberations.

18.2.2.6 Record Keeping

The chairperson is responsible for ensuring that a record is maintained of all information gathering proceedings of the board, including all testimony presented and all written material reviewed by the board. Oral testimony will be tape recorded for the board's later use in its deliberations and for the record. Internal discussions and deliberations of the board that occur after all relevant information has been presented "may" be off the record. The record must reflect the issues, findings, rationale for findings, and recommendations of the board.

18.2.2.7 Notification to Employee

The chairperson will inform the employee, whose actions are being reviewed, in writing, of the specific allegations being made against him/her, including citation of relevant sections of DO-51 and RM-51, specific incidents, or patterns of behavior. This notification will occur as soon as possible, but no fewer than 2 weeks before the board holds its first meeting.

18.2.2.8 Employee Rights

The employee whose actions are being reviewed has the following rights:

- The employee may remain present during all meetings of the board, but will be excluded from the board's decision-making deliberations.
- The employee may be accompanied by an attorney, provided at the employee's expense, during all meetings of the board. The attorney's role, however, is limited to that of an observer and an advisor to his/her client. The attorney may not question witnesses, may address the board only with the consent of the chairperson, and will not be present during the board's deliberations.
- The employee may request the testimony before the board of any NPS employee, including his/her supervisor or subordinate, who has knowledge of facts related to the case being reviewed. If the employee is covered by a bargaining unit, a representative of that organization may be present, at the employee's request, during the meetings of the board. The representative's role, however, is limited to that of an observer and an advisor to the employee. The representative may not question witnesses, may address the board only with the consent of the chairperson, and will not be present during the board's deliberations.

18.2.2.9 Witnesses

Subject only to other legal precedence, the board is authorized to require the appearance and testimony of any NPS employee who has knowledge of facts related to the case being reviewed. The board is also authorized to bring in subject matter experts to assist in its review.

18.2.2.10 Past Record

When considering the revocation of a White Card, the board may consider the employee's past record of performance and professional conduct, including previous performance appraisals, awards, and disciplinary actions received.

18.2.2.11 Exigent Circumstances

Deviation from policies, directives, and other restrictions articulated in DO-51 and RM-51 may be warranted in certain emergency situations. Boards evaluating such actions may exercise reasonable discretion in finding that non-compliant actions on the part of an EMS provider were, nevertheless, reasonable under existing emergency conditions. Where such a finding is rendered, the involved employee may, at the board's recommendation, be held free from fault and/or disciplinary action.

18.2.2.12 Disclosure

Internal deliberations of a board are confidential, consistent with the Privacy Act and other administrative procedures designed to protect all employees. The board's open record and final report, however, are public documents and should be prepared accordingly. Additionally, the Branch Chief, Emergency Services may edit and utilize selected materials from the board to develop case summaries for distribution in training applications.

18.3 Board of Review

18.3.1 Convening a Board of Review

18.3.1.1 Authorization to Convene

A Board of Review may be convened by one of the following or their designees:

- Chief Park Ranger
- Superintendent
- Regional Director
- Chief, Law Enforcement and Emergency Services, WASO

18.3.1.2 Membership

The convening official will designate the membership of the board. The board will consist of at least three, but not more than seven members.

18.3.2 Functions and Proceedings of a Board of Review

18.3.2.1 Functions of a Board

At a minimum, the functions of a Board of Review include the following:

- Finding the facts and circumstances of the incident, situation, or actions being reviewed and those that may have contributed to it.
- Identifying legal and policy requirements that apply to the facts of the incident, situation, or action evaluating compliance with those requirements by all individuals involved.
- Conducting an objective critique of the incident, situation, or conduct, including a review of applicable operational procedures.
- Based upon the facts of the incident, situation, or action, making written findings and recommendations to the Park Superintendent for the purpose of recommending corrective action. The board's recommendations may address, as appropriate, the areas of policy, procedures, equipment, training, or other general EMS Program issues.
- Where a Board of Review is initially convened but findings revealed during or as a result of the hearings disclose that disciplinary actions may be warranted against an EMS provider, the board may proceed but will include within its report a recommendation that a Board of Inquiry subsequently be convened. This report will state the reason(s) for the Board of Inquiry.

18.3.2.2 Preliminary Arrangements

The Park Superintendent of the affected park is responsible for coordinating and making all necessary arrangements for the board.

18.3.2.3 Scheduling

The convening official will schedule the board as soon as practical, considering the circumstances of the incident, situation, or action, but no later than 60 days from the date a determination is made that a Board of Review is called for.

18.3.2.4 Consultation

In a case where there is reasonable likelihood of tort claim action as a result of the incident, the Solicitor's Office, the U.S. Attorney's Office, and the state prosecuting attorney's office (if that office is to assume jurisdiction) will be consulted before the board is convened.

18.3.2.5 Chairperson

When convening a Board of Review, the Park Superintendent will appoint a chairperson to lead its deliberations.

18.3.2.6 Record Keeping

The Chairperson is responsible for ensuring that a record is maintained of all information gathering proceedings of the board, including all testimony presented and all written material reviewed by the board. Oral testimony may be tape recorded for the board's later use in its deliberations and for the record. At the discretion of the chairperson, internal discussions and deliberations of the board that occur after all relevant information has been presented may be off the record.

18.3.2.7 Witnesses

The board is authorized to require the appearance of any NPS employee who has knowledge of facts related to the case or incident being reviewed. The board is also authorized to bring in subject matter experts to assist in its review.

18.3.2.8 Disclosure

Except where otherwise directed by the Regional Solicitor or the U.S. Attorney's Office, deliberations, conclusions, and records of a board are considered internal documents and confidential during the investigation. The board's final report, at the conclusion of the investigation, is public document and should be prepared accordingly.

Chapter 19

PUBLIC INFORMATION AND EDUCATION

- 19.1 Introduction
 - 19.2 Overview
 - 19.3 Guideline
-

19.1 Introduction

The Freedom of Information Act, 5 USC 552, and Department of the Interior regulations, 43 CFR 2.13, are based upon a long standing recognition of the public's right to obtain information about government operations and activities. This right is balanced by limitations contained in the Freedom of Information Act and further restricted by provisions of the Privacy Act, 5 USC 301, 552, and 552(a) and 43 CFR Part 2, Subpart D.

While there is no distinction made between the general public and representatives of the news media concerning the criteria to withhold or release information, a distinction is applicable with respect to the gathering of information in the field by the news media and others. Concerns for the safety of field personnel, media representatives and others, must guide public information strategies in field situations.

The purposes of this chapter are to:

- Ensure regulatory and policy compliance with respect to information release,
- Establish appropriate guidelines concerning relations with representatives of the media,
- Promote education of EMS related subjects, and
- Ensure that methods of obtaining follow-up patient information are established as part of a Continuing Quality Improvement program.

19.2 Overview

The NPS shall provide information to the public and the news media, consistent with applicable laws, Departmental Policy, and NPS Guidelines.

Relationships with media representatives shall be based on the right of the public to obtain access to information, the effective discharge of EMS responsibilities and the safety of all persons involved in EMS incidents.

19.3 Guidelines

19.3.1 Public Information Officer

The Park Superintendent shall designate one or more staff members to be responsible for responding to EMS information requests. These staff members shall familiarize themselves with the regulations codified in 43 CFR Part 2 and should establish close cooperation and liaison with representatives of the news media in order to foster sound working relationships and to communicate NPS policies effectively, in advance of actual incidents.

19.3.2 Document Search

A request for information must be in writing and specific to the point of being sufficient to identify the particular record(s) sought. If a request requires an inordinate amount of time and effort to make a response, the Park Superintendent may elect to charge for the services as provided for in 43 CFR Part 2.

19.3.3 Disclosure Guidelines

Persons requesting information are entitled to view the document and/or receive a copy in which the information is contained. If there is information in the document that is to be withheld, it should be covered over on the original or deleted from the copy. The requestor must be informed that a deletion has been made.

The PCR, whether a dedicated form or a 10-343/344, is subject to patient confidentiality requirements. They may not be open to Freedom of Information requests. Contents of the records can be given out only when the patient authorizes a release, when subpoenaed by courts for evidence, or when state law requires the reporting of certain incidents. EMS run sheets should not be routinely attached to law enforcement forms.

If park practice requires the EMS provider to submit a Case Incident Record in addition to the run sheet, details of the patient assessment and treatment should be left out. A brief synopsis of the type of medical call is all that should be included. The following information also should not be made available:

- The names of deceased or seriously injured persons, until the next-of-kin are notified
- Grisly details that are not necessary to publicize and that do not alter the basic facts of an incident
- The home address or home telephone number of NPS personnel or others involved in the incident

- Information from individual personnel files and/or medical records of employees
- Requests for information contained in reports of concern to other bureaus or agencies, shall be immediately referred to the Park Superintendent
- Information requests in criminal cases where EMS was involved such as homicides, sex crimes, etc., should be treated as per the law enforcement guidelines in NPS 9, Section III, Chapter 11

19.3.4 Media Relations

At the scene of an accident, legitimate representatives of the news media shall be allowed access to areas normally and legally restricted from the general public as long as access does not interfere with EMS operations and, in criminal cases, the preservation of evidence.

If the safety of media representatives would be jeopardized, they should be informed and restricted from the scene. If the safety of NPS personnel would be jeopardized by media presence in a hazardous area or situation, justification exists to restrict media representatives from the scene.

19.3.5 Park EMS Quality Assurance and Patient Follow-up Information

Personal information such as the patient's name, address, etc., should be deleted from records when the incident is reviewed for quality improvement and educational training.

19.3.6 Education

Parks may use a variety of ways to educate park users by utilizing historical data from past incidents. Slide programs using some details and photos from careless situations or other activities might be considered. Information or photos about incidents should be used in a manner that appropriately considers privacy rights. Climbing, boating, hiking or other such recreation programs should emphasize EMS skills whenever necessary.

Public Education responsibilities of EMS systems are addressed in the NHTSA publication *Agenda for the Future*. It states, "Public education, as a component of health promotion, is a responsibility of every health care provider and institution. It is an effort to provide a combination of learning experiences designed to facilitate voluntary actions leading to health.... Public education is an essential activity for every EMS system."

Parks are encouraged to participate in community health care activities. This could include: providing community EMS education training, participating in

community Health Fairs, soliciting appropriate volunteers in EMS and fostering close working relationships with community health care providers.

Chapter 20

The National Park Service EMS Field Manual

- 20.1 Introduction
 - 20.2 Overview
 - 20.3 Policy
 - 20.4 Guidelines
-

20.1 Introduction

The purpose of this chapter is to establish the NPS EMS Field Manual as a series of procedures, protocols and drugs (NPS EMS Standard of Care) that are approved for use by all employees of NPS performing EMS at the Basic EMT, (Level VI) and EMT Intermediate/Parkmedic (Level V). The U.S Park Police Aviation Unit will develop Paramedic Procedures and Protocols separate from the NPS EMS Field Manual.

20.2 Overview

NPS areas that provide patient care at Level IV, V and VI are required to have a Medical Advisor to oversee the Park EMS Program. Park EMS Medical Advisors will require that EMT's perform at a standard of care that is consistent with local, regional and national standards of care. The NPS EMS Field Manual is an effort to standardize drugs, procedures and protocols over all NPS units with emergency medical programs.

20.3 Policy

All parks (not including the U.S. Park Police Aviation Unit) with Level IV and above EMS services, working with Park Medical Advisors and Park EMS Coordinators will become familiar with the NPS Field Manual. The Field Manual will be an integral part of the continuing education process along with the semi-annual 24-hour EMT Refresher.

Park EMS Coordinators and Park Medical Advisors will ensure that EMT's are held accountable for the knowledge, skills and practices outlined in the NPS Field Manual. This will be accomplished through written and practical periodic examinations designed by the Park EMS Coordinators and Park Medical Advisors.

Signature of Approval of the NPS EMS Field Manual will be delegated to the Branch Chief, Emergency Services.

20.4 Guidelines

20.4.1 National Park Service EMS Field Manual

The NPS EMS Field Manual will be administered by the Branch Chief, Emergency Services with the recommendations of the National EMS Medical Advisors. The two National EMS Medical advisors will work closely with the Branch Chief, Emergency Services to ensure that the NPS Field Manual stays current and that corrections, additions and deletions are distributed to the field.

20.4.2 Making changes, corrections, deletions and deviations from the NPS Field Manual

There will likely be instances in which parks will want to deviate from the NPS EMS Field Manual. Parks need to have the ability to develop levels of patient care that are consistent with local and regional standards of care. Further parks need to have the option to develop procedures, protocols and drugs that are designed to meet the needs of the individual park since there are a wide range of needs, environments and types of EMS incidents in the NPS system.

A Park EMS Coordinator, working with the advice and direction of the Park EMS Medical Advisor can put forth a written proposal to add, change or delete a protocol or procedure or drug from the NPS Field Manual.

The Park EMS Coordinator will submit the proposal to the Branch Chief, Emergency Services. The Branch Chief, Emergency Services will consult with the National EMS Advisors and based on their recommendation, the Branch Chief, Emergency Services will approve or disapprove the proposal with a written justification. The process will occur within 30 days of the Branch Chief, Emergency Services receiving the proposal (preferably in electronic format)

20.4.3 The Appeal Process

Proposals not approved may be appealed in writing within 60 days. A seven-member Appeals Board will be established by the National EMS Advisory Group. The Appeals Board will consist of four Park Medical Advisors and three Park EMS Coordinators selected from unaffected parks. The Board will select a Chairman. The Board will review the proposal and either sustain, overturn or send the proposal back to the Branch Chief, Emergency Services for further review. No appeal is available beyond the Appeals Board. The Appeals Board decision is final. The decision of the board will be recorded for historical purposes in a memorandum to the Branch Chief, Emergency Services and filed with the WASO EMS Office.

Chapter 21

Medical Advisors Manual

- 21.1 Introduction
 - 21.2 Policy
 - 21.3 Guidelines
-

21.1 Introduction

A key element of the NPS EMS Program is the recruitment, development and retention of Park Medical Advisors. Park Medical Advisors are the backbone of the Park EMS system providing critical advice and direction to park EMS systems and programs.

21.2 Policy

Parks with Level IV and above EMS systems, parks with AED's and parks with Level III programs that have skill sets that require medical control (such as an epinephrine or oxygen protocol) will recruit and retain the services of a Park EMS Medical Advisor. Park EMS Medical Advisors need to have a guideline to define the task of a Medical Advisor and assist the Medical Advisor with understanding the park and national EMS system.

This Reference Manual authorizes the development of a Medical Advisors Manual. The manual will be maintained and authorized by the Branch Chief, Emergency Services with the guidance and council of the National EMS Medical Advisors.

21.3 Guidelines

The Medical Advisors Manual is designed to assist Park EMS Medical Advisors and Park EMS Coordinators by delineating and describing the duties and responsibilities of a Park EMS Medical Advisor. It describes the levels of NPS EMS providers and their scopes of practice, provides advice on how training, continuing education, quality improvement, and operational issues can be addressed. It provides references for more detailed information and resources available to the Park EMS Medical Advisor. It should ideally be reviewed in conjunction with the DO-51 and this Reference Manual. This Reference Manual also includes the NPS EMS Field Manual, containing the Protocols, Procedures and Drugs approved for use at the EMT Basic and Parkmedic levels.

Section 1 of the Medical Advisors Manual references resources for those who have limited or no EMS Medical Advisor experience. The remainder of the handbook focuses on the more unique aspects of providing EMS Medical Direction within the NPS. The Medical Advisors Manual is not designed to be all encompassing, but rather, a resource that will direct the reader to other sources and references for questions that are not answered in the body of the text. Several appendices are included for reference purposes:

- NPS EMS Field Manual - Table of Contents
- Sample Continuing Education Schedule
- National Park Service Hierarchy
- EMS Coordinator Job Description

See the NHTSA website and search for the document titled *Guide for Preparing Medical Directors*, for additional references, or ask the Branch Chief, Emergency Services for a copy of the publication.

APPENDIX A

Medical Advisor Manual

1. Introduction
 2. General EMS Medical Direction
 3. Terminology and Definitions
 4. Levels of EMS provider in the NPS
 5. Training, Continuing Education and Scope of Practice
 6. Continuous Quality Improvement
 7. Operations
 8. Administration
 9. Resources/Information
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1. Introduction

This manual is designed to assist Park EMS Medical Advisors and EMS Coordinators by delineating and describing the duties and responsibilities of a Park EMS Medical Advisor. It describes the levels of NPS EMS providers and their scopes of practice, provides advice on how training, continuing education, quality improvement, and operational issues can be addressed and provides references for more detailed information and resources available to the Park EMS Medical Advisor. It should ideally be reviewed in conjunction with a copy of DO-51 and RM-51. RM-51 includes the NPS EMS Field Manual, containing the Protocols, Procedures and Drugs approved for use at the EMT-Basic and Parkmedic levels. (See sections 3 and 4 below and Appendix 1, the Table of Contents from the NPS EMS Field Manual.) These documents can be obtained through your Park EMS Coordinator.

Section 1 of this manual references resources for those physician that have limited EMS Medical Direction experience. The remainder of the handbook focuses on the more unique aspects of providing EMS Medical Direction within the NPS. This handbook is neither definitive nor exhaustive, but designed as a resource and as such, is not intended to restrict Park EMS Medical Advisors in how they operate. Several appendices are included for reference purposes:

- NPS EMS Manual Table of Contents
- Sample Continuing Education Schedule
- National Park Service Hierarchy
- EMS Coordinator Job Description

2. General EMS Medical Direction

Familiarity with the basics of EMS Medical Direction is key to successfully fulfilling the role of a Park EMS Medical Advisor. If needed, information on general EMS Medical Direction can be obtained through the following resources. It is recommended that new Park EMS Medical Advisors review at least one of the Medical Direction publications listed below if they are not already familiar with this information.

