



## RANGER ACTIVITIES INFORMATION EXCHANGE



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### Chief Ranger's Comments

The division is losing two important staff members to positions elsewhere within the Service. Scott Erickson is leaving the Branch of Fire to become the chief ranger at Everglades. Scott is the "father" of the NPS fire qualification and certification computer program and the coordinator of all fire computer support to the Service. He has made outstanding contributions to the NPS fire management program throughout his years in Boise. Melissa Warner is leaving the division to take a position in personnel classification as a trainee in a GS-5/7/9/11 target position. After many successful years in ranger, clerical, and maintenance positions, she will be taking an excellent operations background into this position.

The resource management coordinator's position has been filled with the selection of Larry Belli from Glen Canyon. Additionally, Steve Hodapp has been reassigned to the division from the Grand Canyon to coordinate the aircraft noise studies required by PL 100-91. This restructuring of positions will give the division the staff to deal more effectively with resource management issues, including low-flying aircraft, wilderness management, grazing, river use management, commercial fishing, back-country management and wildlife protection. The vacancies in the Branch of Fire - including the position vacated by John Bowdler's retirement - will be reviewed and restructured where necessary to meet the needs of the Service's fire program.

We are working very closely with the Division of Personnel to determine what problems and frustrations exist with the current vacancy announcement system and the KSA's used for rating and ranking positions. Frustrations experienced by individuals responding to vacancies are expressed to us regularly. There is serious interest in trying to make the system work more effectively and reduce exasperation where possible. If you feel there is a problem, we need written specifics and suggestions for improvement of the system. This is a priority project for both Ranger Activities and Personnel.

One last note: A number of people at the Rendezvous told us that they hadn't seen many issues of Exchange because it was not being copied and/or routed to them. This bulletin is intended for all rangers, and chief rangers should make a concerted effort to see that it is copied and widely distributed.

### Ranger Grade Distribution

There have been many questions of late concerning the considerable variance in the percentages of permanent rangers by grade and the average grades of rangers among the regions of the Park Service. A recent study conducted by the Employee Relations Branch has shown that these variations, which are summarized below, are largely the result of differing regional position management practices.

More specifically, almost two-thirds of the total variance in average permanent ranger grades is directly attributable to the relative percentages

of permanent and seasonal employees within the regions. Regions with higher proportions of seasonals have higher average grades among permanents; regions with smaller proportions of seasonals have considerably lower average grades among permanents:

#### Percentages of Permanents and Seasonals

	RMR	AR	PNR	NAR	WR	MWR	NCR	MAR	SER	SWR
Permanents	27%	32%	35%	40%	46%	49%	49%	55%	57%	61%
Seasonals	73%	68%	65%	60%	54%	51%	51%	45%	43%	39%

#### Average Grades

	RMR	AR	PNR	NAR	WR	MWR	NCR	MAR	SER	SWR
Permanents	9.1	10.9	9.2	8.0	8.2	8.2	8.7	7.2	7.6	7.7
All Rangers	5.7	6.9	7.0	5.7	6.1	6.2	6.4	6.0	6.0	6.3

Various factors influence the position management decision to hire a greater or lesser proportion of temporary employees, such as the length and timing of the peak visitor season, the fluctuation of visitation, and the sizes and types of parks within each region. The primary reason for grade average fluctuations among the regions is that some regions have decided to use permanent employees to perform lower-graded ranger duties, while others use seasonals to perform these duties.

#### Field Incidents

**Channel Islands:** On October 4th, National Marine Fishery Service agents, Santa Barbara Sheriff's Office deputies and park rangers boarded the charter dive vessel Vision and found hundreds of artifacts which had been removed from the wrecks of the Winfield Scott and the Golden Horn, both of which are within park boundaries. As a result of the subsequent interview of the 25 divers and crew members on board the Vision, about 30 cases were referred to state and Federal courts for prosecution on both civil and criminal charges. The information on the illegal collecting which provided the probable cause to board the ship had been gathered by two rangers who had worked undercover on the Vision for almost four days.

**Yellowstone:** Two men who were arrested in Billings, Montana, during an attempted bank robbery in mid-October have been connected with the killing of six elk in the park earlier in the month. The two were on a ten-day crime spree, and admitted to numerous incidents of shooting elk and deer, pointing weapons at people, and more serious crimes that have not yet been explained.

**Big Cypress:** A 49-year-old man who was hunting wild hogs with a friend was killed when his muzzle-loader exploded in his face on October 14th. He had had trouble reloading the weapon after shooting a hog earlier in the day, and was unloading the gun by firing it when it blew up.

