

January 25, 2005

Joseph F. Alston
Superintendent
Grand Canyon National Park
P.O. Box 129
Grand Canyon, AZ 86023

Dear Superintendent Alston:

The Grand Canyon River Outfitters Association, the Grand Canyon Private Boaters Association, American Whitewater, and the Grand Canyon River Runners Association (hereinafter the “collaborating groups”) jointly submit the following recommendations in response to the National Park Service’s (“NPS” or “agency”) request for comments on the “Draft Environmental Impact Statement for the Colorado River Management Plan for Grand Canyon National Park,” released on October 1, 2004.

I. Introduction

The joint recommendations that follow are the product of what we regard as a major and historic achievement, the coming together of Grand Canyon river user groups that traditionally have been embroiled in deep conflict regarding core Colorado River management issues. We have worked very hard to move beyond past differences. Our united purposes are to constructively participate in and support the NPS in its effort to advance Grand Canyon river management and, most importantly, to meaningfully resolve major outstanding controversies. Our shared focus is on problem solving and the implementation of sound, responsible and lasting solutions to outstanding issues.

As we set about our work together, each of the collaborating groups has worked very hard to deal honestly and constructively with the central policy questions at issue as the NPS seeks to revise and update the Colorado River Management Plan (“CRMP”). We have done our best to fully recognize the driving nature of the agency’s statutory mission, policy guidelines, and the public purposes for which Grand Canyon National Park (the “Park”) was established and must now be managed, and to maintain consistency between our policy recommendations and those authorities. We hereby put forward what we believe to be a sound set of Colorado River management proposals. Fundamentally, these recommendations are offered in the hope and belief that we can return a sense of shared, equitable treatment for all who partake in the magical Grand Canyon river experience, while simultaneously protecting the resource.

The collaborating groups represent and constitute a diverse assembly of Grand Canyon river users that includes outfitters, private boaters, and citizens who utilize the professional river services that the Park’s river concessioners exist to provide. Our coalition represents the primary river visitor groups, and includes the following participants.

The **Grand Canyon River Outfitters Association** is a non-profit trade association whose membership consists of the sixteen independent river-running concessionaires who make available to the public professionally-outfitted and guided Grand Canyon whitewater rafting trips, while working in partnership with the NPS to help conserve and protect the resources of the Park. Each year, the Association's member companies assist roughly 19,000 people experience the Grand Canyon by river.

The **Grand Canyon Private Boaters Association** is a non-profit public interest group formed in 1996. Its purpose is to represent and advocate for the interests of recreational river runners in regards to management issues surrounding the Grand Canyon. More than one thousand river runners have joined the all-volunteer organization, which played a key role in NPS decisions to resume river management planning after the effort was first cancelled in 2000.

American Whitewater is a non-profit public interest group that works to conserve and restore America's whitewater resources and to enhance opportunities to use and enjoy them safely. American Whitewater represents nearly 8,000 members worldwide and an additional 80,000 boaters through its 115 local or regional affiliate canoe and kayak clubs. Many of its members have visited or seek to visit the Colorado River within the Park and are currently on the non-commercial permit "waiting-list."

The **Grand Canyon River Runners Association** is a non-profit public interest group committed to the protection of the Colorado River corridor within the Grand Canyon in an unimpaired condition while preserving public access to the Grand Canyon river experience for those who rely on professional river services. Because both are necessary to appropriately respond to the public's diverse needs, this all-volunteer organization with 1,800 members supports both motorized and non-motorized Colorado River trip opportunities.

II. Summary

The collaborating groups believe that the CRMP's essential purpose is to identify the specific means by which the NPS will preserve unimpaired the natural and cultural resources and values present in the Colorado River corridor within the Grand Canyon, while providing opportunities for responsible use and enjoyment of the area by the public. Further, the CRMP defines and protects the quality of the various visitor experience types that the NPS deems appropriate for the resource. ***With this purpose in mind, the collaborating groups wish to express their united and joint support for the NPS Preferred Alternative H, contingent upon the following critical modifications:***

- Remove the "all-user/adjustable split allocation" element and replace with traditional fixed allocations capped at an annual user-day level of 115,500 each for the commercial and non-commercial sectors, for a total annual recreational user-day allocation of 231,000. Non-commercial use opportunities would occur year-round. Commercial use would continue in the summer months and in part of the shoulder seasons.