American College of Emergency Physicians (ACEP)

Website.....www.acep.org

Publications.....Medical Direction of Prehospital Emergency Medical Services, (also see the joint publication listed below)

National Association of EMS Physicians (NAEMSP)

Website..... www.naemsp.org

Publication..... see the joint publication listed below

Courses..... Medical Direction: National Standard Curriculum

National Highway Transportation and Safety Authority (NHTSA)

Website..... www.nhtsa.dot.gov

Publications..... 1. Guide for Preparing Medical Directors

This is the recommended resource if you are new to the role of EMS Medical Direction. It is a joint publication of NHTSA, ACEP, AEMSP and Health Resources and Services Administration and can be ordered or downloaded through NHTSA at

www.nhtsa.dot.gov/people/injury/ems/products.htm

2. A Leadership Guide to Quality Improvement for EMS Systems Courses.....Several are sponsored by NHTSA and are usually offered through state or local EMS Authorities. Specific courses and dates are listed on their website. Some you might consider are those on EMS Medical Direction, continuous quality improvement in EMS Systems and Data Management

3. Terminology and Definitions

Park EMS Medical Advisor: Within the Federal government, “Directors” are employees. As the vast majority of Medical Advisors are working as volunteers in unpaid positions, this term is more accurate. Additionally, and perhaps more importantly, designation as a Medical Advisor allows Volunteer-in-Park status to

be extended to the Medical Advisor, thus giving him/her significant tort claim protection.

EMS Coordinator: This position is held by a Park Ranger who has been tasked with managing the EMS system within a park or sometimes multiple small parks/park areas. He/she is the primary link between the park and the Park EMS Medical Advisor. The assignment as an EMS Coordinator is most often a collateral duty designated a percentage of the ranger's time, typically 10 to 20%. (See Appendix 4)

*More detailed descriptions of these positions, as well as additional related positions, can be found in RM-51, Chapter 3, and Section 3. Also the unique Parkmedic (Level V) designation is detailed in Section 4 below.

4. Levels of EMS provider in the NPS

Level 1: CPR AED Provider
Level 2: Basic First Aid Provider
Level 3: First Responder
Level 4: EMT-Basic
Level 5: Parkmedic (Parkmedic Cardiac)
Level 6: Paramedic

* Detailed descriptions of each of these positions can be found in RM-51, Chapter 6, Section 3.

5. Training, Continuing Education and Scope of Practice

Whenever possible the NPS strives to adopt nationally recognized certification standards at each level. Chapter 6 of RM-51 outlines the specific course of training and certifying organizations that the NPS has approved for each level of care. The NPS utilizes the National Registry for medic certification testing at the EMT-Basic level and above (www.nremt.org). Refreshers, as defined below, need to conform to the NREMT curricular outlines. However, other continuing education can be tailored to specific park needs, ideally identified through the continuous quality improvement process.

Due to the unique environments often faced by NPS EMS providers, some specific scope of practice expansions have been authorized for the EMT-Basic, Parkmedic/Parkmedic Cardiac, and Paramedic levels. These are briefly summarized below:

A. EMT-Basic

When approved by the Park EMS Medical Advisor and after successful completion of the appropriate training modules (see training below). EMT-

Basic providers are allowed to use or perform the following procedures, as delineated in the NPS EMS Field Manual:

- Epinephrine – Auto-injectors
- Dislocation reductions
- Gamow Bag - (Portable hyperbaric chamber)
- NAAK/Mark I (Atropine/2PAM Auto-injector)

Some individual parks have authorized an expanded scope of practice for EMT-Basics, including IVF and/or a Drug module, typically (Nitroglycerine, Aspirin, Albuterol, Glucose). These are not uniform and do not currently fall under the approved NPS scope of practice. Parks that have chosen these expanded scopes of practice items are doing so under the local or state scope of practice in their areas or under the medical license of their Park EMS Medical Advisor. Parks needing expanded scopes of practice are encouraged to consider moving to the Parkmedic level.

Training: EMT-Basics obtain training at a variety of sites and need state and/or National Registry certification to function within the NPS EMS System (check with your park EMS Coordinator regarding the specifics in your park).

The specific EMT-Basic training modules, bulleted above, are taught and approved at the local park level as per the Park EMS Medical Advisor.

Continuing Education: EMT-Basics must obtain adequate hours of continuing education to maintain their certification. National Registry requires 72 hours every 2 years (a 24-hour refresher plus 48 hours additional continuing education). This is most often provided by a combination of periodic practice and lecture sessions, led by the Park EMS Medical Advisor and coordinated by the EMS Coordinator plus a 24-hour refresher. These refreshers are often provided by the larger parks and attended by EMT-Basics from neighboring smaller parks. Additionally, at the EMT-Basic level, continuing education is often obtained through local EMS agencies.

B. Parkmedic

When approved by the Park EMS Medical Advisor and after successful completion of the appropriate training modules, Parkmedic level providers are allowed to do all the expanded scope of practice items listed in the EMT-Basic SOP. Additionally they have an expanded drug module and procedural skill set, uniquely tailored to NPS needs. This can be found in the NPS EMS Field Manual.

Training: Paramedics are trained to this unique level at a biannual training and certification course provided at University Medical Center in Fresno, California. This "January Course" is attended by Park Rangers from national parks all over the United States. Lectures, small group sessions, and clinical rounds are provided by faculty and residents as well as other staff. The course includes 4 weeks of didactics and additional clinical time. RN precepted, (ED time) and Prehospital, Paramedic precepted, (Ride along) time. The course teaches from the NPS EMS Field Manual and graduates obtain a certification at the NPS Parkmedic level and the NREMT I-85 level. They subsequently need to obtain authorization to practice in their designated park under the license of the Park EMS Medical Advisor.

Continuing Education: Paramedics must obtain adequate hours of continuing education to maintain their certification. Although the National Registry does not specifically recognize the Parkmedic level of training, currently they are certified at the EMT-Intermediate (I-85) level. Thus they are required to obtain 72 hours of continuing education every 2 years (a 36-hour refresher plus 36 hours additional continuing education). This is most often provided by a combination of periodic practice and lecture sessions, led by the Park EMS Medical Advisor and coordinated by the EMS Coordinator plus a 36-hour refresher every 2 years. These refreshers are often provided by the larger parks and attended by Parkmedics from neighboring smaller parks. See Appendix 2 for a sample continuing education schedule for a park with Parkmedic and EMT-Basic providers. Although the Parkmedic scope of practice is somewhat unique, it is tailored specifically for the needs of the NPS and is standardized through the NPS EMS Field Manual. Some specific suggestions regarding continuing education sessions:

- Keep the sessions 3-4 hours each (1 hour didactics, 1 hour procedural practice, 1 hour quality improvement and Q&A)
- The EMS Coordinator does most/all of the logistics
- Protocol based case scenarios are well received and more interactive
- Include procedural review and practice sessions, i.e., Combitube placement in mannequins, IV practice
- Mandate attendance and use testing for absentees
- Limit formal lecture format when possible
- Include a segment for quality improvement – Feedback from their PCR review. Hand out sample PCRs and critique the care and documentation
- Use local field experience and continuous quality improvement to focus emphasis and topic selection

C. Refreshers

Both the EMT-Basic and Parkmedic refreshers are multi-day training sessions that are designed to cover the entire scope of practice for the level of the provider. Parkmedics are often able to provide much of the instruction for the EMT-Basic Refresher. Additionally, local EMS Systems can often be tapped for instruction and training equipment for the Parkmedics. Format for these refreshers is highly variable, but often morning didactics and afternoon hands on practice sessions work well. National Registry Curriculum requirements provide an excellent framework, modified and tailored to the specific needs of your park/providers.

Updated continuing education requirements and curricula are available at www.nremt.org

Current Hours:

- EMT-B- Refresher (24 hours) plus 48 hours additional continuing education every 2 years
- EMT-I85 (Parkmedic) Refresher (36 hours) plus 36 hours additional continuing education every 2 years

D. Multi Casualty Incidents Drill

The NPS EMS Field Manual includes a procedure using START/Jump START for triaging patients in disaster or MCI. Procedure 1100 in the NPS EMS Field Manual, is a reference document for the use of Park EMS Medical Advisors and Park EMS Coordinators, should you wish to practice for an MCI in a drill format.

E. Parkmedic Cardiac

This entity exists in some of the large parks. In an attempt to standardize the scope of practice for this level, it has been defined as equivalent to the NREMT Intermediate-99 (I-99). The main differences between a Parkmedic and a Parkmedic Cardiac are the use and training in cardiac monitors, some additional ACLS drugs, and endotracheal intubation. For specific details of how these providers fit into the NPS EMS System, contact the WASO office. The I-99 curriculum is available through the NREMT or NHTSA at their websites.

F. Paramedics

Most parks that utilize Paramedics do so through contracted personnel or mutual aid agreements with local EMS Systems. Hence, these parks (often

in urban settings) may have frequent calls run within their boundaries as part of a larger EMS system. Contract agreements are usually seasonal or designated to cover a specific region within a park, typically those areas with high visitation or population density. These medics are usually not NPS personnel and the typical Park EMS Medical Advisor has minimal interaction with them as they often function within their local protocols and/or medical control. If your park utilizes Paramedics, contact your EMS Coordinator for specifics on how they fit into the parks EMS System. For more general information on how these providers fit into the NPS EMS System, contact the WASO office.

6. Continuous Quality Improvement

Compared to most urban EMS Systems, the typical NPS EMS provider has a low number of patient contacts. Many will go through an entire season with less than 10. Thus PCR, (run sheet) review with/without the EMS Coordinator, is critical to continuous quality improvement. In many parks 100% review is feasible, as the total EMS contacts for the year is in the 100-300 range. Weighted sampling of PCRs for review, with the emphasis on ALS calls, can be accomplished with the assistance of the EMS Coordinator. For example, all ALS airway, IV fluid, AED uses plus a percentage of the remainder might be a first query.

Feedback should be separated into two major categories, individual and group. Feedback to specific providers should have the goal of remediation and education of that individual. Group feedback is designed to cover educational points uncovered during investigations of specific incidents or via continuous quality improvement data trends.

This is often accomplished as part of regularly scheduled continuing education sessions and can be augmented with electronic bullet point feedback via the EMS Coordinator and the park bulletin board. For continuity the EMS Coordinator needs to be included in all types of feedback. Regardless, due to medico-legal concerns, patient and to a lesser extent provider, identities need to remain confidential*.

Most parks require a significant amount of data collection by the EMS Coordinator and review of what they already collect is often a pleasant surprise to a new Park EMS Medical Advisor. There are ongoing projects to compile a more complete EMS/SAR database that will allow better decision making, needs assessments and resource allocation in the future, as well as national and/or local research opportunities.

* Note: Typically the continuous quality improvement process is shielded from legal inquiry. However, continuous quality improvement requires a level of protection and confidentiality that complies with both Federal and

your state legislation. Be sure to maintain patient confidentiality and use communication forms that remain protected from discoverability, i.e., email is often discoverable, while written communications with the local state statutes cited on the forms remain undiscoverable in most circumstances. Often the practices followed by your local urban EMS system(s) are a good resource for the best way for this to be accomplished.

Operations

Operational issues are predominantly the responsibility of the EMS Coordinator. However, to understand the Medical Advisor and EMS System issues faced, this section is included to address some of the unusual circumstances that arise. What follows is a list of some relevant issues:

- The typical Park Ranger wears many hats. These may include fire, law enforcement, interpretive duties, administration and EMS. This comes into play with continuing education issues as it is often difficult to free up large numbers of staff to attend multiple sessions. This also affects transport decisions as the prolonged transport of medical patients may leave large areas of the park uncovered for medical responses, but also for fire and law enforcement. Therefore, air evacuations or rendezvous are often the norm as opposed to the exception.
- Patient contacts are often few and far between, but may be significant in length (occasionally running into days). Thus the protocols and scope of practice decisions are designed to allow for this eventuality.
- Patients are often park employees, their families and concessionaires. Thus the providers often know their patients personally. This, along with the EMS providers' potential law enforcement role, can result in some controversial, occasionally difficult situations for all parties involved.
- With the increasing mobility of the elderly, terminal and disabled, there have been several incidences of NPS EMS providers needing to deal with advance directives. Often patients have stated they simply wish to die in a beautiful place. Having a policy and contingency plan for such situations can avoid numerous headaches.
- Park Rangers are often temporarily assigned to a specific area or transferred after a single year or season in a specific park. Thus the training, continuous quality improvement and continuing education components are key to keeping a handle on what is happening within the park.

- Communications are usually well developed and highly professional, often incorporated within the fire and law enforcement systems. However, due to terrain and remote locations, there are often large communication failure areas mandating protocol and scope of practice decisions that allow operations to continue without base contact. This also illustrates the need for a thorough continuous quality improvement process. Additionally a variety of communication devices may be in use within the same park. Familiarity with the capabilities and limitations of communications within your park(s) is key to good medical oversight.
- Some parks are geographically large enough to have more than one base hospital, while others have no on line medical control. Both of these situations may affect communications, scope of practice, continuous quality improvement processes, transport and treatment decisions. Familiarity with the jurisdiction, mutual aid agreements, if any, base hospitals, park policy and geography are often key to smooth functioning of the NPS EMS System.
- Along with the Standardized NPS EMS Field Manual and consequent Parkmedic scope of practice, there is also an approved NPS PCR. This has been designed and updated to address the field needs as well as the data collection requirements needed on a regional and/or national level. Unless the local situation mandates differently, this standardized form should be used whenever possible.
- The NPS holds EMS conferences on a periodic basis. Attendees are NPS Park EMS Medical Advisors and EMS Coordinators. Agenda items include issues germane to NPS EMS and discussion is focused on what future direction should be taken. The past four conferences have been heavily focused on standardizing Scopes of Practice, Policy, Protocols, Procedures, Drugs, and Documentation when and wherever possible. This handbook is one example of an attempt to have a standardized reference for Park EMS Medical Advisors and EMS Coordinators.
- One very useful relationship to develop, outside of the EMS Coordinator, is that with your local EMS System. Good relations in this arena can be beneficial to both sides from nearly every aspect of EMS. This is particularly true with training, drills, equipment, transport and communications.

8. Administration

As a Park EMS Medical Advisor, there is a minimum of administrative work as these duties primarily fall to the EMS Coordinator. Periodically the EMS Coordinator will need a physician signature on recertification paperwork. In

some unique settings there may be a call for a specific protocol or policy to be developed. Interagency relationships may also involve the Park EMS Medical Advisors from time to time, usually in the form of advice to the EMS Coordinator. Although infrequent, some examples of how a Park EMS Medical Advisors might be involved include:

- Review of the Park Emergency Action Plan
- National vs State vs Park – Jurisdiction issues
- Mutual Aid agreements*
- WASO (Washington DC) – Park EMS Medical Advisors interface
- Local EMS interface*
- National EMS Medical Advisor – Park EMS Medical Advisors interface
- State EMS interface*
- Park EMS Medical Advisors – EMS Coordinator interface
- Hospital interface*
- Trauma/Burn center destination designation
- Billing/Reimbursement – mostly in the form of an occasional letter to an insurance carrier
- Medico-legal advice

*These items often involve a Memorandum of Agreement or Understanding. These should be reviewed in conjunction with your EMS Coordinator. Your input is predominantly from the medical content perspective and theirs from the operational. The actual document writing is done mostly by the park and agency attorneys.

NPS Hierarchy

Appendix 3 shows the chain of command from the President down to the typical EMS Coordinator in a national park. As a Park EMS Medical Advisors, you serve as an advisor and consultant to the EMS Coordinator and the vast majority of the typical interactions will be through this individual. EMS Coordinators rarely, if ever, have this as their only assigned duty. EMS is most often a small percentage “collateral duty.” Typically this is 10 to 20 % of their assigned time. Appendix 4 is the DO-51 and RM-51 description of the EMS Coordinator position and required duties.

9. Resources/Information

- DO-51
- RM-51
- NPS EMS Field Manual, Appendix 3, is the Table of Contents from this document to give you an idea of the Parkmedic scope of practice.

- EMS Coordinator
- WASO – EMS/SAR office in Washington DC
- National EMS Medical Advisors *
- Fellow/Neighbor Parks/ Park EMS Medical Advisors *
- NPS EMS Advisory Committee* – This is a group of Park EMS Medical Advisors who have met several times over the last 8 years to discuss and advise the NPS via the Branch Chief, Emergency Services.

