

Comments on Proposed NPS Management Policies

Our organization, the Grand Canyon Private Boater's Association (GCPBA), wishes to comment on selected features of the proposed updated NPS Management Policies. GCPBA is a non-profit organization dedicated to advocacy on issues surrounding access to the Colorado River through Grand Canyon National Park (GCNP). As such, these comments are framed in terms of potential relevance to river-running issues at GCNP.

Grand Canyon Private Boater's Association

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Chapter 1: The Foundation

1.7.1.3 Information Confidentiality: This section declares that it is the general policy of the Park Service to share information widely, and that NPS managers will use available exemptions sparingly, and only to the extent allowed by law. Our organization and its members have previously sought information under the Freedom of Information Act which contained no disqualifying content, but we have been denied access to that material. We urge the policy be amended to include a presumption of release by responsible managers of non-confidential material.

1.7.5.3 Workforce Planning: This section outlines necessary workforce planning principles. Our concern is that when such needs are identified as central to the mission of the unit or component, that there be a concomitant policy ensuring that adequate funding is provided to support those positions. This is of immediate concern to our organization as GCNP currently is in the process of developing the Colorado River Management Plan (CRMP) which likely will require additional personnel resources for both implementation and monitoring.

1.8 Civic Engagement: The NPS embraces in this section the concept of civic engagement as a fundamental discipline and practice. GCPBA wholeheartedly endorses this approach to not only policy implementation, but policy formation as well. We urge the NPS to take the most expansive possible approach to this issue, as well as to the issue of volunteerism, which will be covered in later sections of these comments as well.

Chapter 2: Park System Planning

2.3.1.4 Public Involvement: As noted above, GCPBA supports the concept of public involvement in the areas of policy and procedure development, but also in monitoring and implementation of those practices. We urge the NPS to embody in this policy document the most relaxed possible interpretation of determinations on whether the Federal Advisory Committee Act is applicable to organizational overtures for consultation and information exchange. Over-application of that statute can have the effect of unduly stifling the important flow of information between NPS and its constituents.

CHAPTER 3: Land Protection

3.1 General: This section addresses non-federally owned lands within authorized park boundaries. With respect to GCNP, this is an issue that is almost wholly related to Native American holdings and claims, and associated tribal activities. We urge that the NPS incorporate the most respectful possible interpretation of tribal claims that is consistent with wilderness values in the river corridor of the Grand Canyon. Notwithstanding that view, we also strongly encourage NPS to modify this policy to make it clear that whenever an opportunity presents itself to enhance the wilderness character of an area through restrictions that do not infringe on tribal interests, that it do so.

CHAPTER 4~Natural Resources

4.1 General Management Concepts: GCPBA fully supports the policy aims outlined in this section. In addition, we would offer that the FEIS/CRMP for the Grand Canyon currently being finalized offers a balanced approach to achieving these aims in GCNP.

We note that the DOI/NPS also manages Lake Powell in Glen Canyon National Recreation Area, created by Glen Canyon Dam, which is located several miles immediately above Lees Ferry -- the put-in for river trips through the Grand Canyon. The operation of this dam and the existence of this impoundment have had profound adverse impacts on the natural state of the Colorado River as it passes through the Grand Canyon. GCPBA supports all reasonable efforts to restore a more normal river environment in the Grand Canyon. This would include (but not be limited to) appropriate agencies studying the impact of proposals to drain Lake Powell and remove Glen Canyon Dam.

4.1.4 Partnerships: This section is of critical importance to our organization. Private boaters in the Grand Canyon have long been under-represented at the table when river issues have been discussed and decided. We share the NPS goals of ecosystem stability, public access, and other resource management issues. Our participation in the National Parks Overflight Advisory Group, and our extensive participation in the preparation of the EIS for the CRMP are examples of our dedication to this process.