**Glacier:** Late on the afternoon of October 20th, a maintenance employee was struck in the side but not injured by a bullet which pierced the door of the government vehicle which he was driving on Going-To-The-Sun Highway. The incident followed a number of unconfirmed reports of vehicles being sniped at

which had been received earlier on the same day. The road was temporarily closed while efforts were initiated to find the sniper. A search team composed of rangers, FBI agents and a local officer and his dog heard shots fired in the area the next morning, and arrested a 32-year-old Illinois man for attempted murder. He is being held on \$100,000 bond. Subsequent investigation has revealed that a second government vehicle had been hit in the rear wheel well, and that two visitor vehicles which had suffered flats had also been hit by sniper bullets.

**Mount Rushmore:** Five Greenpeace demonstrators were arrested in the park on October 22nd when they attempted to unfurl a huge banner proclaiming "We the people say no to acid rain" over the faces of the presidents. They had climbed to the top of the mountain the previous night, and three of them began their descent with the banner early in the morning. The climbers were reported to be veterans of other Greenpeace actions, including the climbing of the Statue of Liberty to protest nuclear weapons testing. Four were charged with illegally climbing the mountain, and the fifth with aiding and abetting. The banner was cut down before it had fully unfurled.

#### Caldwell v. United States

On August 4, 1983, several swimmers at Cape Hatteras National Seashore got into difficulty at the same time due to the sudden development of a rip current in the ocean. The two lifeguards on duty rescued or assisted ashore seven or more people within a matter of minutes, but one person, 44-year-old William Caldwell, was found floating face down in the water. Despite immediate CPR by the guards, the assistance of two vacationing doctors and the timely arrival of county EMS personnel and a local physician, the victim could not be revived.

The decedent's wife subsequently initiated a tort action which was heard by Judge Susan Getzendanner in U.S. District Court (Northern District of Illinois, Eastern Division) last June. The plaintiff's charges and the judge's finding on each of them follow:

- Failure to adequately supervise, control and guard a designated beach area - The judge held that two lifeguards were adequate for a remote beach with the number of swimmers (110 on the day of the incident) usually found there, stating that the "discretionary function exception applies in this case to the decision to have two lifeguards at all times on the beach, with backup lifeguards available to take up lunch times, weekends and days off." She stated that Caldwell probably wouldn't have drowned if a third lifeguard hadn't been allowed to go to lunch following an earlier and possibly related incident, but that his supervisor had no way of knowing that the emergency would arise. "The basic problem was two versus three guards, and I have already found that decision to be within the discretionary function."
- Failure to post and provide adequate visual warnings relating to dangerous ocean currents - "I would also apply the (discretionary) exception to the decision with respect to the warnings as to ocean hazards," the judge said. "I think that the decision to warn, and at the same time avoid what (Superintendent Tom) Hartmen called sign pollution, was a decision well within the discretionary function of the management at the park...The warnings were also adequate. There were several written warnings given visitors to the beach which explicitly told swimmers about rip currents and

- how to swim out of such a current. Mr. Caldwell and his family also attended a lecture in which I find they were told about rip currents."
- Failure to keep a proper and sufficient lookout - "The plaintiff argues that (the lifeguard) performed negligently because he failed to scan the horizon after bringing in the first group of men that he had rescued," the judge said. "I think the fact that (he) was able to rescue three different groups of people in the time that (a second lifeguard) was rescuing one group of people indicated fairly clearly that (he) was performing admirably under the circumstances and not negligently."
  - Failure to close the beach area when it was known or should have been known that there were dangerous currents - The experience of other swimmers in the area convinced the judge that the rip current "was a very sudden occurrence", that "the guards would not have discovered any rip current had they entered the water" earlier on when another swimmer made it to shore after having had trouble in the water, and that "the guards' failure to inquire and to test the water did not proximately cause Mr. Caldwell's death."
  - Failure to provide adequate resuscitation and life saving equipment - The judge did not specifically address this charge in her findings, but did note that one lifeguard who'd gone to help another in the water rather than take the time to call for medical and other assistance had made the right decision.
  - Failure to provide adequate training to the lifeguards on duty - The judge found that both of the lifeguards were trained and experienced.

"The death of Mr. Caldwell was a tragic accident," said Judge Getzendanner in conclusion. "The guards did the very best they could, I thought, under very adverse circumstances."

#### Briefly...

- There were two inadvertant errors in the story on "The NPS Air Force" in the last Exchange. This was not the first such listing; that was compiled in 1976. And most of the aircraft are owned by OAS, not the NPS.
- NPS-4, the diving guideline, is in final and being reviewed internally prior to dissemination to the field.
- The Director has personally signed letters to the EMS coordinators of each of the 22 states which have not yet approved the Service's program, asking each of them to give NPS-51 a second review.
- In order to give you an idea of the size of the uniform program, here are some end-of-year numbers for FY 1987: 34,624 orders with 163,823 items were shipped to the 12,487 employees with authorized allowances for a total sales of \$2,950,000 - about \$250,000 of which was in cash over and above allowances.

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