* These can all be accessed through the WASO office

Appendix #1

NPS EMS FIELD MANUAL

General

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General Information

Procedure

1010	Automatic External Defibrillator (AED)
1020	Base Hospital Contact Criteria
1030	Blood Glucose Determination
1040	Combitube
1045	Epinephrine Auto-Injector
1050	Fracture / Dislocation Management
1060	Gamow Bag
1070	Intraosseous (IO) Access
1080	IV Access and IV Fluid Administration
1090	MAST (Antishock Trousers)
1100	Multi-Casualty Reporting Format/START/Jump START Triage
1105	NAAK/Mark I (Nerve Agent Antidote Kit)
1110	Nasogastric/Orogastric Tube Insertion
1120	Needle Thoracostomy
1130	Oxygen Administration
1140	Rectal Drug Administration
1150	Spine Immobilization
1160	Standard Reporting Format (Call-In)
1170	Transtracheal Jet Insufflation
1180	When to Initiate a PCR (Patient Care Report/Run Sheet)
1190	Wound Care

Protocol

2000	Abdominal Pain
2010	Allergic Reactions
2020	Altered Mental Status/Altered Level of Consciousness (ALOC)
2030	Altitude Illness
2040	Bites and Stings
2050	Burns
2060	Cardiac Arrest (Adult Medical)
2070	Chest Pain – Cardiac
2080	Childbirth
2090	Electrical and Lightning Injuries
2100	Eye Trauma
2110	Frostbite
2120	Heat Illness
2130	Hypothermia

2140	Ingestion/Poisoning
2150	Major Trauma – Adult
2160	Minor or Extremity Trauma
2170	Near Drowning
2180	Pediatric – Major Trauma
2190	Pediatric – Medical Arrest
2200	Pediatric – Medical Illness/Fever
2210	Pediatric – Neonatal (Newborn) Resuscitation
2220	Pediatric – Vital Signs
2230	Respiratory Distress
2235	SCUBA/ Dive Injury
2240	Seizures
2250	Shock Without Trauma
2260	Trauma Arrest (Adult and Pediatric)
2270	Vaginal Bleeding

Drugs

3000	Acetaminophen (Tylenol)
3010	Acetazolamide (Diamox)
3020	Activated Charcoal
3030	Albuterol or Metaproterenol sulfate (Alupent, Metaprel, Albuterol)
3040	Aspirin (Acetylsalicylic acid)
3050	Atropine Sulfate
3055	Bacitracin Ointment
3060	Cefazolin Sodium (Ancef)
3070	Dexamethosone (Decadron)
3080	Dextrose 50% (D50)
3090	Diphenhydramine (Benadryl, Benacine)
3100	Epinephrine (AnaGaurd)
3110	Furosemide (Lasix)
3120	Glucagon
3130	Glucose Paste or Gel (Glutose)
3135	Ibuprofen (Motrin, Advil)
3140	Ipecac
3145	Ipratropium (Atrovent)
3150	Lidocaine (Xylocaine)
3155	Magnesium Sulfate 50%
3157	Metoclopramide (Reglan)
3160	Midazolam (Versed)
3170	Morphine Sulfate
3180	Naloxone (Narcan)
3185	Neosporin Ophthalmic Ointment (Eye)
3190	Nifedipine (Adalat, Procardia)
3200	Nitroglycerine
3210	Oxytocin (Pitocin)
3215	Pralidoxime Chloride (2 PAM)
3220	Sodium Bicarbonate

Appendix # 2

Sample Parkmedic Yearly continuing education Calendar

Date	Instructor	Topics/Protocols	Procedures	Medications
8/13		Documentation Allergic Reactions Respiratory Distress	Combitube Epinephrine Auto-Injector Nebulizer Oxygen Administration Pulse Ox Vital Signs	Albuterol or Metaproterenol sulfate (Alupent, Metaprel, Albuterol) Dexamethosone (Decadron) Diphenhydramine (Benadryl, Benacine) Epinephrine (AnaGuard) Glucagon Ipratropium (Atrovent) Oxygen Administration
9/10		Abdominal Pain Childbirth Vaginal Bleeding	Intraosseous (IO) Access IV Access and IV Fluid Administration	Magnesium Sulfate 50% Metoclopramide (Reglan) Oxytocin (Pitocin)
10/8		Altered Mental Status/Altered Level of Consciousness (ALOC) Seizures Shock Without Trauma Syncope	Automatic External Defibrillator (AED) Blood Glucose Determination Combitube Drug Calculations	Dextrose 50% (D50) Glucagon Glucose Paste or Gel (Glutose) Midazolam (Versed) NAAK/Mark I (Nerve Agent Antidote Kit) Naloxone (Narcan)
11/12		Chest Pain - Cardiac Frost Bite Hypothermia Respiratory Distress	Intraosseous (IO) Access IV Access and IV Fluid Administration	Aspirin (Acetylsalicylic acid) Furosemide (Lasix) Nitroglycerine Oxygen Administration
3/11		Cardiac Arrest (Adult Medical)	BVM Combitube	Lidocaine (Xylocaine) Epinephrine (Anaguard)

Ingestions/Poisoning
Pediatric issues
(2180 – 2220)

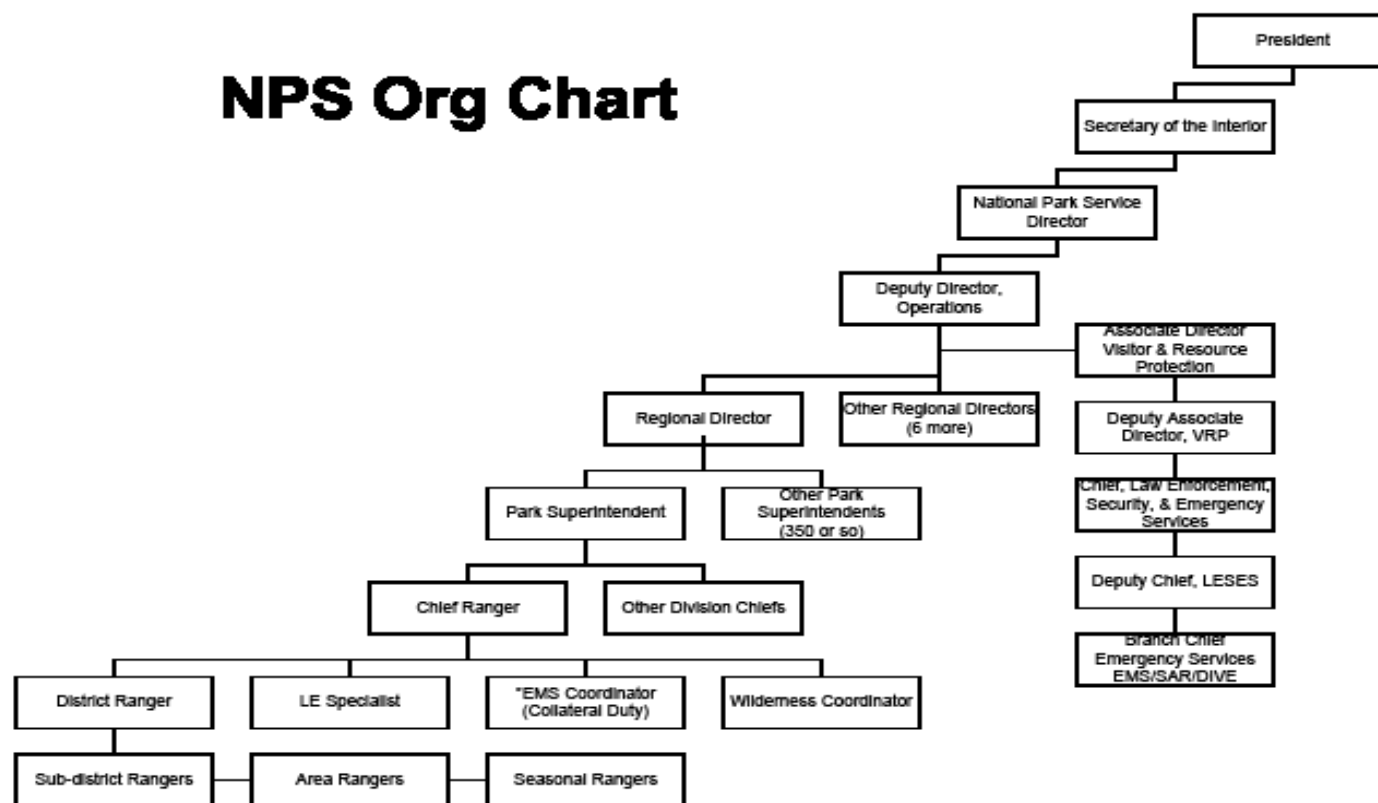
Nasogastric/Orogastric Tube
Insertion
Rectal Drug Administration
Transtracheal Jet Insufflation

Atropine Sulfate
Activated Charcoal
Ipecac
Sodium Bicarbonate

4/8	Eye Trauma Major Trauma – Adult Minor or Extremity Trauma	Fracture/Dislocation Management MAST (Anti-shock Trousers) Needle Thoracostomy Spine Immobilization Splinting Wound Care	Cefazolin Sodium (Ancef) Intraosseous (IO) Access IV Access and IV Fluid Administration Morphine Sulfate Neosporin Ophthalmic Ointment (Eye)
5/23 – 5/27 (Every 2 years)	Parkmedic refresher	All (1010 – 1190)	All (3000 – 3220)
6/10	Bites and Stings Burns Near Drowning	Epinephrine Auto Injector	APAP Bacitracin Ointment Ibuprofen (Motrin, Advil) Oxygen Administration Peds dosing
6/24 – 6/26	EMT Refresher	All EMT-B Scope	All EMT-B Scope
7/8	Altitude Illness Electrical and Lightning Injuries Heat Illness	Gamow bag	Nifedipine (Adalat, Procardia) Dexamethasone (Decadron) Acetazolamide (Diamox)
7/23	MCI Drill	Multi-Casualty Reporting Format / START / Jump START Triage	

Other topics covered on an as needed basis. ie; SCUBA/Dive Injury, Cave Rescue issues, etc.

NPS Org Chart



* Park EMS Medical Advisor interface occurs commonly at this level

Appendix #4

From Director's Order - 51

Park EMS Coordinator

The day-to-day management and funding of park EMS programs resides at the park level. It is the responsibility of each superintendent to ensure that the park EMS program is in compliance with DO-51 and RM-51. Superintendents will appoint Park EMS Coordinators to ensure that their programs are compliant with Service-wide policy and regulation, as well as applicable laws.

From Reference Manual – 51 (RM-51)

1. Overview

The day-to-day management and funding of park EMS programs resides at the park level. It is the responsibility of each park's superintendent to ensure that the park EMS program is in compliance with DO-51 and RM-51. Superintendents will appoint Park EMS Coordinators, who will work with Park EMS Medical Advisors to ensure that their programs are in compliance with Service-wide policy and regulation, as well as applicable laws. The Washington and Regional Offices will provide guidance and assistance to the parks.

3.4. Park EMS Coordinator (PEMS-C)

The day-to-day management of EMS programs in the individual units of the NPS resides at the park level, and it is the responsibility of park superintendents to ensure that their programs are in compliance with the Director's Order and this Reference Manual. Superintendents will appoint an EMS Coordinator to fulfill these obligations.

Duties of the PEMS-C may include:

- Liaison with the Park's EMS Medical Advisor (PEMS-MA).
- Evaluate the welfare and effectiveness of the EMS program and apprise park management and the PEMS-MA.
- Ensure that the area EMS plans are consistent and in compliance with DO-51 and RM-51.
- Coordinate park EMS training and serve as EMS training officer.
- Coordinate the purchase of controlled substances, EMS supplies and equipment.
- Maintain necessary records such as personnel resources, and supply and equipment inventories.
- Issue White Cards (EMS Provider authorizations) and ensure that appropriate credentials are maintained.
- Prepare and submit a summary of park EMS activities and the number of Level III, IV, V and VI EMS Providers to the NEMS-MA and REMS-C at the end of each calendar year.
- Provide for as necessary, critical incident stress management (CISM) follow-up for all employees and supervisors who may be involved in emergency response and/or support. The specific details regarding Critical Incident Stress Management is to be published in Reference Manual 57 *Occupational Medical Standards and Health and Fitness Guidelines*.
- Conduct EMS Needs Assessment for the park every 3 years.

APPENDIX B

EMS COURSE INSTRUCTORS AND COURSE COORDINATION GUIDE

I. Introduction

The purpose of this guide is to summarize the need for NPS EMS instructors, to establish Servicewide policy for requirements to provide course instruction and for the coordination of EMS courses provided within the National Park System.

The EMS courses required for the various levels of training and certification are available in most states through colleges, national, state, and local agencies and organizations. One exception is the Parkmedic course (Level V) that was designed specifically for, and by the NPS.

While many of these courses may be available to NPS employees through other sources as described above, several park areas have found that they are limiting in terms of frequency and time of year offered, space availability for NPS personnel, cost, distance to the course location, and in some cases, the course content does not meet the minimum National Standard Curriculum requirements. As a result, some parks have identified the need to provide their own courses either by contracting instructors from outside the park, or to have their own personnel qualified as instructors.

II. Policy

EMS Coordinators (in collaboration with the Park EMS Medical Advisor for Levels IV and V), may authorize instructors and coordinate the primary courses of instruction for Levels I-IV, and continuing education for Levels I-V, as long as the following standards for instruction are met and the need has been identified. Persons with expertise in a specific subject area may provide course presentations without meeting the following requirements, as long as they are under the supervision of the primary course instructor. Procurement and contractual arrangements for instructors that are not NPS employees will be in compliance with the Servicewide policies for contract employees.

A. Levels I and II (AED, CPR and First Aid) Course Instructor Requirements

For courses administered by the American Red Cross, the American Heart Association, American Safety and Health Institute, and the National Safety Council, an instructor candidate must have completed an

instructor course and be currently certified as an instructor by the respective organization.

B. Level III (First Responder) Course Instructor Requirements

For a candidate to become an NPS instructor for courses administered by the American Red Cross and the National Safety Council, they must have completed the respective organizations instructor course and be currently certified as an instructor by that organization.

The Park EMS Coordinator may also designate a prospective candidate as a First Responder Instructor. As a minimum, the course instructor shall have the following:

1. Documented training and experience as an educator or instructor of a skill that may be applied to the presentation of the First Responder course or has had previous documented experience as a First Responder (or greater) Instructor.
2. Current certification as an EMT-Basic (Level IV) with a minimum of 3 years of field experience is required.
3. Current Certification as a CPR instructor. This requirement may be waived as long as a currently certified CPR instructor is utilized to teach that component of the class.

Copies of these documents will be maintained in the files of the Park EMS Coordinator.

The course of instruction provided by NPS or contract instructors will use the NHSTA Standard Curriculum for First Responder and First Responder Refresher Training. Those documents and the Instructors Lesson Plans are available at www.nhtsa.dot.gov/people/injury/ems/nsc.htm .

C. Level IV (EMT-Basic) Course Instructor Requirements

At this level of training, and for purposes of quality assurance, it is recommended that supplemental medical personnel be incorporated into the training program (physicians, nurses, and paramedics) in order to provide a pool of expertise for the diverse subject matter and skills that comprise the course. As a minimum, the prospective NPS EMT-Basic instructor will have:

Documented training and experience as an educator or instructor of a skill that may be applied to the presentation of the EMT Basic

1. Documented training and experience as an educator or instructor of a skill that may be applied to the presentation of the EMT Basic Course or has had previous documented experience as a EMT Basic (or greater) Instructor.
2. Current certification as a Parkmedic or greater, with a minimum of 3 years field experience at that level.
3. Current certification as a CPR instructor. This requirement may be waived as long as a currently certified CPR instructor is utilized to teach that component of the class.
4. A letter of recommendation by the Park EMS Medical Advisor.
5. Copies of these documents will be maintained in the files of the Park EMS Coordinator.

D. Parkmedic Course Coordinator Requirements

Most Parkmedic courses have been administered by hospitals designated by the NPS to instruct the course curriculum. However, the Parkmedic course may be sponsored by a park area as long as the following criteria are met:

1. The park area has or anticipates having a Level V EMS Program.
2. The park area has a medical sponsor that will act as course director. He/she may appoint a coordinator to administer the course. The coordinator will develop a participant list and provide for the documentation of attendance, all examination scores, and clinical and field internships.
3. The teaching facility (usually a hospital) has a staff qualified to instruct all parts of the Parkmedic curriculum (National Standard Curriculum for EMT-Intermediate and the pharmacology and/or cardiac module if included).
4. A hospital is available to provide a clinical rotation for the participants and can provide the necessary supervision.
5. The participant's park area can provide the required hours for a field internship.

Once these criteria are met, approval must be obtained through the Branch Chief, Emergency Services. The application for approval to sponsor this course is included in Exhibit 2. A White Card is not issued for this one time approval.

The following guide is available to the course instructor/coordinator. It may be obtained at the same addresses as listed under section D of this chapter.

Emergency Medical Technician-Intermediate: Instructor's Lesson Plans

Emergency Medical Technician-Intermediate: Course Guide

E. Paramedic Course Instructor Requirements

At the present time, the NPS has not identified the need to instruct or coordinate a paramedic training course.



**Emergency Medical Services
Reference Manual (RM-51)**

This document is provided for the exclusive use of the National Park Service, employees of the Department of the Interior, and other Federal agencies in connection with emergency services activities.

The information contained in this document may be privileged, confidential and protected from disclosure.

Any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication or any of its contents is strictly prohibited.

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NPS and its Partners: Graphic Identity Framework

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1.0 Partnerships and the National Park Service

The Department of the Interior and the National Park Service (NPS) define “partnerships” as a mutually beneficial collaborative relationship between two or more groups, agencies or organizations. Partnerships are built on the contribution of each party, and formed to achieve or to assist in moving toward a common goal. Partners bring resources to the relationship that allow the partners to accomplish objectives that, individually, neither party could achieve. Partnership may involve one partner tapping into another’s unique abilities, equipment or services, or it may be a sharing of resources (money, time, knowledge, equipment, etc.) to accomplish short- or long-term objectives agreed upon by all the participating partners.

The National Park Service has a wide range of partnerships with individuals; organizations; tribal, state, and local governments; and other federal agencies. These partnerships help us fulfill the mission, and through these partnerships, we have received valuable assistance in the form of educational programs, visitor services, living history demonstrations, search-and-rescue operations, fund-raising 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 and America.

The NPS also has relationships with private companies that provide visitor services in parks through concession contracts. These concessioners fill a vital role in helping the NPS carry out its mission by providing highly specialized visitor services that are necessary and appropriate to the park, but not provided directly by the government.

In addition to partnerships, the NPS appreciates private and public sector contributions, grants, and in-kind support that aid in the accomplishment of its mission. It is NPS policy to thank these contributors in an appropriate fashion as described in [Director’s Order 21: Donations and Fundraising](#). Where the contribution of an individual, group, organization or agency is considered a donation, it would be recognized through a credit line as described in [Director’s Order 21](#).

