



National Park Service Concession Environmental Management Program



**“Greening Contracts with NPS Business Partners”
Nomination for the 2006 White House Closing the Circle Award**

I. INTRODUCTION

Expand the concept of “procurement” beyond the traditional concept of buying products and simple contracting, to the provision of visitor services and facilities. Then consider a Federal bureau that oversees the activities of more than 580 operators on its land, with combined gross revenue of over three-quarters of a billion dollars. Now picture these businesses operating in our nation’s most valued treasures – our national parks. What if there was a program that, over a five year period, had established a system that had resulted in these businesses becoming environmental leaders in their service sectors, establishing ISO-certified environmental management systems (EMSs), winning local, state and Federal environmental awards, and helping to safeguard our most valuable resources, while reducing environmental liability and providing services that allowed the public to enjoy those resources? That program is the National Park Service Concession Environmental Management Program (CoEMP). Through its efforts in contract reform, management oversight, and multi-prong training and compliance assistance efforts, CoEMP has effectively shifted how concessioners are doing business in national parks; a “green procurement” effort that is huge in scope and impact, unique and successful, and invaluable to the public.



Concessioner gift shop in Rocky Mountain National Park, Colorado.

The National Park Service mission is to “. . . conserve the scenery and the natural and historic objects and the wild life 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.” Congress established a Concession Program in the NPS through the passage of the 1965 Concession Policy Act. On November 13, 1998, the Concession Policy Act was reformed with the passage of the National Parks Omnibus Management Act of 1998, Public Law 105-391, Title IV. This Law and supporting regulations state that the NPS will provide, through concession contracts, commercial visitor services within the parks that are necessary and appropriate for visitor use and enjoyment. (Note: Because it is these laws that govern concession contracts, Federal Acquisition Regulations (FAR) do not apply.)

The NPS currently oversees approximately 580 concession contracts that gross over \$800 million annually and provide visitor services such as food, lodging, retail, and guide services, among many others. These concessioners play a vital role in ensuring operations are consistent with the NPS mission of protecting park resources while allowing for public enjoyment.

An increasing awareness of environmental responsibilities and the corresponding need to minimize potential environmental impacts in parks prompted the NPS to convene a Task Force in 1994 to study concessioners’ environmental impacts. This Task Force recommended that funding, staffing, and other resources be committed to addressing environmental management and compliance. Therefore, the NPS Concession Environmental Management Program (CoEMP) was established in 1999 to promote concession environmental management. The need for CoEMP was clear: concessioners operate in or near our country’s most treasured resources - the NPS would be neglecting its founding mission if it did not proactively try to minimize concessioner environmental impacts.

With few substantive NPS environmental policies or tools specific to concession operations available prior to its inception, CoEMP has made remarkable progress with limited resources. With a strong policy foundation, CoEMP is effecting change by “greening” concession contracts and the contract development and selection process, providing oversight for concession operations under these contracts, and offering outreach to facilitate continual improvement of contracted services.



An overview of CoEMP's approach: the CoEMP's top down and bottom up approach to improving concessioner environmental management, and ultimately, the conservation of national parks.

II. FOUNDATION

Recognizing the need for a strong foundation to effect lasting change, CoEMP has assisted in developing policies at varying levels within the NPS.

- NPS Management Policies provide broad, overarching commitment and direction for the NPS. CoEMP provided input during the 2001 revision. Management Policy Chapter 10 now reads: "Concession operations will be consistent with the protection of park resources and values and demonstrate sound environmental management and stewardship." The CoEMP is currently providing input on 2006 Management Policies.
- NPS Director's Orders (DOs) provide more specific direction for NPS. CoEMP provided input on DO 13A (Environmental Management Systems (EMSs) – www.nps.gov/policy/DOrders/DO-13A.html) and Draft DO 48A (Concession Management).

CoEMP's leadership in setting strong NPS policies for concession environmental management has resulted in some of the largest concessioners adopting corporate environmental policies and approximately 34 other concessioners adopting their own environmental policies for specific parks. More are developing such policies each year as the program continues to grow.