4.1.5 Restoration of Natural Systems: Without recommending a specific course of action, we reiterate here our above view that the appropriate agencies should study the possibility of removing Glen Canyon Dam. We also assert that the use of volunteers for projects such as removal of exotic species, restoration of disturbed terrain and plant life, and river cleanup operations should be encouraged by NPS and specifically embodied in policy.

4.2.1 NPS-conducted or -sponsored Inventory, Monitoring, and Research Studies: We support NPS efforts in inventorying, monitoring, and conducting research into relevant matters. Two issues seem important to us on this topic. The first is that the NPS have in place a consistent method for reviewing and approving such research, with methods in place for appraising the value of research, to ensure that spurious or unproductive projects are not continued. The results of those appraisals should be available to the public. The second is that NPS policy not just allow, but facilitate and encourage the use of volunteers to provide support and assistance in such projects. This latter view is particularly applicable to the Grand Canyon river corridor, where virtually all research is river-based and thus requires boat support which can be provided at little or no cost to the Park by qualified volunteers. GCPBA urges the NPS to adopt affirmative language that supports and requires consideration of the use of volunteers for staffing all such independent study projects.

4.2.2 Independent Studies: As noted in the section above, GCPBA urges the NPS to adopt affirmative language that supports and requires consideration of the use of volunteers for staffing all such independent study projects.

4.3.4 National Wild and Scenic Rivers System: The Colorado River through the Grand Canyon has not been designated as a Wild and Scenic River. We support all policy initiatives that would safeguard this section of the Colorado River for inclusion in the National Wild and Scenic Rivers System at some future date.

4.4.4.2 Removal of Exotic Species Already Present: GCPBA supports policy initiatives that would lead to the control and/or eradication of exotic plant and animal species. Of particular concern is tamarisk, which is a widespread problem throughout the Colorado basin. GCPBA is specifically interested in the NPS enhancing policy support for volunteer-based programs contributing to NPS goals in this area.

4.7.1 Air Quality: GCPBA fully supports all NPS initiatives in the area of improving air quality, which has most particularly deteriorated at GC in recent decades. This is not a river-based issue, and so has no direct bearing on our organization. But given the need to manage Park resources in a holistic manner, we fully support giving NPS administrators at the regional and national level authority to enter into dialog with legislators, regulators, and private sector organizations to abate infringing conditions. Specific language to that effect would be useful if added to the policy.

CHAPTER 5: Cultural Resource Management

5.1.2 Independent Research: As noted above, GCPBA supports coordination and liaison activities between NPS and the cultural, research, recreational, and other interested segments of its constituency. GCPBA also urges effective policy support for the use of qualified volunteers to assist in and expedite the implementation of such programs.

5.1.3.1 Inventories: GCPBA also urges effective policy support for the use of qualified volunteers to assist in and expedite the implementation of inventory programs.

5.2.1 Consultation: GCPBA wholeheartedly supports NPS policy that encourages consultation between Park officials and interested parties and constituents. We are encouraged that NPS has included “will” language in this portion of the policy manual that ensures an affirmative consultation context for decision-making. This is particularly applicable to our constituency, whose needs have historically been eclipsed by those of commercial river-running firms. We urge expansion of the language in this section about the conditions under which an NPS component may obtain advice from groups such as GCPBA. The proposed language should make it clear that local managers may hold meetings relating to intergovernmental responsibilities or administration with advocacy organizations such as GCPBA without recourse to the provisions of the Federal Advisory Committee Act.

5.2.2 Agreements: This section provides authority for NPS to establish mutually beneficial agreements with interested groups for specific purposes. We suggest this language be broadened to specifically include non-profit organizations.

6: Wilderness Stewardship

6.3.6 Scientific Activities in Wilderness: GCPBA is not a science-oriented organization, but it recognizes the value of science activities in the GC. As urged elsewhere in these comments, we again advocate specific language that requires evaluation and public accountability for such activities, and supports the use of qualified volunteers in support of river-based science trips through the Canyon.