2.0 About this document

This publication provides guidance for how partnerships may be graphically recognized through a wide range of media, such as publications, signs, websites and exhibits. It is meant to be used as a guide to make decisions on how to visually represent the official NPS Arrowhead symbol (Arrowhead), and other NPS graphic identity elements alongside the marks and identity elements of those with whom we've partnered in a way that appropriately represents the level of participation by both parties. It is also intended to support [Director's Orders 21](#) and the [Director's Order 52 series](#).

The reader is first introduced to the standards for representing a partnership on NPS materials. The publication then introduces NPS graphic identity elements and illustrates how the NPS may authorize their use on partner materials.

The manual also provides graphic identify requirements for concessioners. Additional information on the application of graphic identity requirements for concessioners can also be found in Director's Orders 48 and other [Commercial Services Policy and Concession Contract terms](#).

Remember our audience!

Regardless of whether material is produced by the NPS or by a partner, who produced it and who is responsible for its message should be made clear to the public. The role of the NPS in any partner-produced material should always be made clear to the public either *editorially* (e.g. "The Essex National Heritage Area receives technical, planning and financial assistance from the National Park Service.") or *graphically* (i.e. correct use of the Arrowhead) or both.

Partners are encouraged to use their own graphic identities separate from the National Park Service. However, there may be occasions when an item is produced by a partner for the NPS and intended to look like an official NPS communication. On these occasions—always agreed upon in advance by the NPS and the partner—materials are to strictly adhere to the NPS graphic identity standards (www.graphics.nps.gov).

Section 2: About this document

NPS employees who produce NPS communications materials are expected to follow the guidelines in Section 4, all appropriate Director's Orders, and documents found on graphics.nps.gov, and are strongly encouraged to consult with Harpers Ferry Design Center on ways to properly represent the NPS brand.

Partners who wish to include the NPS Arrowhead symbol must read and understand Section 3 and must follow the guidelines found in Section 5, Section 6, Section 7, as well as any requirements of their agreements with NPS.

Note about illustrations and examples:

The framework examples in Section 4 and Section 5 indicate required elements and their relative visual relationships. They do **not** necessarily indicate design/layout or specific sizes of logos.

Throughout this document "logo" is used as shorthand for any partner logo, logotype, symbol, wordmark or other partner graphic identifier.

3.0 NPS Graphic Identity

Throughout its history, the National Park Service has consistently provided high-quality information to the public. However, the graphic look and feel of that information has not been consistent, which has diminished opportunities to strengthen the public's understanding of what the NPS is and what it does. With the adoption of Director's Order 52A in 2001, the NPS began an effort to address this issue by adopting graphic identity standards that make our communications media consistently more distinctive and memorable.

These standards prescribe the use of a series of graphic elements that, together, compose our public identity. When these elements—most of which have been in use for many years—are applied consistently, they strengthen our message and create an immediate expectation of quality and credibility. Most NPS employees are familiar with these elements, but they must also understand how to use them together when designing communications media. Chief among the graphic elements is the NPS Arrowhead logo. Since it was introduced in 1952, the Arrowhead has symbolized the agency's commitment to preserve the nation's natural and cultural heritage. Because it is well-recognized and highly-regarded, and because it is protected as a trademark, the Arrowhead is the most potent component of NPS identity. Assuring its graphic consistency and protecting it from unauthorized use are essential to maintaining a public image that is distinctive and strong.

The “overbar,” which typically appears in black, was first used in NPS UniGrid publications in the late 1970s, and is another well-recognized element of NPS identity. When carefully used—and not overused—the bar provides a graphically compelling way to present the Arrowhead in publications, websites, and certain types of signs. Even though it is used by other organizations, many people have come to associate the “black band” with the National Park Service, and this association helps to certify the materials as official NPS communications.

Although more subtle, typography nevertheless plays an essential role in defining the NPS look. The font “Rawlinson” was designed especially for the National Park Service and “Frutiger” was selected as a modern counterpoint to the more traditional Rawlinson, largely because it can be easily read at small sizes and at greater distances. Both work well in a wide range of applications, either in headline sizes and weights, or in narrative text.

Section 3: NPS Graphic Identity

With the possible exception of the Arrowhead, no other element of its identity is more easily recognized by the public than the green and gray of the NPS uniform. Indeed, the uniform—and its “flat hat”—are the visual essence of a park ranger; the presence of green and gray leave little doubt that the wearer represents the National Park Service. These two colors (in concert with two shades of brown drawn from the Arrowhead) provide a good background for the other elements of NPS identity and provide an effective way to further visually connect people to the NPS mission.

The public has come to associate these four visual elements—the Arrowhead logo, the graphic overbar, distinctive typography, and specific colors—with the National Park Service. The National Park Service protects the meaning inherent in these graphic elements by protecting them from inappropriate or unauthorized use—just as it cares for the places and programs entrusted to it by the American people.

3.1 Intellectual Property

When working with anyone to develop content for any media it is critical to ensure that the intellectual property rights to the material are clearly delineated and understood by all parties. NPS typically requests the following:

All materials must bear appropriate copyright and trademark notices as prescribed by the partner if their content or branding is included; and NPS shall own all right, title, and interest in data and materials produced under an agreement (unless provided for otherwise in the agreement), including without limitation, b-roll, rough & fine cuts, final products, and derivative works.

Intellectual property provisions can be found in the NPS Friends Group and Fundraising Agreements as well as in contracts and other agreements used to govern the development of media.

3.2 NPS Graphic Identity elements

The NPS Arrowhead Symbol (Arrowhead)

The Arrowhead is registered with the U.S. Patent and Trademark Office. Its use is controlled through law and through regulations and policies issued by the Director. The symbol appears on all official NPS media intended for the public, including publications, signs, business cards and other materials or media. Other entities are not allowed to use the Arrowhead symbol unless permission has been explicitly granted by the National Park Service. The Service grants that permission only under appropriate circumstances and only when there is sufficient assurance that the proposed use will embody the high standards that the public has come to associate with the Arrowhead symbol. There are many partnership activities that the NPS is proud to engage in, and where it is appropriate to use the Arrowhead symbol. These guidelines help both the Service and its partners determine the best way to graphically represent their relationship in those activities.

Typographic identification

“National Park Service” and “U.S. Department of the Interior” are other essential components of the NPS Graphic Identity. Whenever possible and graphically appropriate, the Arrowhead should be accompanied by these two phrases as shown below and in Section 7.2.

Partners should see Section 7 for additional information on acceptable Arrowhead use. NPS staff should visit graphics.nps.gov



National Park Service
U.S. Department of the Interior

Full-color



National Park Service
U.S. Department of the Interior

Grayscale



National Park Service
U.S. Department of the Interior

One-color

3.2 NPS Graphic Identity elements, continued

To avoid confusing the public, partners should not use NPS graphic identity elements such as the black overbar and common NPS typefaces in their materials. NPS encourages partners to develop their own distinct graphic identity separate from that of the NPS.

Overbar

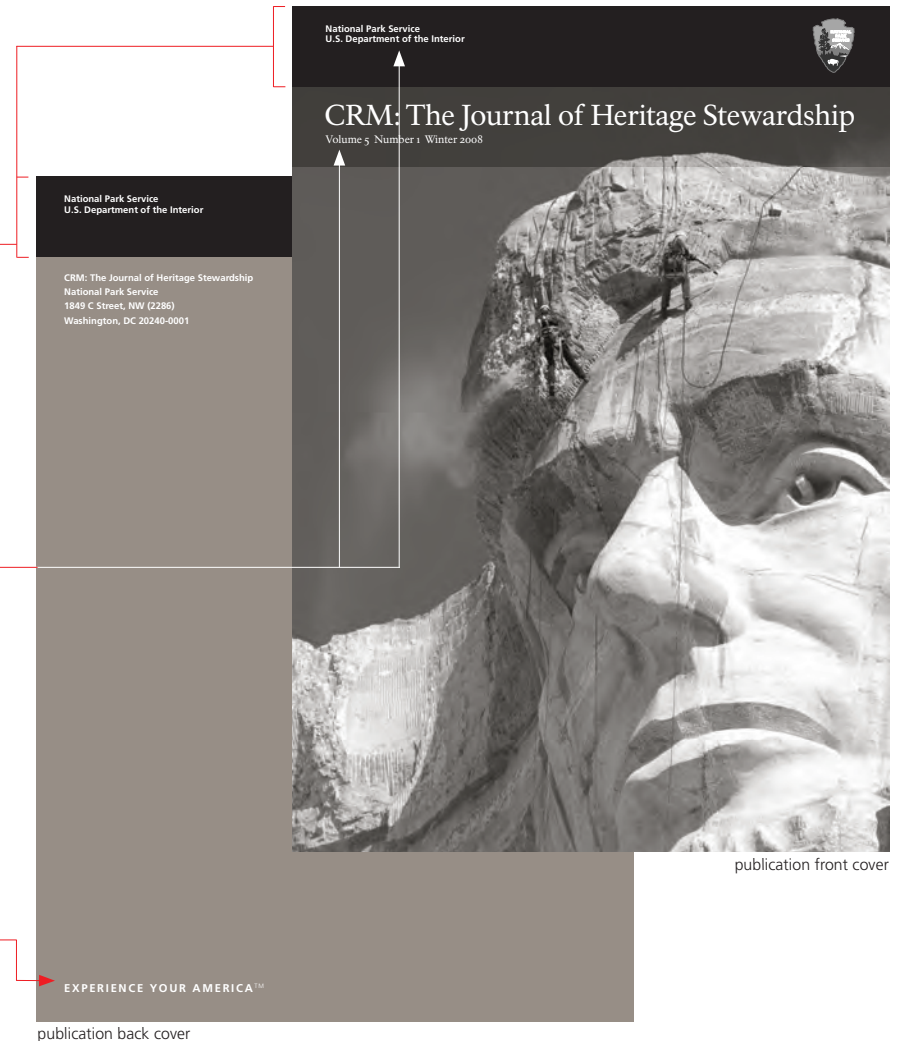
The black overbar is one of the common graphic identity elements used by the NPS and is widely associated with NPS publications and other communications materials. It provides a prominent place to present the Arrowhead, text identifying a park or program, and the agency and department names.

Typefaces and typography

Typography is an important component of any graphic identity system. NPS graphic identity standards specify two typefaces: NPS Rawlinson and Frutiger. With the exception of NPS text identification which appears with the Arrowhead (see previous page), partners should avoid using NPS typographic conventions in their materials.

NPS tagline: Experience Your America

The NPS tagline is protected as a mark of the National Park Service under U.S. trademark laws and to be used on NPS materials only. Partners are not allowed to use the NPS tagline.



4.0 Partner identity on NPS materials

The following pages outline partner attribution on materials presented to the public as official NPS publications or products. Partnership attribution is governed by this Framework and by Director's Order 21 (Donations and Fundraising) and 52B (Graphic Design Standards). The NPS Office of Policy has responsibility for coordinating Washington level review and approval of the use of the NPS Arrowhead symbol. However, superintendents and other NPS managers may approve uses that clearly fit within this Graphic Identity Framework and are otherwise consistent with NPS policy. The Office of Policy, the Office of Partnerships and Philanthropic Stewardship, the Office of Communications, and Harpers Ferry Center are available for consultation when there is uncertainty about how the Framework should be applied, or when the situation is not covered by the Framework.

The NPS-partner relationship must be clearly indicated to the public. Before developing any materials, the partner and the NPS must have a clear and mutually-agreed-to understanding of the nature of their relationship. Whatever understanding is reached regarding the nature of that relationship must be appropriately reflected in the materials. Most written materials will provide an opportunity to explain the partnership relationship in some depth; but there are many situations where it will need to be done in the form of a simple graphical representation, using the NPS and partner identifiers. It is those situations that create the communications challenge that this publication is intended to address. Beyond that, there will be other challenges that this publication does not address. For example exterior park roadway signs or conference banners, where reading lengthy explanatory text is inappropriate; or on a book cover or on the face of an admission ticket where space is at a premium. In those cases, other appropriate locations or opportunities to describe the NPS-partner relationship must be identified and agreed upon.

When the NPS works in partnership to develop graphic materials, a decision on how to credit each entity without compromising either entity's graphic identity must be made. This Section 4 introduces the thought process for coming to that decision. A key factor is the role that each party plays. The role—or involvement—may consist of, for example, management responsibility, coordination responsibility, or financial support. Do the NPS and its partner play equal roles, or is one role more prominent than the other? And if one plays a more prominent role than the other, to what degree is that the case? As shown on the following pages, the answers to these questions will influence the placement and prominence of the graphic identifiers.




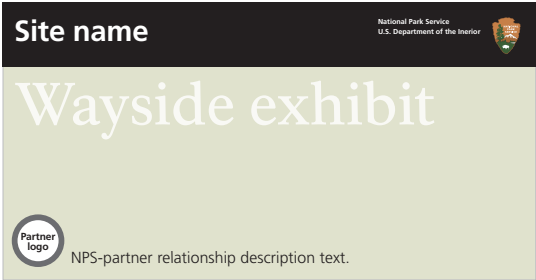
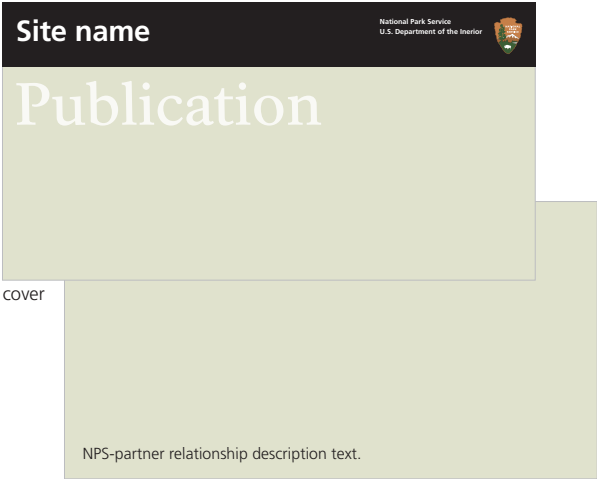
4.1 Framework for partner attribution on NPS-produced materials

On pages 12 through 30, framework diagrams illustrate the relationship of the Arrowhead to the partner logo based on the level of partner involvement, or the prominence of the role played by the NPS and the partner. In some cases a partner may play a very prominent role; in other cases their role may be minor.

The framework diagrams on the following pages illustrate conceptually how the nature of the relationship will determine the relative stature of NPS and partner representation.

The diagrams indicate required elements, not necessarily suggested design.

4.2 Overview of partner identity on NPS materials. In general, if partner(s) role or participation is:

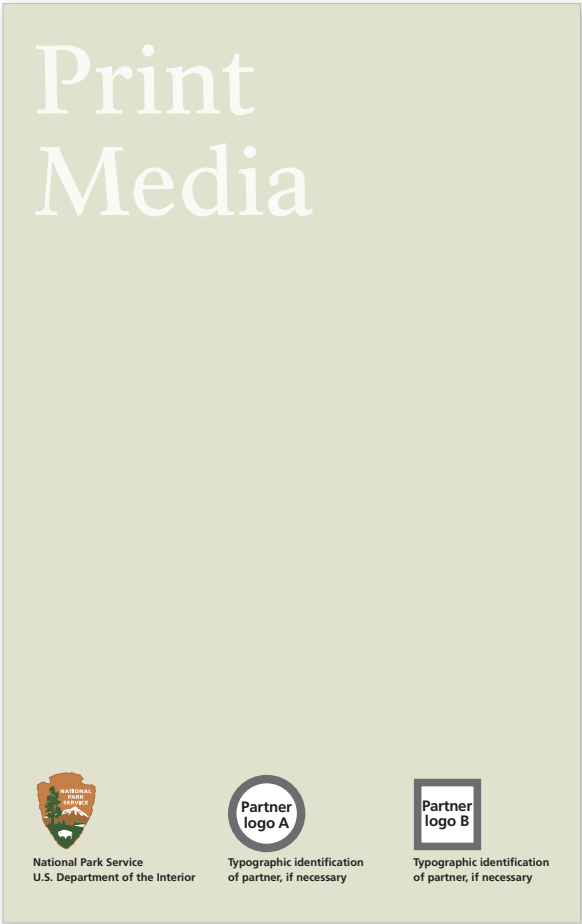
Equal	Significant but less than equal	Minor
<div></div> <p>The partner’s logo and the Arrowhead can appear outside the overbar. If there are multiple partners who have equal involvement then they, including the NPS, can appear as text-only in the overbar as shown. In rare, NPS-approved circumstances the partner’s logo may appear in the overbar.</p> <p>NPS-partner relationship description text appears in an appropriate location such as a credits page or panel or within the publication or back cover.</p>	<div></div> <p>The partner’s logo appears outside the black band in an appropriate location. For example on the face of the wayside exhibit, or within a publication or on the credits page or panel of an exhibit or sign.</p> <p>NPS-partner relationship description text appears with the partner’s logo at an appropriate location such as a credits page or panel, within the publication or back cover.</p>	<div></div> <p>A partner receives a text-only acknowledgement when they had only minor involvement.</p> <p>The partner’s name and NPS-partner relationship description text appear with at an appropriate location such as a credits page or panel, within the publication or back cover.</p>

4.3.1 Print media: books, reports and non-Unigrid brochures

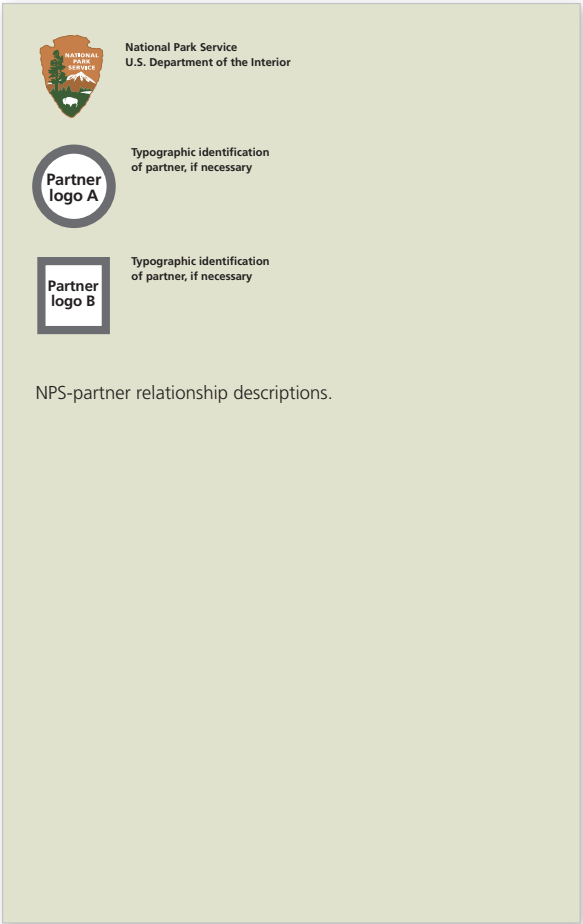
Equal involvement by partner(s)

One or two partners are acknowledged by logos and/or identified typographically. NPS and its partners receive equal visual and textual treatment. Logos can appear on the cover.