III. GREENING CONTRACT DEVELOPMENT AND SELECTION

Critical to ensuring sound concessioner environmental management is including this as a key criterion in the contract development and selection process.

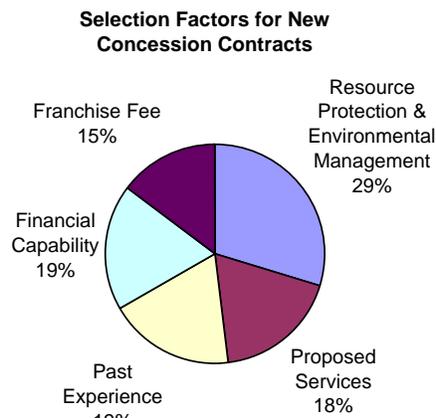
- CoEMP established concessioner environmental requirements in the 2000 NPS Standard Concession Contract (65 FR 26052-26086), which serves as the basis for all new concession contracts issued by the NPS. Requirements include: compliance, best management practices (BMP) implementation, and (for certain concessioners) implementation of a formal environmental management system (EMS).
- Since it can't review all concession contracts while they are being developed, CoEMP assessed the environmental impacts of several concessioner operations (e.g., 300-room hotels, three-person fishing



Retail operation in Badlands National Park, South Dakota. This concessioner sold t-shirts made from organic cotton.

guide companies) and drafted sample contracts and operating and maintenance plans for park use. The CoEMP will continue to develop model contract language for key service types. Additionally, CoEMP works with park staff to review contract documents and ensure that relevant environmental issues are appropriately incorporated. (To date, CoEMP has reviewed or provided input to 41 contract documents.) Over time, CoEMP has seen a more consistent inclusion of relevant environmental standards in contract documents, even when CoEMP has not been directly involved in their review, demonstrating the success the CoEMP has had in educating park staff.

- One of the standard requirements in many contracts is the development of an EMS. CoEMP reviews concessioner EMSs and provides constructive comments for improvement. To date, CoEMP has reviewed or provided input to 34 concessioner EMSs, as well as 4 other environmental management documents, such as hazard communication plans or solid waste management plans. Additionally, CoEMP has developed sample EMSs for almost a dozen service types.
- The NPS convenes a contract evaluation panel to evaluate proposals for a concession contract, applying the selection factors defined in 36 CFR 51 – the regulation codifying NPS Concession Contracting and selection process. By helping develop 36 CFR 51, CoEMP ensured that resource protection and environmental management comprise approximately 29% of the point total for awarding concession contracts. CoEMP has participated in 66 contract evaluation panels as technical experts or advisors in the areas of resource protection and environmental management. As a result, CoEMP is playing an important role in helping NPS concession staff understand environmental management and apply this understanding when evaluating proposals for new concession contracts.



From using only biodiesel in Grand Teton Lodge Company buses, to blending bio-based fuels for use in 80-year old boats on Lake McDonald in Glacier National Park, to researching the construction of a grease processing facility in Yosemite to turn kitchen grease into biofuel, to testing biodiesel in ferry operations at Golden Gate National Recreation Area, concessioners both large and small are showcasing sustainable technologies. (See Page 5 of the *GreenLine* newsletter at http://planning.nps.gov/concessions/document/GreenLine_Newsletter_Vol5_Issue2.pdf for an article on concessioner biodiesel use.) Since the development of Standard Concession Contract language and issuance of 36 CFR 51, all 385 contracts issued thus far have considered resource protection as a critical selection factor. In fact, 61 included EMS requirements and all encouraged BMP implementation. Including environmental management as a key criterion in the contract evaluation and selection process has fostered innovation and leadership within the concession community since concessioners now recognize that improved environmental management is expected when doing business in national parks.

IV. OVERSIGHT OF CONTRACTED SERVICES

While the contracting process is the framework for presenting NPS environmental management expectations to concessioners, CoEMP supports these expectations by providing oversight and guidance for improvement.