- Modify the Alternative H river use seasons to: (1) begin the commercial use period on April 1st instead of March 1st, (2) end the summer season on September 15th instead of August 31st, (3) redefine the no-motors period as September 16th through March 31st, instead of September 1st through February 28th, and (4) authorize the addition of two “small” non-commercial launches per day in March.
- Replace the “weighted” lottery non-commercial permitting system proposal with a “multiple pathway” system to include two separate but complementary avenues of permit application and award: (1) a conventional, “pure” lottery under which all applicants would have an equal mathematical chance of winning a river trip opportunity, and (2) a reservations system that would allow a limited number of applicants to reserve a launch date up to three years in advance, along with the ability to register to receive a cancelled permit on short notice.

In addition, the collaborating groups recognize and support motorized use as an essential component of the NPS Preferred Alternative H and the visitor carrying capacity and recreational use access levels that would be established under this plan. The collaborating groups support these visitor capacity and access levels, and believe that they are environmentally responsible and sustainable.

Please note that, in separate submissions to the NPS in response to the CRMP draft environmental impact statement (“DEIS”), each of the collaborating groups will offer additional, individual Colorado River management policy recommendations or proposals that may lie outside of the scope of these joint recommendations. These separate, additional organizational comments will not offer any policy recommendations or promote any management positions that conflict with or contradict these joint recommendations now put forward in unison by the collaborating groups.

III. Resolving the Recreational Use Allocation Controversy

To be certain, controversy will never completely disappear. The collaborating groups suffer from no such illusion. Yet we do feel that our modified Alternative H proposal as described and presented herein can nonetheless form the basis of a real and lasting solution to the Grand Canyon Colorado River recreational use allocation controversy.

A fundamental purpose of the CRMP revision process, because it is a fundamental complaint with the status quo, is to return a “feeling of fairness” for all Colorado River users in relation to each other, while protecting the resource. We believe our proposal will accomplish this key objective as it provides for equal commercial and non-commercial allocations on an annual, but not seasonal basis. It was designed with this crucial purpose in mind. Should the NPS decide to adopt our recommendations in meaningful part, each of the collaborating groups is fully committed to supporting and advocating for this approach as the best, most fair and equitable, reasonable, appropriate, sensible, and sustainable solution to the question of how the NPS should apportion and manage recreational use of the Colorado River within the Grand Canyon.

IV. Rejection of the “All-User/Adjustable Split Allocation” Proposal

The collaborating groups oppose the NPS proposal to adopt and implement an “all-user/adjustable split allocation” system, as we understand it, designed to measure relative commercial to non-commercial “interest” or “demand” for river trips and to adjust the allocation ratio accordingly on an ongoing basis. The elimination of this element of the original NPS Preferred Alternative H proposal (and common to all of the alternatives), is one of the primary recommendations we make, and we strongly urge the NPS to set this proposal aside.

The collaborating groups understand and appreciate the considerations and pressures that led the NPS to draft and present this proposal for public comment. We also recognize our own roles in helping to create the environment that gave rise to this idea. But after careful consideration of what would necessarily be such a system’s inordinate complexity, heavy administrative burden and cost, polarizing effect on Grand Canyon river constituency groups, and most importantly, the overwhelming likelihood that implementation of such a system would unnecessarily exacerbate and perpetuate conflict between the commercial and non-commercial Colorado River user sectors, we feel that it would be best for the NPS to abandon this management concept.

Instead of relying on a universal user registration system, or any other type of system that attempts to quantify and compare relative river trip “demand,” the collaborating groups recommend that the NPS retain traditional fixed user-day allocations. We jointly propose and support revised user-day allocations of 115,500 each for both the commercial and non-commercial sectors, for a total annual recreational user-day allocation of 231,000.