If the partnership involves more than two partners, it is strongly recommended that logos do not appear on the cover. This is usually necessary to avoid a cluttered appearance.



front cover



copyright, credits or other appropriate page

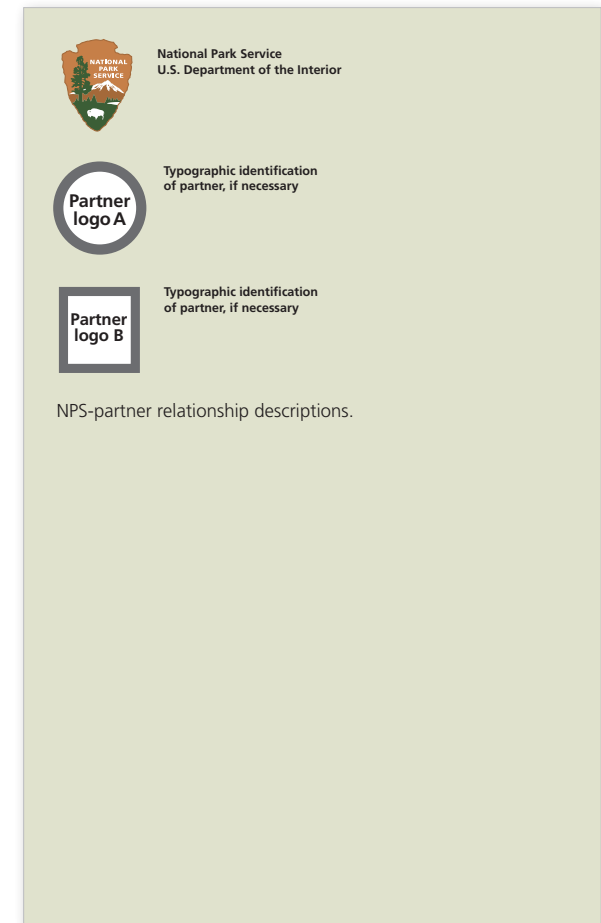
4.3.2 Print media: books, reports and non-Unigrid brochures

Equal involvement by partner(s)

Two or more partners may be acknowledged in the black overbar. Logos and/or typographic identification appears within the publication or on back cover.



front cover



copyright, credits or other
appropriate page

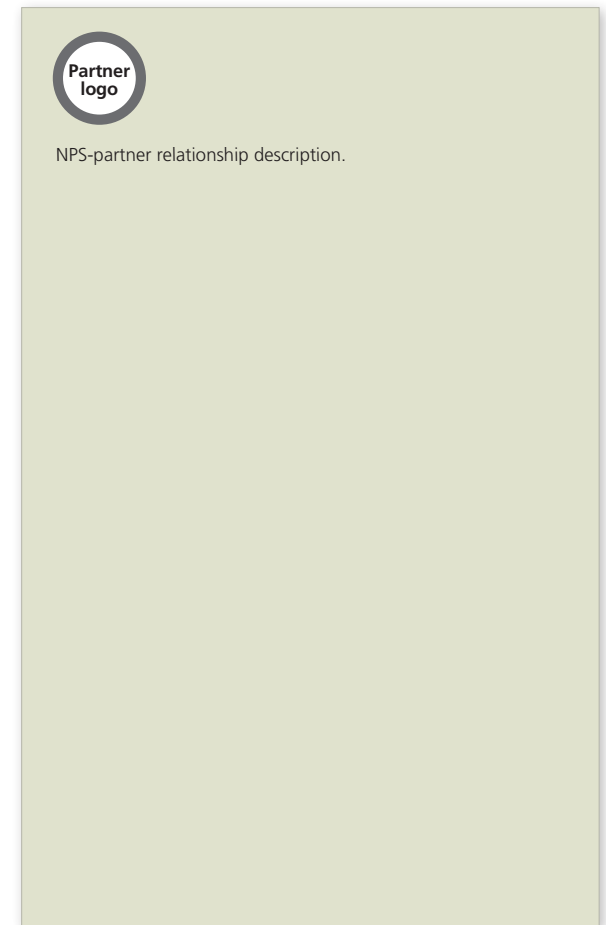
4.3.3 Print media: books, reports and non-Unigrid brochures

Significant but less than equal involvement by partner(s)

Single or multiple partners are acknowledged by logos and/or identified typographically within the publication or on the back cover.



front cover



copyright, credits or other
appropriate page

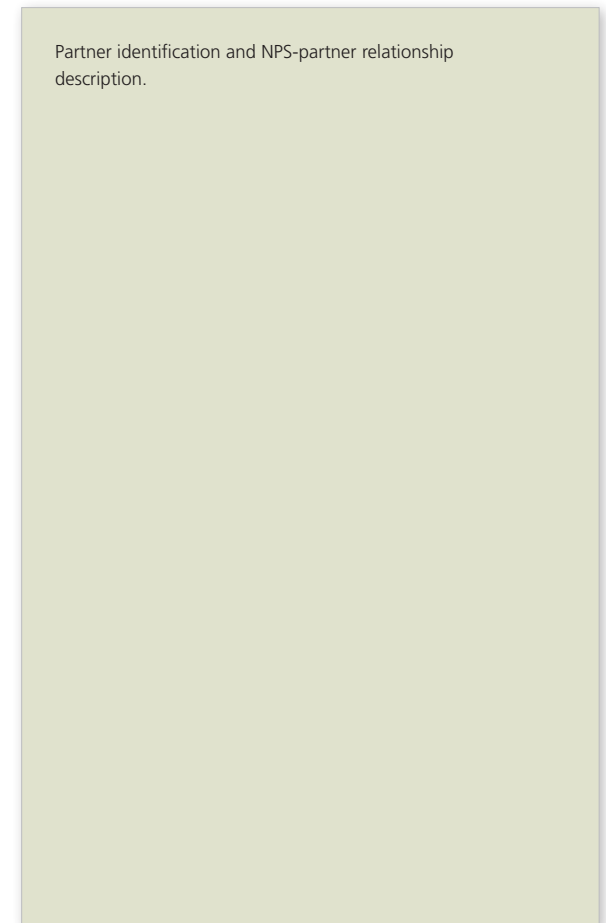
4.3.4 Print media: books, reports and non-Unigrid brochures

Minor involvement by partner(s)

Single or multiple partners are acknowledged typographically within the publication or on the back cover.



front cover



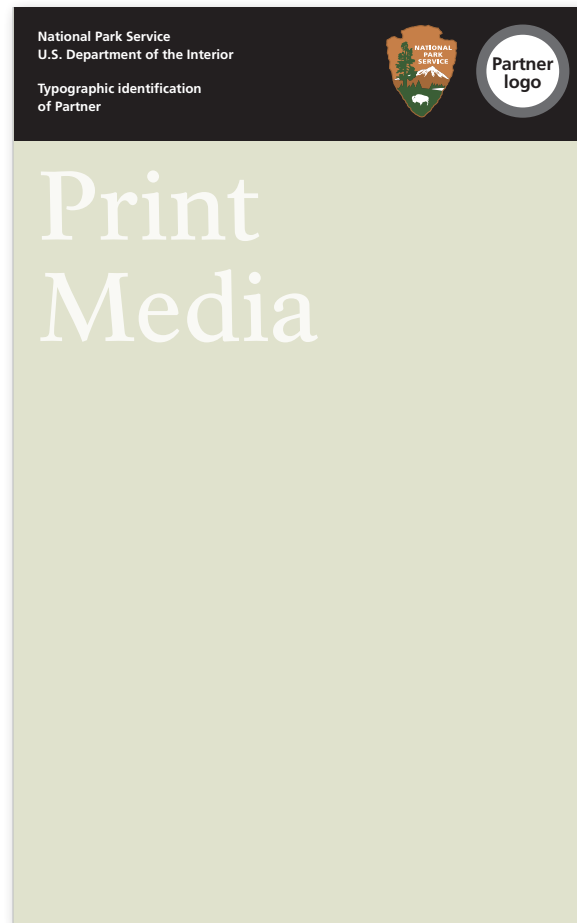
copyright, credits or other
appropriate page

4.3.5 Print media: books, reports and non-Unigrid brochures

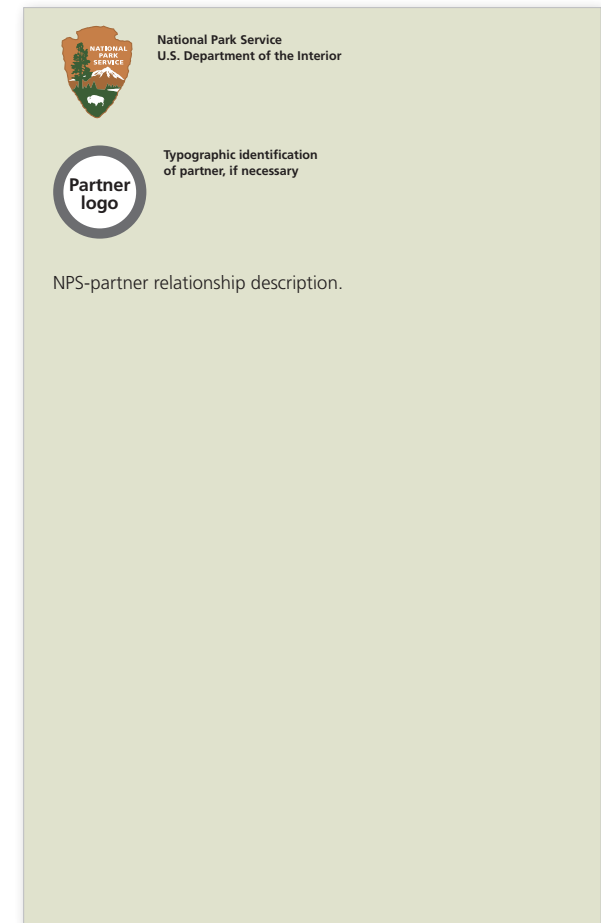
Special Case: Equal involvement by partner(s)

On rare occasions there may be a partner whose logo may appear in the overbar. These instances must be approved by the Office of Communications (in consultation with other offices, as appropriate).

No more than one partner logo should appear in the overbar. If there is more than one partner see pages 13–14.



front cover



copyright, credits or other
appropriate page

4.4.1 Unigrid-type brochures

Equal involvement by partner(s)

Single or multiple partners are acknowledged by logos and/or identified typographically outside the overbar on the face or back of the brochure.

Contact Harpers Ferry Center for further guidance.

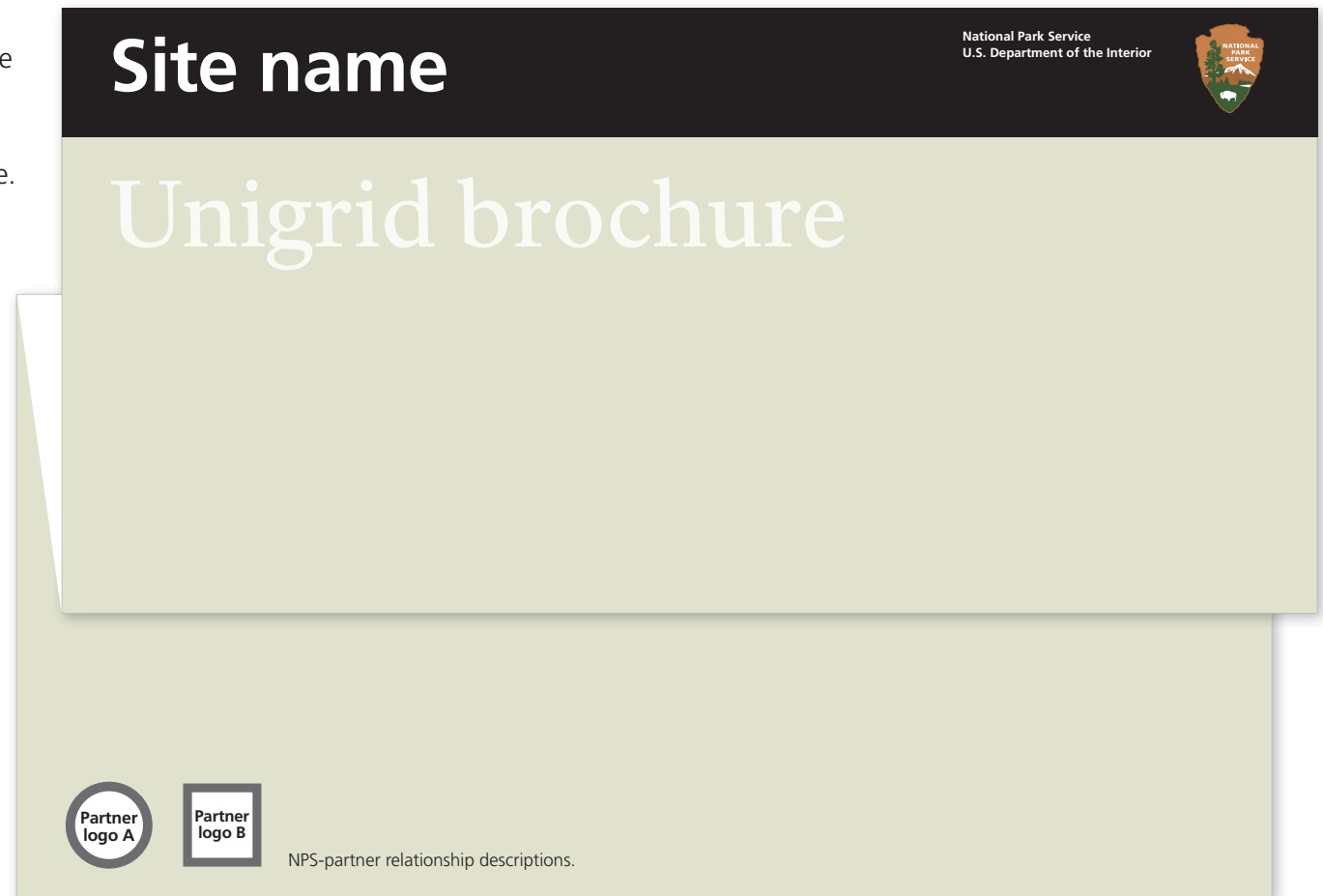


4.4.2 Unigrid-type brochures

Significant but less than equal involvement by partner(s)

Single or multiple partners are acknowledged by logos and/or identified typographically outside the overbar on the face or back of the brochure.

Contact Harpers Ferry Center for further guidance.



4.4.3 Unigrid-type brochures

Minor involvement by partner(s)

Single or multiple partners are identified typographically outside the overbar on the face or back of the brochure..

Contact Harpers Ferry Center for further guidance.