Audit team member assessing hazardous materials storage management issues.

Environmental Audits

- Under DOI policy, the NPS is required to conduct environmental audits of all facilities, including those assigned to concessioners. Because concessioners are operating under a business model and have different needs (e.g., need to be financially feasible and make a profit) and requirements (e.g., are not subject to most Executive Orders) than parks, CoEMP established a concessioner-specific environmental auditing program as part of NPS-wide audit efforts. This Concession Environmental Audit System (CEAS) is one of the primary

venues for consultation directly with concessioners on environmental issues. One-on-one compliance assessment and education is provided during the site visit and reporting process. Typically, an audit is the first time concessioners have a chance to talk to environmental professionals about their operations and identify strategies that could be instituted to improve operations both financially and environmentally. To date, CEAS has conducted 157 audits, resulting in over 3,400 audit findings and approximately 120 positive observations. The CoEMP plans to conduct 36 audits in 2006. Feedback from both parks and concessioners on the program is enthusiastic, and you know something is going right when businesses are actually asking the Federal government to inspect their facilities!

Evaluation

- The Concession Program routinely evaluates concessioners' overall contract compliance and operational performance, but thus far has not included comprehensive environmental criteria and standards; this is changing. CoEMP has drafted concessioner-specific environmental criteria for routine operational evaluations that are being tested for lodging, food, marina, and retail services – services that are widespread in the NPS. Similar standards will follow for other services and will provide a mechanism for ongoing oversight of concessioners' environmental management programs. Because CoEMP is unable to personally consult with all parks regarding individual concessioner operations, these evaluation criteria will be a tool that parks can use in critiquing concessioner environmental management performance in the absence of CoEMP. While the standards are not yet finalized, CoEMP provided interim guidance on how to evaluate concessioner environmental management at the 2004 Evaluation and Pricing Training.



The GreenLine Newsletter – one of CoEMP's assistance resources.

V. OUTREACH TO CONTINUE TO IMPROVE CONTRACTED SERVICES

Contract requirements and enhanced oversight are just the foundation of a successful CoEMP. Prior to CoEMP, concessioners did not have a mechanism to identify environmental requirements and best management practices. To fulfill this key need, CoEMP reaches out to concessioners and parks in an effort to create a environmental resource network for concessioners and park staff.

Broad Outreach

- CoEMP developed the *GreenLine* Newsletter, *GreenLine* CD, and the CoEMP website (www.concessions.nps.gov) as forums where CoEMP could communicate with concessioners and share information about environmental regulations, BMPs, and concessioner accomplishments. To date, the newsletter has highlighted 50 concessioners. Its 2005 hard-copy and electronic circulation was about 1300 readers; the newsletter is also available via the CoEMP website (<http://concessions.nps.gov/program3.cfm>).

Guidance Documents

- CoEMP has assembled a library of more than 320 resources and prepared close to a dozen environmental guidance documents on topics ranging from hazardous waste to respiratory protection. Rather than provide generic overviews, these documents provide a plain-language discussion of how environmental topics apply specifically to businesses operating in national parks. For example: how does an NPS concessioner address spill prevention or emergency planning and reporting requirements when it is a commercial entity operating on and in Federal lands and facilities? Or: What are concessioner responsibilities under the NPS Integrated Solid Waste or Integrated Pest

CoEMP Environmental Guidance Documents Topics Covered
• Emergency action plan (29 CFR 1910.38)
• Emergency response program (29 CFR 1910.120)
• Hazard communication (29 CFR 1910.1200) – the written program
• Hazard communication (29 CFR 1910.1200) – training
• Hazardous waste (40 CFR 260 et seq)
• Integrated pest management (2001 NPS Management Policies)
• Respiratory protection program (29 CFR 1910.134)
• Spill prevention control and countermeasures (40 CFR 112)
• Universal waste (40 CFR 273)

management Programs? These guidance documents are available to all concessioners through the *GreenLine* CD and the CoEMP website.