This would result in an increase of 61,050 user-days for the non-commercial sector, while commercial use would remain at its current 115,500 level. Under our proposal, non-commercial use would continue all year round in a manner very similar, but not identical, to the seasons and launch scheduling outlined in the NPS Alternative H proposal presented in the DEIS. Commercial use would continue to be concentrated in a redefined summer use period, with some taking place in some shoulder months. Notably, the collaborating groups are proposing an overall recreational river use level that is less than that proposed by the NPS in its Preferred Alternative H.

This equal division of the available recreational use, even, as we propose, on an annual but not a seasonal or day-by-day basis, would serve several key purposes. The NPS would escape the heavy administrative, financial, and controversy burdens that would undoubtedly flow from any attempt to craft, implement, and operate a registration or demand-quantifying system on which the award of recreational allocation would be based. Moreover, continuing to rely instead on fixed allocations would relieve both user sectors from any temptation or pressure to seek to manipulate “demand” over time, in efforts to protect or enhance their interests, position, or opportunity.

The collaborating groups are each committed to equal fixed allocations for the commercial and non-commercial sectors, *if implemented and maintained in the manner described in these policy recommendations*, as the best solution to the Grand Canyon

river use allocation controversy. We are further committed, should the NPS adopt our proposal to retain fixed allocations, to supporting this approach as the best and most reasonable, legitimate and appropriate solution in all our work with our own constituencies, the media, elected representatives, and the public at large. The fundamental purpose here is to return a sense of fair and equitable treatment for all Colorado River users in relation to all Colorado River users.

V. Modifications to Alternative H Seasons and Launch Rates

The collaborating groups recommend a small number of critically important modifications to the NPS Preferred Alternative H Colorado River use seasons and their associated daily launch rates, as outlined in the chart that follows. The purposes underlying our suggested modifications are to:

- A. modestly increase the number of non-commercial trip opportunities;
- B. eliminate commercial use in the problematic month of March; and
- C. increase commercial motor trip opportunities so as to not unduly impact the existing level of one-boat motor trips.

We note that there must be a reasonable number of commercial motor launches provided for under the revised CRMP to prevent an inadvertent increase in average commercial motor trip group sizes, even as the maximum allowable commercial group size is reduced.