4.5.1 Wayside exhibits

Equal involvement by partner(s)



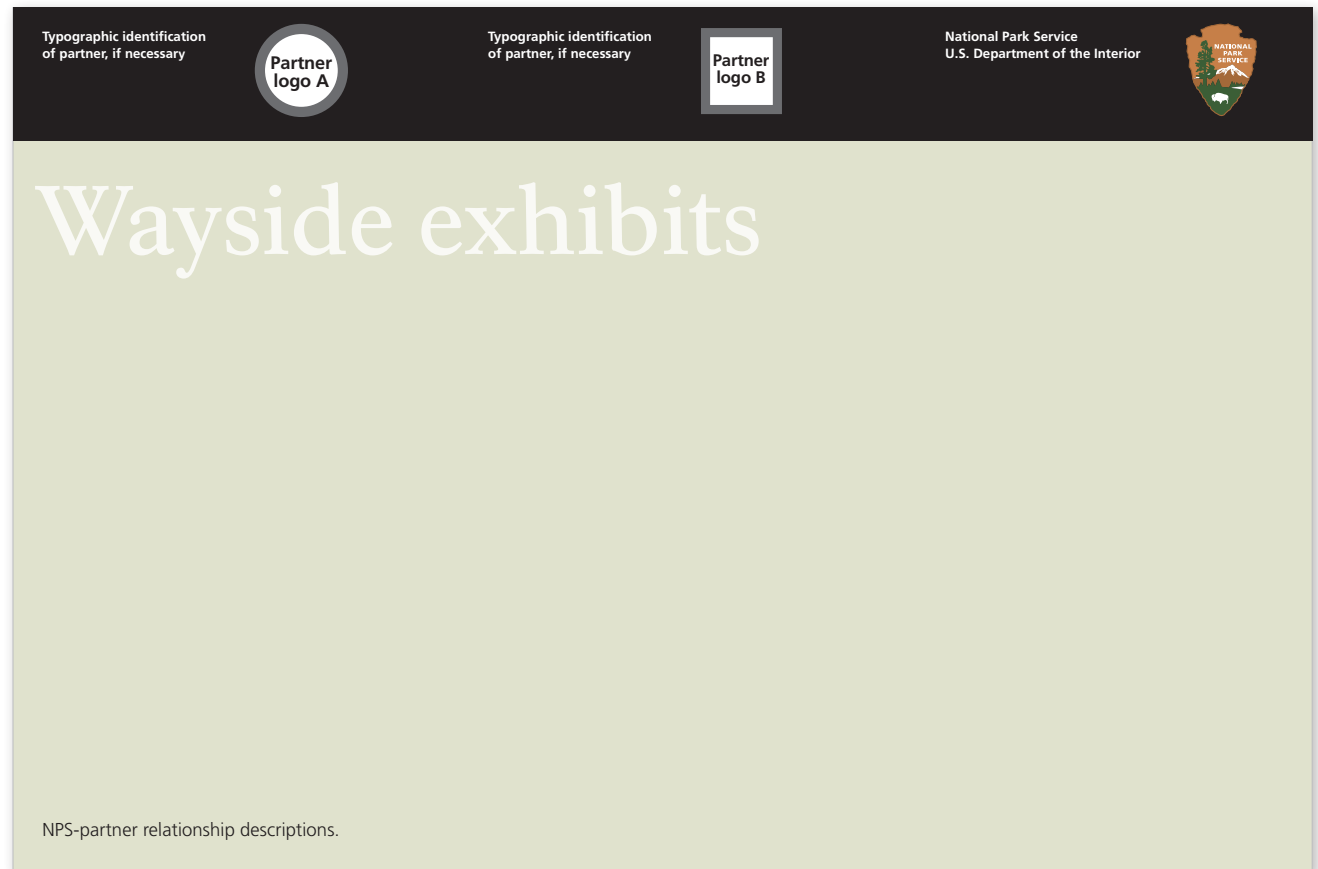
4.5.2 Wayside exhibits

Equal involvement by partner(s)

Given their common use in areas co-managed with other agencies or organizations, it is appropriate to place partner logos in the overbar. The large size of wayside exhibits, unlike publications, allows this to be feasible.

The partner and the NPS need to agree in advance on location and frequency of occurrence of logos and NPS-partner relationship descriptions.

Contact Harpers Ferry Center for further guidance.



4.5.3 Wayside exhibits

Significant but less than equal involvement by partner(s)

Single or multiple partners may be acknowledged by logos and/or identified typographically.

The partner and the NPS need to agree in advance on location and frequency of occurrence of logos and NPS-partner relationship descriptions.

Contact Harpers Ferry Center for further guidance.



4.5.4 Wayside exhibits

Minor involvement by partner(s)

Single or multiple partners are acknowledged in text only.

Contact Harpers Ferry Center for further guidance.



4.6.1 Signs, banners and exhibits

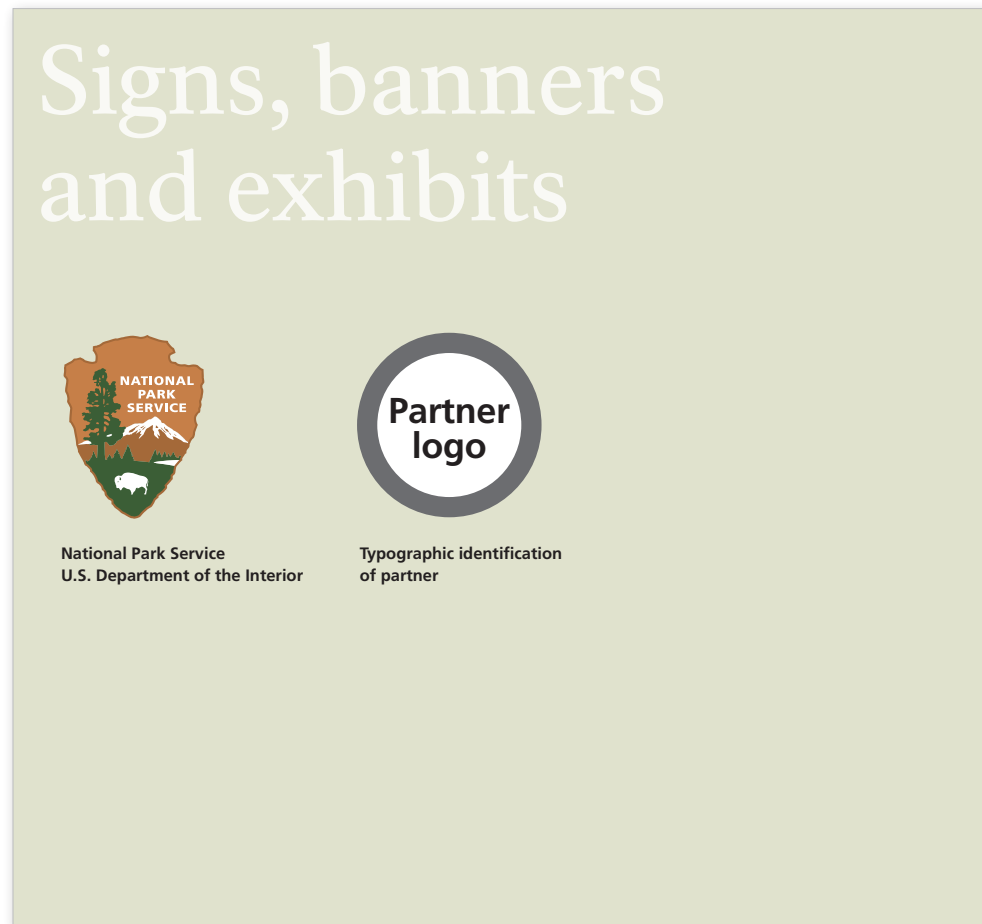
Equal involvement by partner(s)

Single or multiple partners can be acknowledged outside of the overbar or the overbar does not have to be used.

The partner and the NPS need to agree in advance on location and frequency of occurrence of logos and NPS-partner relationship descriptions.

For example, NPS-partner relationship description text would *not* be appropriate on a park entry sign or on every exhibit panel or conference banner. In the case of an exhibit, the description text would be placed on a credits panel; in the case of a conference, the text would be placed on the conference brochure.

Contact Harpers Ferry Center for further guidance.



4.6.2 Signs, banners and exhibits

Significant but less-than-equal involvement by partner(s)

Single or multiple partners can be acknowledged with their logo accompanied by a description of the NPS-partner relationship.

The partner and the NPS need to agree in advance on location and frequency of occurrence of logos and NPS-partner relationship descriptions.

For example, NPS-partner relationship description text would *not* be appropriate on a park entry sign or on every exhibit panel or conference banner. In the case of an exhibit, the description text would be placed on a credits panel; in the case of a conference, the text could be placed on the conference brochure.

Contact Harpers Ferry Center for further guidance.



4.6.3 Signs, banners and exhibits

Minor involvement by partner(s)

Single or multiple partners are acknowledged in text only.

The partner and the NPS need to agree in advance on location and frequency of occurrence of logos and NPS-partner relationship descriptions.

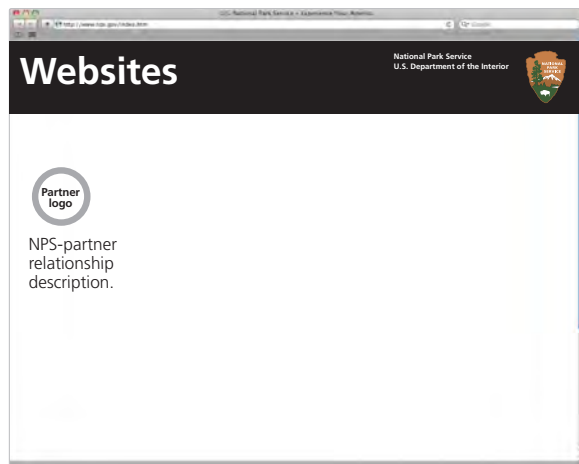
For example, NPS-partner relationship description text would *not* be appropriate on a park entry sign or on every exhibit panel or conference banner. In the case of an exhibit, the description text would be placed on a credits panel; in the case of a conference, the text could be placed on the conference brochure.

Contact Harpers Ferry Center for further guidance.



4.7.1 Websites

Equal involvement by partner(s)

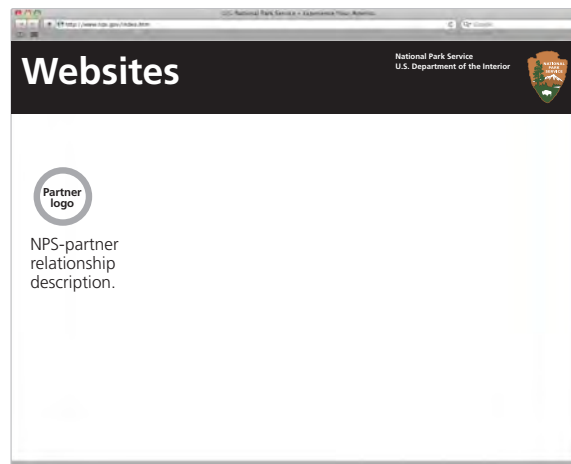


Partner's logo may appear on the project's home page.

Description of the NPS-partner relationship appears with the partner's logo on the home page.

For a large number of partners use a partner identification page.

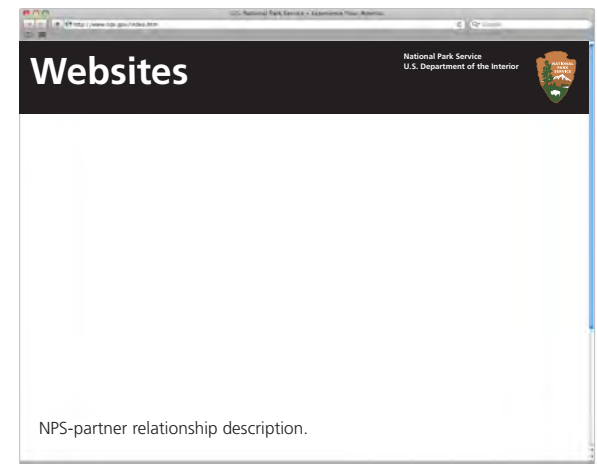
Significant but less than equal involvement by partner(s)



Single or multiple partner logos can appear on the project home page accompanied by the NPS-partner relationship descriptions.

For a large number of partners use a partner recognition page.

Minor involvement by partner(s)




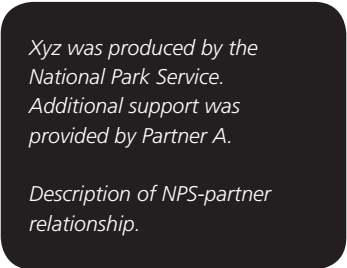


Partners receive a text-only acknowledgement accompanied by the NPS-partner relationship description. These may appear on the project home page or a credits page.

For a large number of partners use a partner recognition page.

See section 5.5.1 for use of Arrowhead on partner website.

4.8.1 Broadcast: Television, film and other audio/visual

<div>Equal involvement by partner(s)</div> <div></div> <div><p><i>"Xyz was co-produced by Partner A and the National Park Service." Followed by NPS-partner relationship description.</i></p><p>The Arrowhead is equal in size to partner's logo and appears with partner's logo.</p><p>Audio and/or on screen description of the NPS-partner relationship.</p></div>	<div>Significant but less than equal involvement by partner(s)</div> <div><div><p><i>"Xyz was produced by the National Park Service with</i></p></div><div><p><i>support from... the Partner A." Followed by relationship description.</i></p></div></div> <div><p>The partner's logo can be separate from and smaller than the Arrowhead and appear with other contributing partner logos.</p><p>Audio and/or on screen description of the NPS-partner relationship.</p></div>	<div>Minor involvement by partner(s)</div> <div></div> <div><p>Partner receives text-only acknowledgement.</p><p>Description of NPS-Partner relationship can appear on-screen and as audio.</p></div>
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4.8.2 Broadcast: audio

Equal involvement by partner(s)	Significant but less than equal involvement by partner(s)	Minor involvement by partner(s)
<div><p><i>"Xyz was produced under a partnership arrangement between the NPS and (partner name)."</i></p></div> <div>Audio description of the NPS-partner relationship and partner contribution.</div>	<div><p><i>"Xyz was produced by the National Park Service with contributions from (partner name)."</i></p></div> <div>Audio description of the NPS-partner relationship and partner contribution.</div>	<div><p><i>"Xyz was produced by the National Park Service. Additional technical support was provided by (partner name)"</i></p></div> <div>Audio description of the NPS-partner relationship and partner contribution.</div>

5.0 NPS identity on partner materials

Partnership attribution is governed by this Framework and by Director's Orders 21 (Donations and Fundraising) and 52B (Graphic Design Standards). The following pages outline NPS attribution on materials presented to the public on publications and products produced and distributed by partners.

The NPS Office of Policy has responsibility for coordinating Washington level review and approval of the use of the NPS Arrowhead symbol. However, superintendents and other NPS managers may approve uses that clearly fit within this Graphic Identity Framework and are otherwise consistent with NPS policy. The Office of Policy, the Office of Partnerships and Philanthropic Stewardship, the Office of Communications, and Harpers Ferry Center are available for consultation when there is uncertainty about how the Framework should be applied, or when the situation is not covered by the Framework.

The Partner-NPS relationship must be clearly understood and not graphically misrepresented to the public. Before developing any materials, the partner and the NPS must have a clear and mutually-agreed-to understanding of the nature of their relationship. Whatever understanding is reached must be appropriately reflected in the materials. Most written materials will provide an opportunity to explain the partnership relationship in some depth; but there are many situations where it will need to be done in the form of a simple graphical representation, using the partner and NPS identifiers. It is those situations that create the communications challenge that this publication is intended to address.

The use of logos and other graphic identifiers sends a strong signal to those who view them, and it is important to both the partner and the NPS that the “signal” is an appropriate one. One factor that the NPS is required to consider under Federal ethics standards is whether the graphical representation may imply an “endorsement.” In most situations, the NPS is not permitted to imply an endorsement of a product, service, or enterprise—including a partner enterprise.

Section 5: NPS identity on partner materials

When the NPS works in partnership to develop graphic materials, a decision on how to credit each entity without compromising either entity's graphic identity must be made. This Section 5 introduces the thought process for coming to that decision. A key factor is the role that each party plays. The role—or involvement—may consist of, for example, co-sponsorship of an event, financial support, or editorial assistance. For partner-produced materials, the general expectation is that the partner's role will be more prominent, and the NPS representation will be clearly subordinate to the partner's. In some cases, the NPS's role may be so minor as to not warrant use of the Arrowhead symbol. As shown on the following pages, the role or level of involvement of each party will influence the placement and prominence of the graphic identifiers.

Note: In situations where a partner produces materials on the NPS's behalf, and the materials are meant to be perceived and presented as an NPS product, the guidance in Section 4 governing NPS materials should be followed, rather than this section.

5.1 Guiding principles for partners

If you plan to use the NPS Arrowhead, it is always a good idea to discuss your ideas and intentions with the NPS early in the design process.

When planning your design:

Do describe the relationship you have with the NPS.

Do use the correct Arrowhead artwork.

Do clearly separate the Arrowhead from other partner logos and symbols.

Do include “National Park Service” and the “U.S. Department of the Interior.”

Do respect the NPS graphic identity and follow this framework.

Do understand your role and the NPS’s role as described in Director’s Orders 21 and 52.

Do include the registration mark with the Arrowhead when necessary to emphasize the Arrowhead’s trademarked status.

Do not use the Arrowhead unless authorized by the NPS.

Do not use the Arrowhead to imply endorsement of a commercial product. Concessioners see section 6.

Do not mimic NPS graphic identity elements and design, unless authorized to do so.

Do not alter the Arrowhead or combine the Arrowhead with another logo, wordmark or symbol.

Do not use the NPS tagline “Experience your America.™”

Do not incorporate the Arrowhead into partner uniforms or other clothing.

5.2 Framework for partner's use of the NPS Arrowhead symbol and other graphic identity elements.

On pages xx through xx framework diagrams illustrate the relationship of the Arrowhead to the partner logo based on the level of NPS involvement.

The framework diagrams indicate required elements, **not** necessarily suggested design.

5.3 Overview of NPS identity on partner materials. If NPS involvement is is:

Equal, NPS requires equal visual credit.



The Arrowhead is equal in size to the partner’s logo and appears with the partner’s logo.

NPS-partner relationship description text appears with the Arrowhead at an appropriate location such as a credits page or, as in this example, the back cover.

Significant, but less than equal, NPS requires visual credit.



As illustrated above, the Arrowhead can be smaller and separate from the partner’s logo and appear with other partner logos.

NPS-partner relationship description text appears with the Arrowhead at an appropriate location such as a credits page or, as in this example, the back cover.

Minor, then the NPS may allow or require text-only acknowledgement.



A text-only acknowledgement may be allowed or required by the NPS when the NPS only permitted the activity or had only cursory involvement.

