



RANGER ACTIVITIES INFORMATION EXCHANGE



Volume 2, Number 1

January, 1986

The Ranger Activities Information Exchange is a four-page monthly bulletin produced by the Washington Ranger Activities Office and distributed to the chief ranger in each park, regional office ranger staffs, and other interested parties. Chief rangers are strongly encouraged to duplicate each issue and share it with their staffs. If you have any information for the Exchange, please contact Bill Halainen at 202-343-4189.

Proposed Fees Legislation

The Park Service is proposing legislation to amend the Land and Water Conservation Fund Act of 1965 in order "to permit the use of entrance, admission, and recreation use fees for the interpretation, protection and management of natural and cultural resources of the National Park System, and for other purposes." Although the proposal is still in the draft stage and its final form won't be determined until later in the winter, a brief overview will give you the Service's perspective and reasoning concerning the proposed changes.

Currently, entrance and user fees are deposited in the Land and Water Conservation Fund, where they are available for appropriation by Congress for grants to states for state park development and for federal land acquisition. The proposed bill would retain 80% of these fees for interpretation, maintenance, research and resource protection for the next ten years, and would give park visitors the satisfaction of knowing that most of the money they've paid would be directly benefiting that park.

Since fees have remained unchanged since 1972, the proposed bill also asks for the repeal of the 1979 statutory prohibition on increasing park entrance fees or establishing new fees. The Service feels that visitors won't object to such increases, because they'll now know that almost all of the fee will go directly to park operations. Several aspects of the proposal need to be emphasized:

- no entrance fee will be charged where such a fee is now prohibited by law;
- no entrance fee will be charged at urban recreation areas where access is publicly available at multiple locations;
- the Golden Eagle Passport will be increased from \$10 to \$40 and will be a vehicular admission pass;
- there will be a one-time \$10 charge for the Golden Age Passport, which will be a personal pass and will give its possessor a 50% discount on admissions;
- volunteers and others will be authorized to collect fees and sell permits; and
- a passport similar to the Golden Eagle will be set up which will allow visitors to purchase an annual admission permit for a specific park or several specific parks in a particular geographic area.

The main benefit of the draft bill is that it would return a substantial amount of money to the Service for use in operations. The early versions of the proposal would have established a fee system which would have approximately doubled the annual income from such collections, which amounted to about \$22 million last year.

The Office of Management and Budget, however, has asked the Service to raise more income from fees in fiscal 1987, and this may have an affect on the proposed legislation. They've asked that an initiative be undertaken to meet the Administration

policy objective of achieving "full cost recovery from users for Federal recreation facilities and services wherever feasible to do so." Among other things, the proposal would establish a first year fee revenue target of 25% of recreation program cost, or approximately \$113 million; full cost recovery, which is the inevitable goal, would mean that about \$450 million would have to be raised from fees.

As we went to press, it appeared that the Service would try to compensate for substantial cuts in this year's budget by asking the parks to raise or institute new fees. Coupled with the new legislation authorizing a return of 80% to park operating budgets, the money collected from the fee increases would then help mitigate the impact of these cuts.

Computer Messages

If you have access to a computer with a modem, you can reach the National Park Service bulletin board and/or mail box and communicate directly with the Ranger Activities Office in Washington.

Messages or queries can be directed to anyone in the office through either "Mail Call" or "Ranger Activities Liaison" on the bulletin board, but the latter is the preferred address. Both are checked regularly for entries. News and messages to the field will go out periodically through "Ranger Activities Bulletins" and will be addressed to all.

If you have access to the mail box, you can send items to "RAD". Messages will also be sent to regions and parks through the mail box in coming months.

Sign Inventory Information Sought

Sharon Drummins, the sign coordinator for the Service, is interested in finding out how much field interest there is on reprinting several fabric signs that are not currently in stock and for which there have been some requests of late. The signs, illustrations of which can be found in Appendix K of the "Sign System Specifications" manual, are 10-9 (fumigation), 10-10 (area closed due to emergency conditions), 10-13 (park protection), 10-14 (building protection), 10-15 (no hunting or trapping), 10-16 (fire tool location) and 4-14 (ARPA violations). The latter also comes in a Spanish language version and she'd like to know the degree of interest in reprinting it, too. All of these are currently out of the inventory at Brentwood and Rocky Mountain, but several parks have apparently found a source for them; if you are in one of those parks, she'd like to know where you're getting them from. Drop a line to Bill Halainen in Ranger Activities and he'll advise her on your needs.

New Chief of Ranger Activities

Early in January, Walt Dabney, currently coordinator of resource management at Everglades, was selected as chief of the branch of ranger activities in the Washington office. Walt will be moving into his new position on March 16th.

Servicewide Incident Reporting

The Washington office is examining the feasibility of employing the Data Base Management System, which is now being installed on the Hewlett-Packard at L Street, to reestablish aspects of a Servicewide case incident reporting system. No determination has yet been made as to what will be included in such a system, nor is there any schedule for its development and implementation. If you have any ideas on the subject, contact John Reed at 202-343-5607.