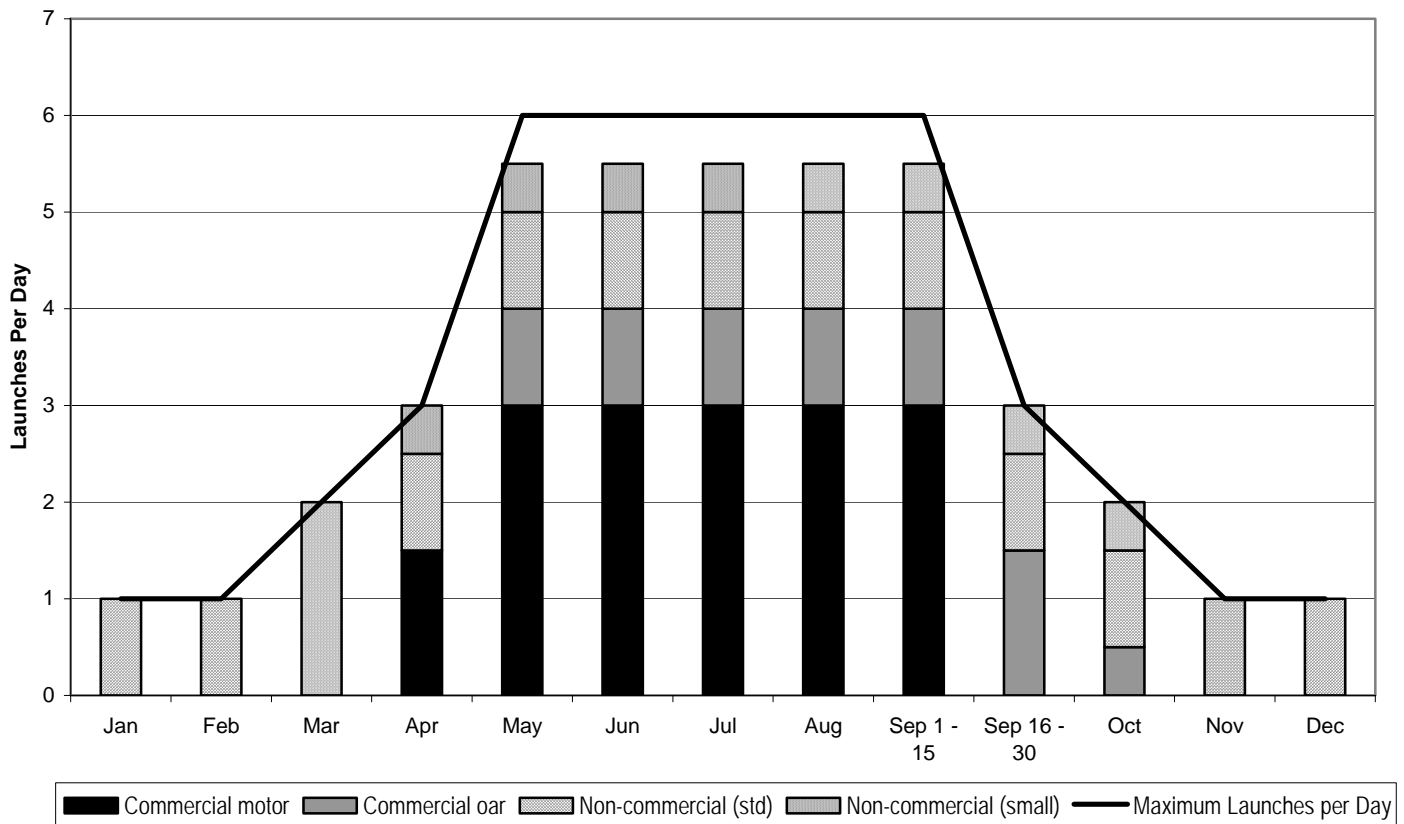
Under our proposal, the number of non-commercial trip opportunities would be increased by adding two such “small” trips a day in March. What had been March commercial use under the original Alternative H proposal would be moved to the first two weeks of September. The start of the no-motors season would be moved from September 1st back to its historic start on September 16th. The no-motors period would be lengthened, however, by two additional weeks over the original Alternative H scenario, by including the entire month of March. Hence, the mixed-use (motorized and non-motorized) period would run from April 1st through September 15th and the no-motors period would run from September 16th to March 31st each year. In addition to being important elements of our proposal to address allocation issues, these recommendations could reduce potential impacts on vegetation and wildlife during part of the critical spring reproductive months.

Commercial use would continue to be concentrated in the summer period with some occurring in some shoulder months, while non-commercial use would continue to take place on a year round basis. This necessarily results in a situation in which, while annual allocation levels would be the same for both sectors, seasonal allocation levels would vary. While some will always continue to desire more use, the collaborating groups are committed to this approach as a fair and equitable distribution of the available Colorado River recreational use allocation, which we understand the NPS to believe to be fully appropriate and acceptable under the Park’s resource protection mandates and requirements.

The seasons we propose and recommend (please see the chart below for our recommended daily launch rates and daily trip types for each season) are:

Summer:	May 1 – September 15
Spring Shoulder:	March 1 – April 30
Fall Shoulder:	September 16 – October 31
Winter:	November 1 – February 28
Mixed-Use Period:	April 1 – September 15
No-Motors Period:	September 16 – March 31

Modified Alternative H Proposal



While no non-motor commercial use is shown on the chart in the month of April, the collaborating parties support mixed commercial use in that month, scheduled in a manner that would result in no more than three non-motor trips (two non-commercial and one commercial) departing on any one day.

Finally, the collaborating groups recognize that an equal number of commercial and non-commercial launches is impossible to achieve, given the laudable diversity of trip types and itineraries. We have no wish to see all trips mandated to be the same. Our preference instead is for the NPS to maintain the healthy variety of trip offerings as

proposed in Alternative H, while discarding all river management scenarios that would require all trips to be of an identical type and itinerary.