Personalized Assistance

- If concessioners or parks have questions about environmental issues, they can contact CoEMP through the *GreenLine* Number (303-987-6913) or email (NPS_GreenLine@nps.gov). To date, CoEMP has responded to 261 inquiries; the number of inquiries responded to annually has almost doubled since 2000.

EPA

- CoEMP signed a Memorandum of Understanding (MOU) with the Environmental Protection Agency (EPA) in 2003 to assist concessioners (CoEMP's audience) and other businesses (EPA's audience) in identifying business-specific environmental BMPs. "Economic prosperity and environmental management go hand in hand," stated former EPA Administrator Christie Todd Whitman in regards to this partnership. "The results of this MOU should benefit not only the 600 NPS concessioners, but also many of the 22.4 million small businesses in the U.S.,... these issues are not unique to the National Park Service and [this type of cooperation] could be replicated by a number of other Federal agencies. We would like this partnership and our experience to serve as a model," said NPS Director Fran Maniella.

Other Government Agencies

- Bureaus such as the US Fish and Wildlife Service (FWS) and Bureau of Reclamation are looking to CoEMP for advice and assistance in managing concessioner environmental impacts. When the FWS Ding Darling National Wildlife Refuge (NWR) was preparing a new concession contract for tram services and canoeing, it looked to NPS parks for guidance on how these services were managed. Ding Darling NWR now has an electric rather than a gasoline tram service for its wildlife loop road, reducing its air emissions.

Training

Reconciling the need for environmental training with limited resources, CoEMP seeks opportunities to utilize existing training venues and partner with other organizations to leverage training resources. The following list identifies training to which CoEMP has provided input.

- Northern Arizona University concession professionalization training;
- NPS Concession Contract Training;
- Federal Energy Management Program; and
- NPS Evaluation and Pricing Training.

Third-Party Consultation

- As their environmental awareness has grown (as a result of CoEMP's influence), many concessioners have consulted with third-party organizations to enhance their environmental management programs. To date, at least 28 concessioners' EMSs have achieved International Organization for Standardization (ISO) certification by meeting the ISO 14001 criteria for EMSs. Fifty-five concessioners have won environmental awards or honorable mentions from the Department of the Interior, NPS, or other environmental organizations. Concessioners have become EPA Performance Track, Energy Star and WasteWise partners and received other third-party certifications by organizations such as Green Seal.



NPS Director Fran Maniella (left) and former US Environmental Protection Agency Administrator Christine Whitman (right) shaking hands after signing the Memorandum of Agreement in 2003.



VI. SO MUCH FOR SO LITTLE!

With only one NPS employee dedicated full-time to CoEMP, the program has found innovative ways to achieve goals with limited resources. CoEMP has partnered with the US Public Health Service, University of Denver, NPS Volunteer-in-Parks program, and a team of environmental consultants to achieve goals while operating on a non-appropriated annual average budget of \$600,000.

VII. LOOKING FORWARD

What makes CoEMP unique? There are few programs in the Federal government where so much has happened in so little time with such limited resources. CoEMP effected drastic environmental improvement within a multi-million dollar commercial sector that has the potential to significantly impact our most cherished natural resources. In just a few years, CoEMP has standardized environmental requirements in contracts, educated NPS staff on how to integrate environmental language into contract documents, developed a national concession audit program, encouraged concessioner innovation, and improved concessioner environmental performance. However, CoEMP recognizes that much remains to be accomplished.

In 2006 and beyond, CoEMP looks forward to continuing its partnership with concessioners and parks in an effort to raise the bar of environmental performance for the tourism industry and support concessioners in showcasing innovative strategies that demonstrate environmental stewardship and leadership. Given that these commercial businesses interact with over 310 million park visitors each year in over 40 percent of national parks, this new business model championed by CoEMP will indeed continue to have a vital and positive impact on environmental management in our national parks.



Old Faithful Inn, one of the larger lodging operations in the national park system, in Yellowstone National Park, Wyoming.