Court Test of Oil and Gas Regs

The regulations contained in 36 CFR 9B control access on, across or through federally-owned or controlled lands for parties exercising their rights to oil and gas not owned by the United States. A few National Park Service areas have statutory mandates for the production of oil and gas as proper to the management of the park, but there are about 330 other areas where there is no specific mention in the enabling legislation that oil and gas operations are authorized. Many parks face potential subsurface resource exposure for exploration or production of oil and gas reserves in the form of lands purchased subject to existing valid oil and gas leases or subsurface mineral ownership by parties other than the United States. Cuyahoga Valley is one such area.

By installing about 4,000 feet of gas pipeline in the park without first obtaining an approved plan of operations in accordance with 36 CFR 9B, the Spencer Petroleum Corporation last September 26th knowingly challenged these specific regulations. This resulted in an immediate request for a temporary restraining order (TRO) by the park. It proved impossible to obtain the TRO until October 11th, by which time an oil and gas well had been drilled that would normally have been regulated, assessed and probably modified through the course of receipt and review of an approved plan of operations. A preliminary injunction enjoining Spencer Petroleum's activities was subsequently obtained as a result of a seemingly full evidentiary hearing on October 25th; it now appears that the case may not be heard in Federal District Court for at least two years.

The actions of the company involved, together with their statements at the preliminary injunction hearing and their responses to the order of that injunction, make it clear that the applicability of 36 CFR 9B to oil and gas production in national park areas is being directly challenged. The Service's arguments, among others, will include *Kleppe v. New Mexico*, *Minnesota v. Block*, *U.S. v. Lindsey*, *Camfield v. U.S.*, and the Property Clause of the Constitution.

If there are chief rangers with similar situations who would like to discuss the civil and criminal law tools available to field operations, including some of the pitfalls out there in the real world, please contact me at 216-526-5256 for further information. There are enormous resources and excellent and dedicated professionals ready and willing to assist when these first-time situations arise where the protection of park resources is imperative. - Brian McHugh, Chief, RM & VP, Cuyahoga Valley NRA.

Death of Chief Ranger at Arches

On January 1st, Joan Swanson Young, the chief ranger at Arches, died of gunshot wounds that the county sheriff's office has determined were self-inflicted. Donations in her name may be made to the Southern Utah Wilderness Alliance, Post Office Box 347, Springdale, Utah 84767. Please send them to the attention of Del Smith.

Enforcement Notes

The Sandy Hook Unit of Gateway has been dealing with an arson problem, with five confirmed incidents since September. The most serious was a multi-million dollar blaze that completely destroyed a NOAA laboratory located on park grounds and took 22 fire companies to knock down. Other fires have caused \$90,000 in damage to the visitor center, a theater and two other buildings. Rangers are working closely with Monmouth County arson investigators to identify the person(s) responsible for these fires.

Park Service and Mesa County investigators have arrested and charged a man who employed a dangerous weapon in an attempted sexual assault at Colorado NM last May. The assault was interrupted by a ranger who heard the victim's screams, but, despite pursuit and an intensive search, the assailant was able to elude capture until

tracked down this fall. He has since been linked to and is being tried for other rapes and kidnappings.

A double trailer visitor center at Cape Lookout was gutted in an arson fire at the end of the year, as were two leased cottages on the recently acquired Shackelford Banks. Total damages run to about \$310,000. The two cottages were the only structures that would have been permitted to remain on the banks after January 1st; the other 50 buildings in that area were in the possession of squatters and were to be removed by that date. The FBI is investigating, and evidence confirming the arson is being evaluated in an ATF lab.

Rangers at Blue Ridge Parkway and Great Smokies were recently involved in the successful manhunt for the slayer of North Carolina Trooper Robert Coggins, a former seasonal ranger who'd worked in the Smokies. Fifteen rangers joined in the search, and three of them were tracking the suspects at the time of their capture. The incident marked the second time the North Carolina Highway Patrol has requested emergency assistance from the Park Service in recent months.

Rangers at Saratoga have again been successful in their attempts to halt the recent upsurge in deer poaching in that park. Last year, two four-ranger teams were brought in to help out, and their efforts were rewarded with seven arrests and four related felony convictions by state authorities. This year, three poachers were arrested; they have already been heavily fined by the state and will soon appear in Federal court. Close cooperation between the Park Service and the state has been crucial to the program's success.

Alaska Region Ranger Activities Directory

In the interest of improving communications among rangers, the Exchange offers the following diagram of the organization and duties of staffers in the Alaska Region's Division of Protection and Ranger Activities. Others will be presented in the future. All persons in this office may be contacted by calling 907-261-2660:

Richard G. O'Guin
Chief, P & RA

- uniform coordinator - fee management
- fitness coordinator - physical security
- boating coordinator - building space
- liaison with Joint Task Force Alaska

Doug Erskine, Fire Management Officer
- records - agency liaison
- SAR - fire management plans
- budget - fire research
- air ops - scuba diving

William Tanner, LE Specialist
- tort claims - LE training
- commissions - coop agreements
- permits - crime prevention
- regulatory documents
- court/US attorney liaison

James Eastwood, Safety Officer
- OSHA - defensive driving
- training - property coordinator
- EMS - structural fire
- document safety program

Karen Cox, Secretary
- ADP - office manager
- budget - correspondence
- FEMA and JTF Alaska support
- liaison with clerk of court

Donna Guy, Clerk Typist
- mail/files - travel
- regulations - supply
- safety reports - vehicles