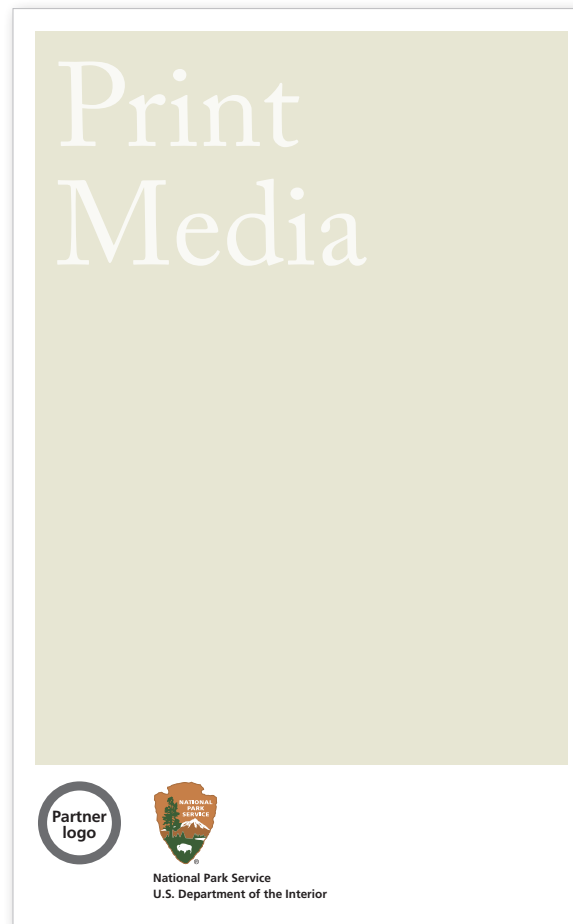
NPS-partner relationship description text appears at an appropriate location such as a credits page or, as in this example, the back cover.

5.4.1 Print media: books, brochures and reports

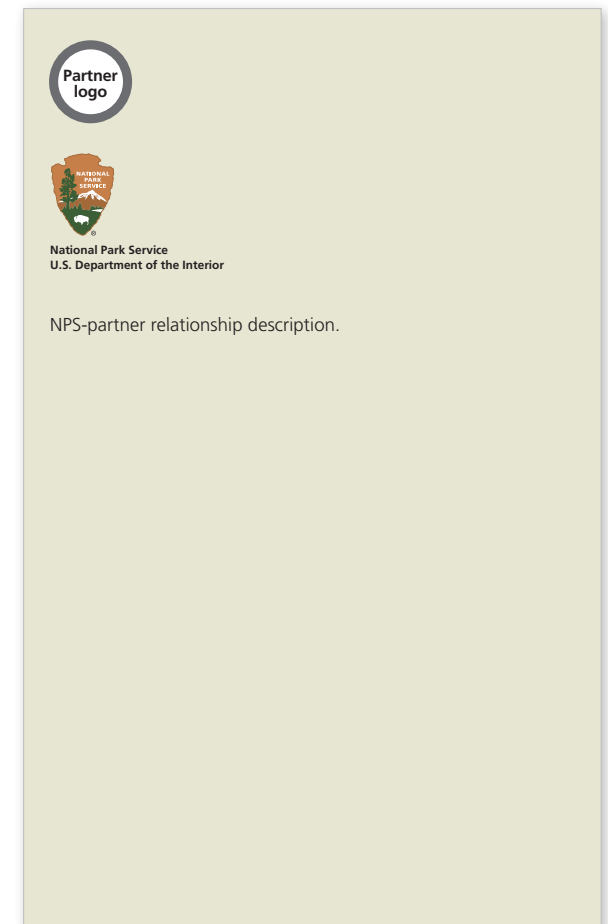
Equal involvement by NPS

The Arrowhead is equal in size to the partner's logo and appears with the partner's logo.

NPS-partner relationship description text appears with the Arrowhead on credits page or back cover or other appropriate location.



front or back cover



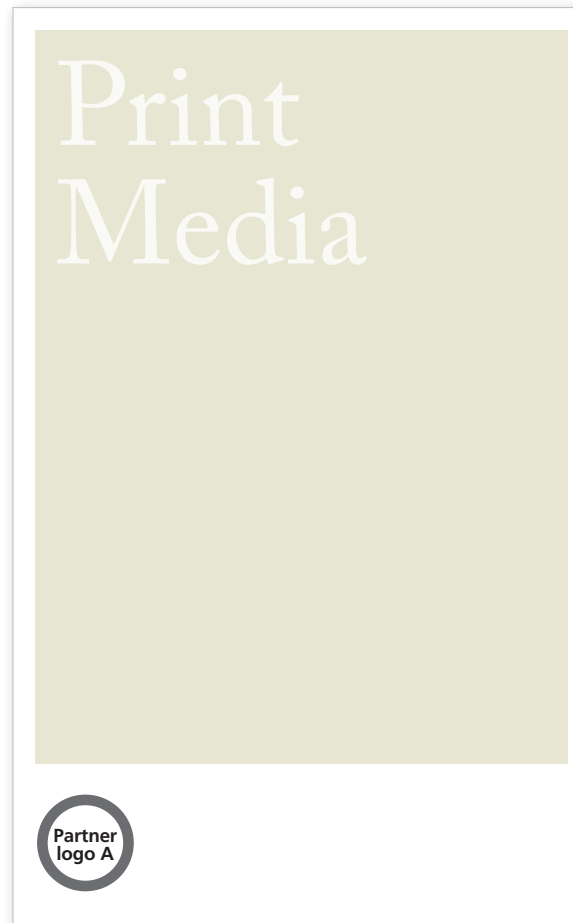
copyright, credits or other
appropriate page

5.4.2 Print media: books, brochures and reports

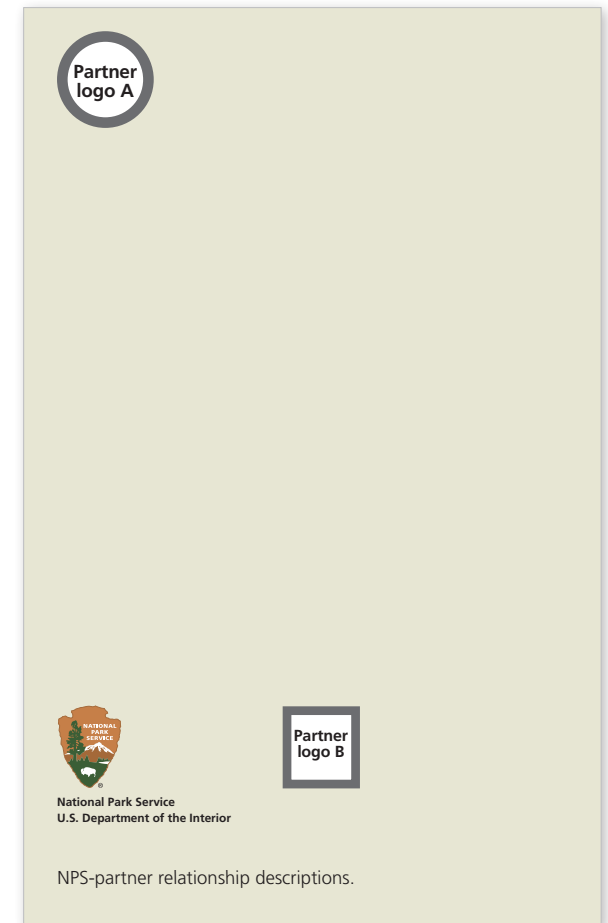
Significant but less than equal involvement by NPS

As illustrated, the Arrowhead can be smaller and separate from the partner's logo and appear with other partner logos.

NPS-partner relationship description text appears with the Arrowhead on credits page or back cover or other appropriate location.



front or back cover



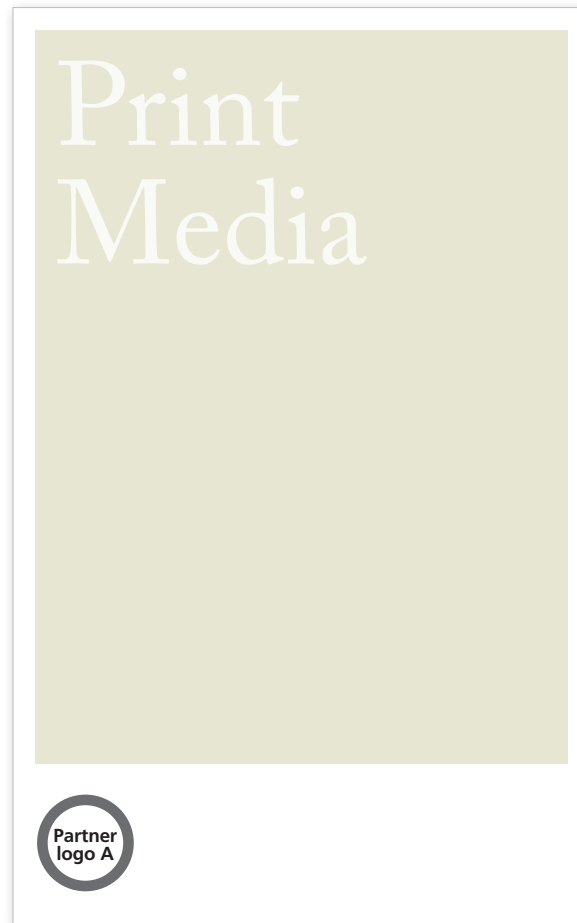
copyright, credits or other
appropriate page

5.4.3 Print media: books, brochures and reports

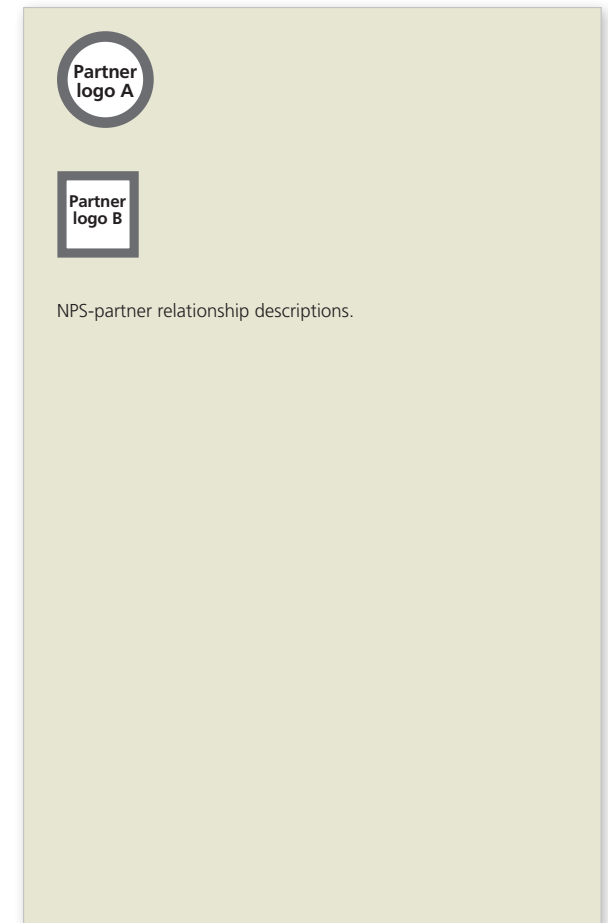
Minor involvement by NPS

A text-only acknowledgement may be allowed or required when the NPS had only cursory involvement.

NPS-partner relationship description text appears on credits page or back cover or other appropriate location.



front or back cover



copyright, credits or other
appropriate page

5.5.1 Advertising

Equal involvement by NPS

The Arrowhead is equal in size to the partner's logo and appears with the partner's logo.

NPS-partner relationship description text appears with the Arrowhead.



5.5.2 Advertising

Significant but less than equal involvement by NPS

The Arrowhead can be separate from and smaller than the partner's logo and appear with other contributing partner logos.

NPS-partner relationship description text appears with the Arrowhead.



5.5.3 Advertising

Minor involvement by NPS

A text-only acknowledgement may be allowed or required when the NPS had only cursory involvement.

Text description of the NPS-partner relationship appears on the advertisement. For special events, include the following text: "This special event has been authorized by the Superintendent of..."



5.6.1 Signs, banners and interpretive media

Equal involvement by NPS

The Arrowhead is equal in size to the partner's logo and appears with the partner's logo.

The partner and the NPS need to agree in advance on location and frequency of occurrence of the NPS-partner relationship description.

For example, NPS-partner relationship description text would *not* be appropriate on a park entry sign or on every exhibit panel or conference banner. In the case of an exhibit, the description text would be placed on a credits panel; in the case of a conference, the text would be placed on the conference brochure.

Signs, banners and exhibits



National Park Service
U.S. Department of the Interior

NPS-partner relationship description.

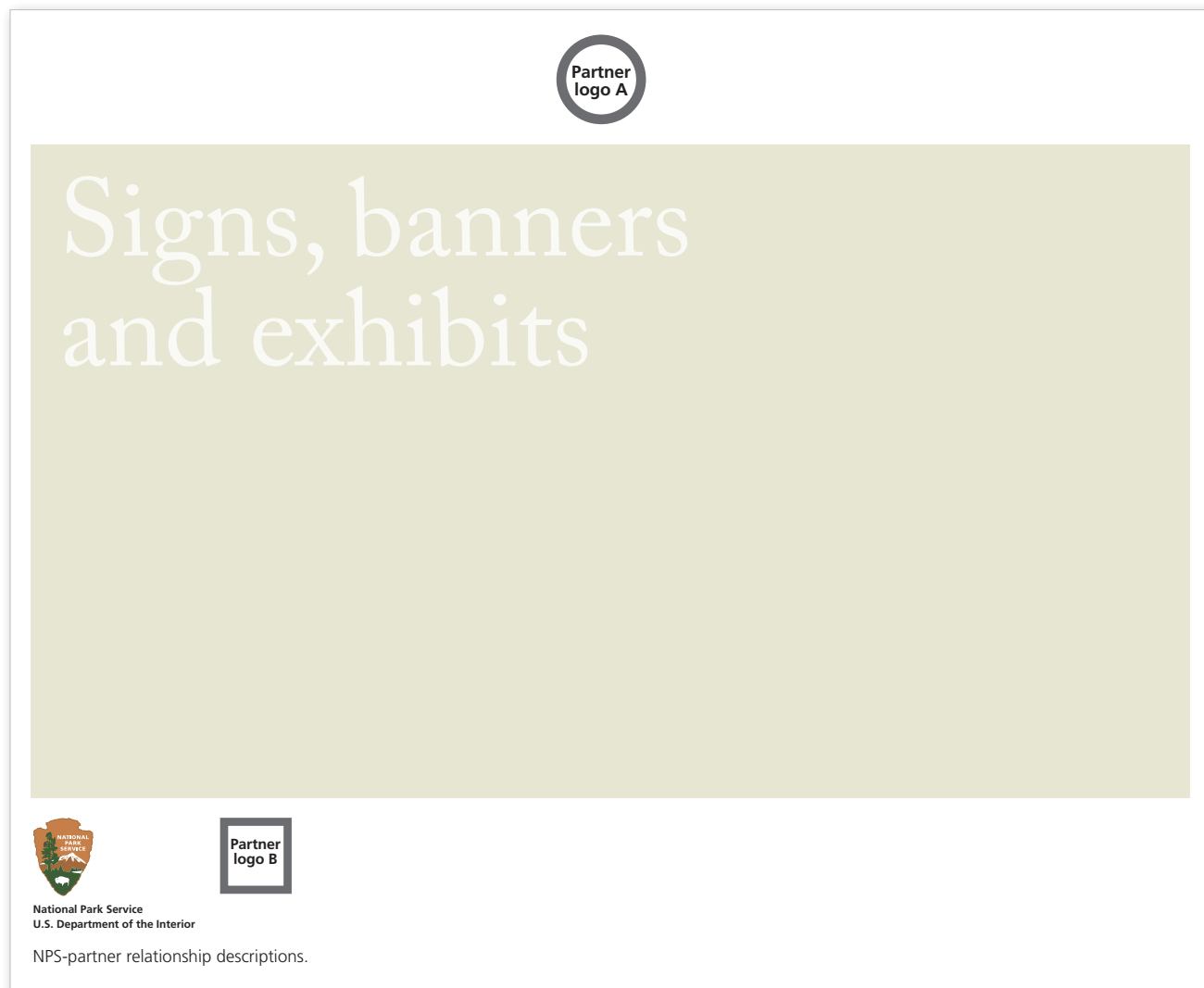
5.6.2 Signs, banners and interpretive media

Significant but less than equal involvement by NPS

The Arrowhead can be separate from and smaller than the partner's logo and appear with other partner logos.

The partner and the NPS need to agree in advance on location and frequency of occurrence of the NPS-partner relationship description.

For example, NPS-partner relationship description text would *not* be appropriate on a park entry sign or on every exhibit panel or conference banner. In the case of an exhibit, the description text would be placed on a credits panel; in the case of a conference, the text would be placed on the conference brochure.