6.3.10.3 Campsites and Shelters: This section provides that “campsites may be designated when essential for resource protection and preservation or to meet other specific wilderness stewardship objectives” and goes on to include allowing features such as site marker, fire rings, tent sites, food-storage devices, and toilets. We resist the proposition that such “improvements” are necessary or appropriate for the river corridor of the GC. Notwithstanding the “may” provisions of the draft, we would urge language be added that specifically authorizes Park superintendents to make determinations to that effect only when existing wilderness values are not impaired.

6.3.11.3 Waters in Wilderness: This section requires management of waters included within wilderness boundaries in keeping with established jurisdictions and authorities. The U.S. Coast Guard asserts certain prerogatives in this area that are inconsistent with typical river-running practice. We urge language in this portion of the policy that will permit informed discretion in those areas.

6.4 Wilderness Use Management: The policy provides for using the least restrictive management prescription available and practicable to meet the resource protection needs while accommodating public use. We support this proposition. However, we urge language be added that requires, in the case of resources accessed by both commercial and non-commercial means, that equitable access is ensured for both categories of users.

6.4.1 General Policy: This segment of the manual offers guidance to Park managers with respect to education programs that encourage wilderness users to understand and be aware of certain risks and the Park's responsibility for mitigation of certain specific risks. GCPBA believes that volunteer groups can provide a portion of the educational effort so envisioned, and seeks specific language to that effect in this section.

CHAPTER 7: INTERPRETATION AND EDUCATION

7.5 Interpretive and Educational Partnerships: GCPBA wholeheartedly endorses this approach to not only policy implementation, but policy formation as well. We urge the NPS to take the most expansive possible approach to this issue, and to include language to that effect in the policy.

7.5.1 Volunteers in the Parks: As noted throughout this document, GCPBA strongly supports the use of volunteer services in National Parks. As written, this policy appears to be fully supportive of the concept. However, our experience has been that GCNP has been constricted in its willingness to fully utilize volunteers in river-related activities. We urge more specific language that would eliminate any hesitation on the part of local managers to employ available policy provisions in this regard.

7.5.2 Cooperating Associations: We urge that this section, which outlines the authority for use of cooperating associations in presenting interpretive and educational programs, be expanded to explicitly include relevant volunteer organizations.

CHAPTER 8 Use of the Parks

8.1.1 Appropriate Use: GCPBA unquestioningly accepts the proposition that providing opportunities for the public to visit and enjoy their national parks is a basic element of NPS operations. However, this portion of the manual defines (in appropriate part),

“An “unacceptable impact” is an impact that would “unreasonably interfere with “NPS concessioner or contractor operations or services.”

In our view this confers an unusual primacy for concession operations, since they are statutorily intended to be facilitative in nature, not part of the core mission itself. GCPBA fully supports concession-operated river access to the Grand Canyon and would not want this comment to be interpreted in any way as critical of GCNP’s concession program. However, as a statement of policy, the current version appears to us to be inconsistent “rather than consonant “with agency goals.

8.2.2.3 River Use: GCPBA fully supports this aspect of the manual, particularly the specifications for disposing of refuse and human waste, as well as for consultation and public involvement. As a matter of policy, we urge the NPS include specific language here, as elsewhere, on the use of qualified volunteers to augment NPS resources.

8.2.3.3 Personal Watercraft: GCPBA’s view is that motorized personal watercraft (PWC) should be specifically banned from waterways in all wilderness National Parks. While we concede that exceptions might be made for selected emergency use, in general we assert that they are particularized enough in their use and environmental impact as to be categorically inconsistent with wilderness values.

8.2.5.1 Visitor Safety: GCPBA endorses this policy as presented, but adds the disclaimer that river trips through the GC present unusual risks in several dimensions “length of trip, remoteness, difficulty of evacuation, climate extremes, and others. The policy should acknowledge such extreme conditions in an explicit manner.

8.2.5.3 Search and Rescue: GCPBA applauds the policy provision that states that the NPS will not charge visitors for search-and-rescue operations. This has been an ambiguous provision of operations at GCNP in the past.