VI. The Importance of Motorized Use

The collaborating groups support the continuation of an appropriate type and level of both motor and non-motor recreational use on the Colorado River within the Grand Canyon throughout the life of the newly revised CRMP. We endorse the NPS Preferred Alternative H proposal, as modified by our recommendations pertaining to the definitions of the mixed-use and no-motors periods, to continue to utilize motorized watercraft for both commercial and non-commercial trips.

Motorized use as part of the system allows for far greater and broader overall public access opportunities to Grand Canyon river trips, both commercial and noncommercial, than would otherwise be possible. Without motorized use as part of the overall trip mix, the recreational use increases contemplated under the NPS Alternative H and in these recommendations would simply not be possible.

It is absolutely critical, therefore, that a reasonable level of the appropriate type of both motorized and non-motorized recreational use continue on the Colorado River under the updated and revised CRMP. Finally, the collaborating groups note that the number of commercial motor trip launches provided for under these recommendations is the minimum necessary in order to not unduly reduce one-boat motor trip opportunities, which have traditionally accounted for upwards of forty percent of all motor trips.

VII. The Non-Commercial Trip Permitting System

As noted in the CRMP DEIS, there is “almost universal dissatisfaction with the waitlist system” so it is imperative that the current method of allocating non-commercial river permits be overhauled and radically improved. There is no need here to review the many reasons why this system has failed and why it must be replaced with a vastly improved means of distributing non-commercial permits. Any new system must be efficient and affordable for both user and administrator, fair and equitable, and easily explained and understood.

Recognizing the need to and attempting to respond to diverse user needs and interests while still keeping the administrative burden manageable, the collaborating groups recommend a “multiple pathway” system to secure a non-commercial river permit. By multiple paths, we mean that there would be two means of applying for and receiving (or not) a Colorado River trip permit.

The dominant pathway (e.g. 70% of non-commercial launches) for receiving a launch permit would be a “pure” lottery. All applicants would have the same chance to win, and the system would start fresh each year. The other “pathway” (e.g. 30% of non-commercial launches) would be an on-line reservations system where available launches would be secured through an application process that would include identifying participants and paying fees in advance. Under both access pathways, cancellations would appear as available launch dates in the on-line reservation calendar.

The collaborating groups recommend against a “weighted” lottery system as put forward in the NPS Preferred Alternative H. Our concern is that due to its weighted nature, such a system will quickly degenerate into something similar to the current “one-size-fits-all” waiting list system, complete with the same frustrating permitting and access issues. For example, by our analysis the length of time that new entrants to the system must wait before winning the lottery will grow rapidly as long as there are more applicants than launches. The collaborating groups believe that a “multiple pathways” approach would do a better job of meeting the diverse needs of recreational river runners.

Concerning transition from the current situation to a new system, the collaborating groups support measures to encourage applicants to leave the existing unsatisfactory waitlist system, including:

- A. A multiplicity of other choices for getting a permit (i.e. the lottery and the reservation system);
- B. Extra lottery chances for the first two years of the lottery if they enter it, with the number of extra chances based on time on wait list; and
- C. Financial incentives based on vested waiting time.

VIII. Conclusion

The collaborating groups believe that the best course for the future management of the Grand Canyon is one that avoids confrontation between the various user groups and instead builds upon a cooperative effort of these groups to set aside their differences and to support the NPS in its efforts to advance its often difficult mission of preserving the Park’s resources while at the same time providing quality opportunities for public enjoyment of those resources.

As the NPS well knows, conflict between the user groups has, for many years, significantly complicated the agency’s efforts to effectively manage use in the Park. It is the intent of the collaborating groups now, through these joint recommendations and efforts to follow, to simplify these efforts and to support the NPS in its critical mission by providing joint recommendations that will help produce a management plan that is acceptable to the river corridor’s major user groups, and that at the same time is consistent with the NPS’s obligation to preserve the Park’s resources and values.

The collaborating groups believe that these joint recommendations are in the best interests of the NPS and the overall public. It is our hope that the NPS will give them serious consideration and ultimately adopt them as part of the final CRMP.

Respectfully Submitted by:

Grand Canyon River Outfitters Association
Grand Canyon Private Boaters Association
American Whitewater
Grand Canyon River Runners Association