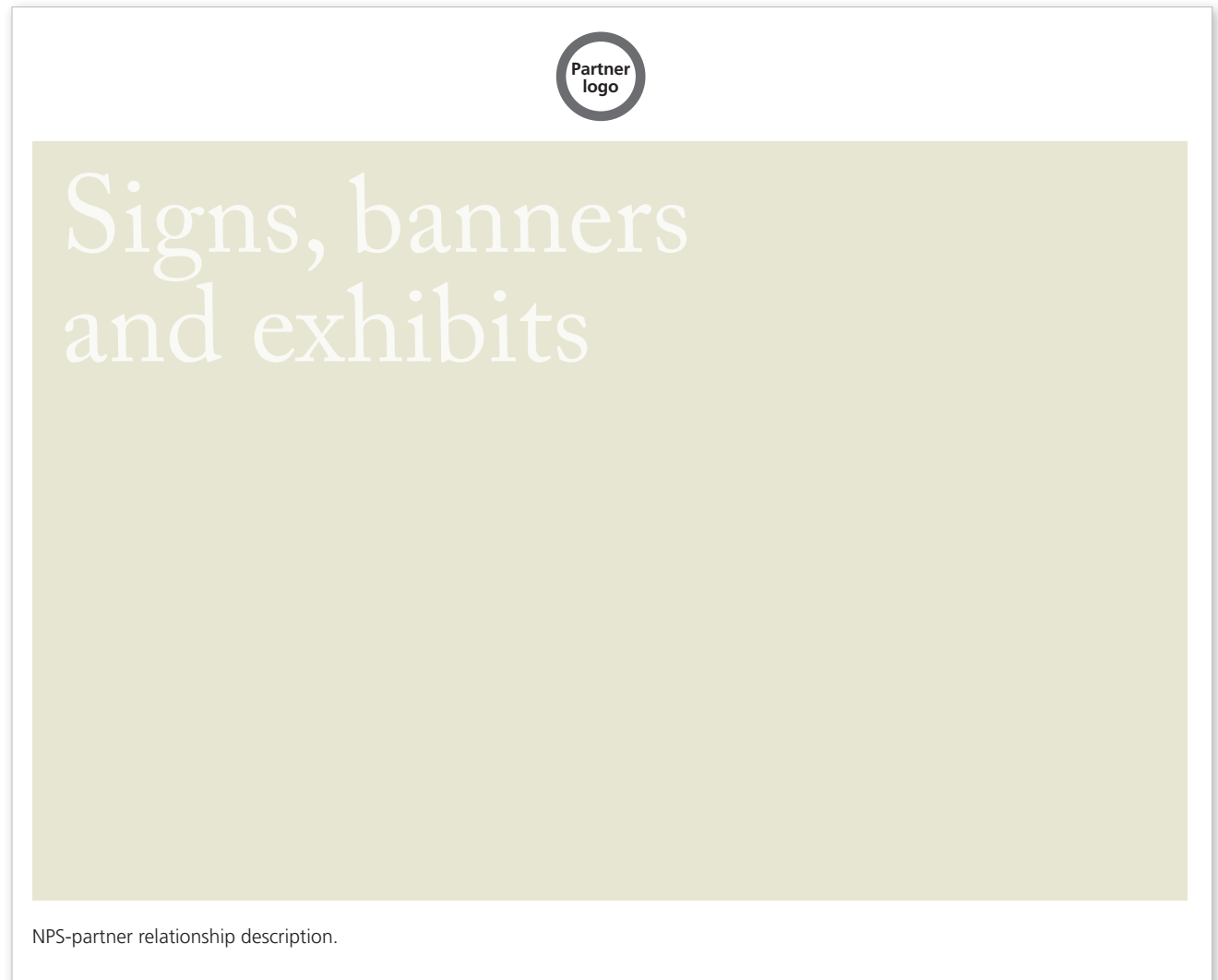
5.6.3 Signs, banners and interpretive media

Minor involvement by NPS

A text-only acknowledgement may be allowed or required when the NPS had only cursory involvement.

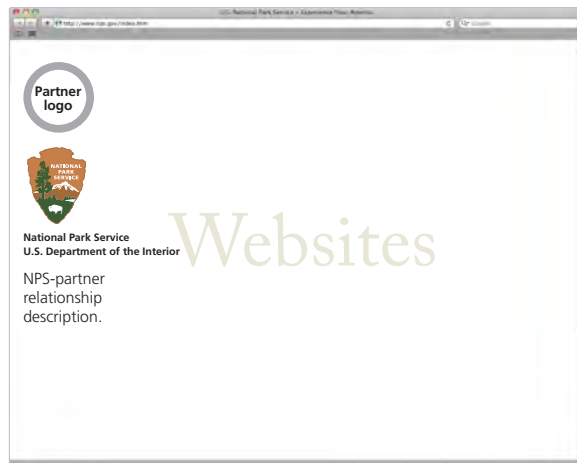
The partner and the NPS need to agree in advance on location and frequency of occurrence of the NPS-partner relationship description.

For example, NPS-partner relationship description text would *not* be appropriate on a park entry sign or on every exhibit panel or conference banner. In the case of an exhibit, the description text would be placed on a credits panel; in the case of a conference, the text would be placed on the conference brochure.



5.7.1 Websites

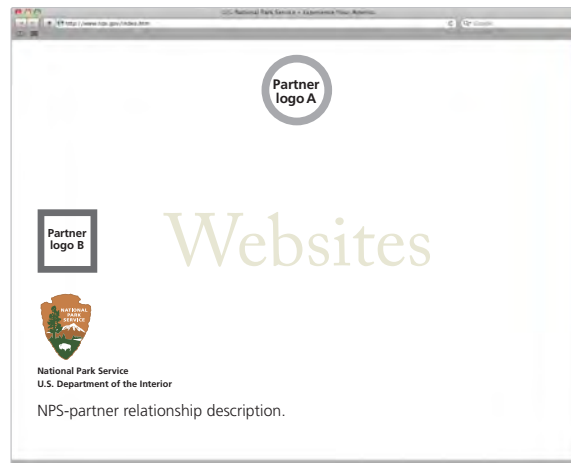
Equal involvement by NPS



The Arrowhead is equal in size to partner's logo and always appears with partner's logo.

Description of the NPS-partner relationship appears with the Arrowhead on the home page or credits page. The Arrowhead should link to www.nps.gov or specific page on nps.gov relating to the program.

Significant but less than equal involvement by NPS

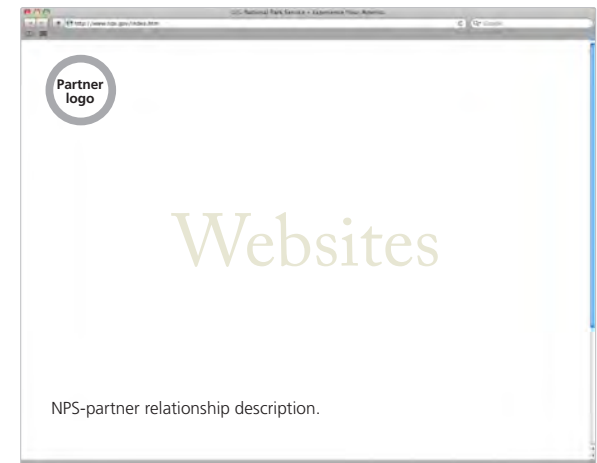


The Arrowhead can be smaller than and separate from the partner's logo and appear with other partner logos.

The Arrowhead does not have to appear on the home page. If it does not, then it should appear on the credits page.

NPS-partner relationship description text appears with the Arrowhead. The Arrowhead should link to www.nps.gov or specific page on nps.gov relating to the program.

Minor involvement by NPS



A text-only acknowledgement may be allowed or required when the NPS had only cursory involvement.

NPS-partner relationship description text appears on home page or credits page and should include link to www.nps.gov or specific page on nps.gov relating to the program.

5.8.1 Broadcast: Television, film and other audio/visual

Equal involvement by partner(s) and NPS



“Xyz was co-produced by Partner A and the National Park Service.”

The Arrowhead is equal in size to partner’s logo and appears with partner’s logo.

Audio and/or on screen description of the NPS-partner relationship.

Significant but less than equal involvement by NPS



“Xyz was produced by Partner A with support from...

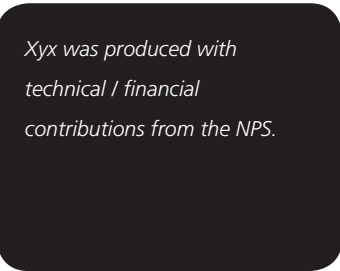


the National Park Service.”

The Arrowhead can be separate from and smaller than the partner’s logo and appear with other contributing partner logos.

Audio and/or on screen description of the NPS-partner relationship.

Minor involvement by NPS



A text-only acknowledgement may be allowed or required when the NPS had only cursory involvement.

Include non-endorsement disclaimer.

5.8.2 Broadcast: audio

Equal involvement by partner(s) and NPS

"Xyz was co-produced by Partner A and the National Park Service."

Significant but less than equal involvement by NPS

"Xyz was produced by Partner A with technical/financial contributions from the National Park Service."

Minor involvement by NPS

"Xyz was produced by Partner A. Additional technical/financial support was provided by the National Park Service."

6.0 NPS identity and concessioners

Concessioners are authorized to use the NPS Arrowhead to differentiate their concession activity as an authorized service of the NPS in accordance with the following use and graphic identity requirements. Additional requirements regarding use are contained in Director’s Order 48 and other NPS Commercial Services Commercial Services Policy and Concession Contract terms.

The NPS Arrowhead may only be used in association with the specific authorized concession operations. Concessions having other businesses that operate outside a national park may not use the Arrowhead on general advertising or other materials that are not directly associated with an authorized park(s) operation(s).

Use of the Arrowhead on materials that are specifically for the authorized services is preferred. Some concessioners operate businesses outside the park and may want to provide information on both authorized and no-authorized businesses in the same materials for marketing or economic reasons. Use of the Arrowhead on materials that may identify other non-authorized businesses must clearly associate the NPS identify *only* with those services which are NPS authorized both graphically and in the material’s written description. Any use of the Arrowhead by a concessioner is subject to review and approval by the park superintendent.

Authorized uses are for:

- | | | |
|--|--|--|
| Publications; | Signs—designed, constructed, or commissioned | Interpretive materials; and, |
| Written advertising; | for official concessioner functions or purposes; | Broadcasts—television, film or other audio/visual. |
| Brochures associated with the required services; | Web-based information; | |

Concessioners may **not** use the Arrowhead on merchandise, souvenirs and clothing presented for sale to the public, concessioner uniforms and clothing or concessioner equipment and vehicles.

6.1 Concessioners must:

Use the associated description of the concessioner contractual relationship with the Arrowhead (see page 50).

Use the correct Arrowhead artwork (see page 53).

Follow additional requirements regarding use contained in Director's Order 48 and other NPS Commercial Services Policy and Concession Contract terms.

Not use the Arrowhead unless authorized.

Not mimic NPS graphic identity elements and design, unless authorized to do so.

Not alter the Arrowhead or combine the Arrowhead with another logo, wordmark or symbol.

Not use the NPS tagline "Experience your America.™"

Not use the Arrowhead on merchandise or souvenirs presented for sale to the public.

Not incorporate the Arrowhead into employee uniforms or other clothing.

6.2 Graphic Identity Elements for Concessioners

Elements of the graphic identity are the NPS Arrowhead symbol and an associated description of the concessioner contractual relationship with the National Park Service, which reads as follows:

Concessioner Contract Name (or dba Park Operational Name, if different from Concessioner Contract Name)*
is an authorized concessioner of the National Park Service.

Arrangement



AUTHORIZED

Jane Doe Company is an authorized concessioner of the [NPS site name].

Alternative arrangement



AUTHORIZED

Jane Doe Company is an authorized concessioner of the [NPS site name].

Files

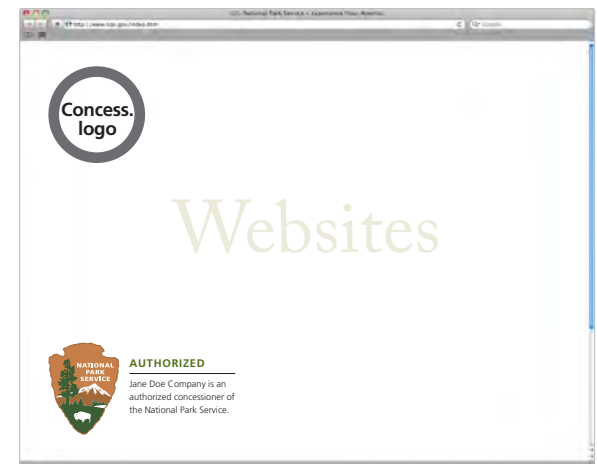
Files for these graphic identity elements are available at: [?]

*doing business as

6.3 Application of graphic identity elements



Samples







These samples indicate required elements, not size or layout. Note however, that the Arrowhead should be separated from the concessioner company logo or other logo, wordmark or symbols.



7. Arrowhead digital files for partners

7.1 Reproducing the National Park Service Arrowhead symbol

The NPS Arrowhead symbol may be produced only from authorized master electronic files. Files are available to NPS employees at graphics.nps.gov. The site is not accessible to others, so partners must obtain appropriate Arrowhead files from their NPS counterparts. These files may not be altered. The correct version of the Arrowhead depends on type of media, the final reproduction size, reproduction quality and number of colors. Use of the shaded versions of the Arrowhead ( ) is further limited to the NPS, unless permission is granted by the NPS Office of Communications. The NPS may require that the Arrowhead symbol be accompanied by a registration symbol (®) so as to prevent any impression that the Arrowhead is in the public domain.

	Full-color	Grayscale	One-color
Large Arrowhead artwork Size: no less than 1.5 inches in height	 Use for: full-color print media signs and banners websites and audiovisual multimedia promotion/advertising	 Use for: grayscale print media signs and banners	 Use for: signs and banners
Small Arrowhead artwork Recommended size: 0.5–1.5 inches in height Never reproduce less than 0.5 inches in height	 Use for: full-color print media websites and audiovisual multimedia promotion/advertising	 Use for: grayscale print media, signs and banners	 Use for: lower quality printing (such as newspapers and low-resolution desktop printers) facsimile and photocopying

7.2 Reproducing the National Park Service typographic identification

NPS typographic identification consists of “National Park Service” and “U.S. Department of the Interior.” Below are the two basic arrangements that partners should use (i.e. typographic identification to the right of the Arrowhead or below the Arrowhead). In NPS-produced materials the position of the typographic identification in relation to the Arrowhead symbol may be different.

Top row shows Large Arrowhead artwork;
bottom row shows Small Arrowhead artwork
(see page 53).

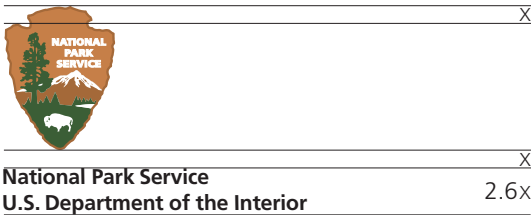
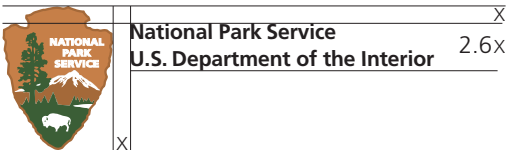
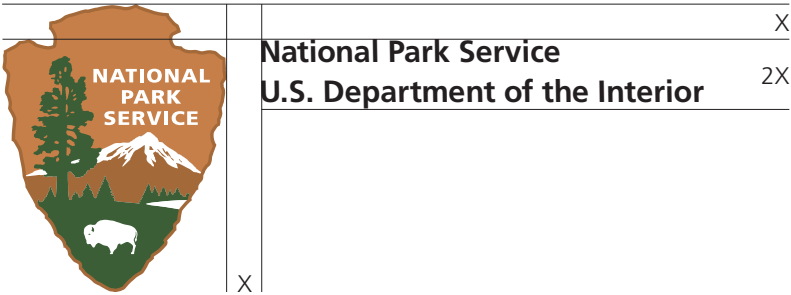
Typeface: Frutiger 65 bold.

Setting: Upper- and lowercase and flush left,
ragged right. Do not center the type. Do not
set the type in all capitals.

Size: Based on size of the Arrowhead but
never less than 8 points with 2 points of
leading (i.e. line spacing) as shown in the
bottom row.

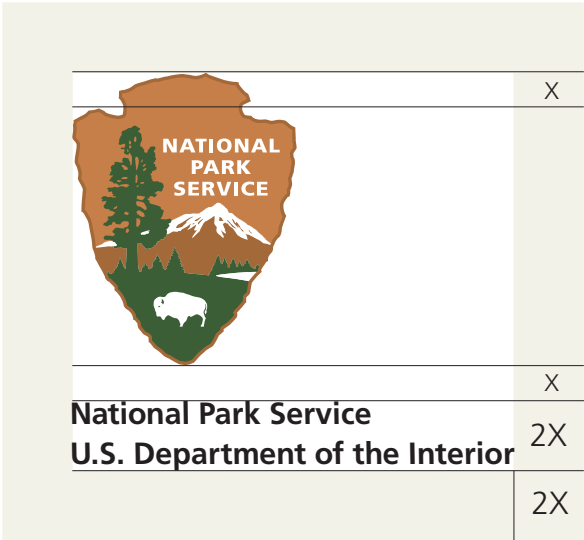
X = distance from the top of the Arrowhead
to the top of the left “shoulder.”

Why are the proportions different? To keep
the typographic identification legible at
smaller sizes.



7.3 National Park Service Arrowhead symbol clear space

The NPS Arrowhead symbol and text identification should have a “clear space” around them—an area free of other any other elements (e.g. text or logos) that may interfere with the clarity of the the NPS Arrowhead symbol and its accompanying text identification. Use the height of the text identification (2x in the graphic below) to determine the clear space.



7.4 Incorrect use of the National Park Service Arrowhead symbol

Do not alter the type elements
The typographic elements were carefully designed as a part of the master artwork. Do not alter them in any way. Do not reset the type in another type face. Do not place the type elements outside the Arrowhead. Do not replace the type with any other full or abbreviated text.

Do not alter the visual elements
Exact consistency in the form of the artwork is important. Do not alter the overall shape of the Arrowhead. Do not alter the art by adding additional elements. Do not change or remove any of the elements in the Arrowhead.

Do not alter the digital file formats
Reproduction quality of the mark can be severely diminished if you alter the file formats. Do not convert color files into grayscale formats. Do not convert grayscale files into B&W formats. Always use the original files. Do not photocopy or scan from copies of the original artwork.

Do not apply special effects
Avoid the temptation to alter the digital artwork by applying the various special effects filters of photo-editing software. For example, do not add drop shadows, emboss, texturize, recolor, or apply gradations to the artwork.

Do not reverse, distort, or mis-align
Use the artwork as intended. Do not alter or add an additional outline. Do not reverse the digital files or distort the proportions of the artwork. Use only the proper horizontal and vertical alignment of the Arrowhead.



NATIONAL
PARK
SERVICE



8.0 Appendix: Background and reference documents

Director's Order 21 (Donations and Fundraising)

Director's Orders 48 (Concessions) (Pending)

Director's Order 52A (Communicating the NPS Mission)

Director's Order 52B (Graphic Design Standards)

Director's Order 52C (Park Signs)

Director's Order 52D (Use of the Arrowhead Symbol)

Commercial Services Policy and Concession Contract terms