8.2.6.1 Recreation Fees: GCPBA is sensitive to the fees issue because a fee-based lottery will be used to allocate river permits for the GC in the future. We urge inclusion of language that specifically states that lottery fees will be applied toward required use fees, and that unsuccessful lottery applicants who eventually prevail in the lottery will have their cumulative lottery fees credited toward the final trip fees.

8.4 Overflights and Aviation Uses: GCPBA is a participating member of the National Parks Overflight Advisory Group, and endorses this mechanism for resolving overflight concerns.

8.6 Special Park Uses: We urge the addition of language that makes clear that volunteer and non-profit organizations may qualify for special use permits.

CHAPTER 9: Park Facilities

9.1.6 Waste Management and Contaminant Issues: As noted above, GCPBA supports NPS policies that require all human waste and other refuse to be carried out of the GC river corridor.

9.2.3 Trails and Walks: GCPBA urges language be included in this section that requires educational efforts on the part of local NPS wilderness managers, directed toward users and containing content on minimal impact skills.

9.2.3.5 Water Trails: While perhaps not regarded as a typical "water trail," the Colorado River through the GC is just that. As such, GCPBA fully supports NPS' stated commitment to including non-governmental organizations in the education and interpretive efforts associated with GC river operations.

9.3.2.1 Campgrounds: GCPBA believes that language should be included in the manual that precludes the establishment of formal boating campsite facilities in wilderness areas such as the river corridor of the Grand Canyon. At a minimum, this section should include a presumption of no improvements unless specific criteria are met.

9.3.4.2 Facilities for Water Recreation: GCPBA believes that an additional clause should be inserted in this section of the policy, stating that when such facilities are provided for both commercial and non-commercial boaters, they are equitably constructed, maintained, and managed for both categories of boaters.

9.5 Dams and Reservoirs: While beyond the direct scope of this policy document, we reiterate our view that operation of Glen Canyon Dam is inconsistent with the wilderness character of the river corridor through the Grand Canyon. The Dam's existence is inconsistent with this policy's stated requirements as well. It is beyond the scope of our comments to suggest a course of action for NPS, but GCPBA is supportive of efforts to evaluate the feasibility of dam removal and restoration of a free-flowing Colorado River through the Grand Canyon.

CHAPTER 10"COMMERCIAL VISITOR SERVICES

10.2.8.2 Employment of NPS Personnel or Family Members by Concessioners: Because of the close-knit nature of the river community, this regulation presents several potential issues. It contains no provision for supervisory review of such relationships when there is no significant potential for conflict of interest in actuality. It also presents no option for recusal from decision-making in cases where that would be an equally legal course of action for someone in a potential conflict situation. Such avenues are available to employees of other Federal agencies and should be available to NPS personnel as well.

10.3 Commercial Use Authorizations: GCPBA urges that the general category of “commercial use authorizations” (CUAs) be expanded to include approved activities of non-profit and volunteer organizations when non-taxable income is generated. The current restriction significantly narrows the type of activity which could qualify an organization such as GCPBA for this category of activity.

First, we commend the Department and NPS for maintaining its priority on preserving and protecting the Nation’s wilderness assets. (Unless otherwise noted or when citing NPS language, throughout our submission we use the term “wilderness” in its general, not statutory, sense.) It is our view that the proposed policy structure provides a functional basis for accomplishing that vital goal. The early emphasis on clear definitions seems to us to be a particularly important step in clarifying issues that formerly were in an unsettled state due to differing view of key terminology.

Second, we applaud the Department and NPS for the emphasis contained throughout the document on public input into important decision-making activity. In acknowledging its obligation to balance resource protection with public access to the National Park system, civic engagement is, in our view, critical to the development and implementation of functional policies.

The balance of our comments are contained in the attached document, and are organized by chapters as presented in the proposed plan. Thank you for the opportunity to contribute to this process, and please feel free to contact us if we can provide any clarifying information, or be of further service.

Sincerely,

David Yeamans

President, GCPBA

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