

*"I would like to run the Black Canyon before I die."*

–J. Daniel Dunlap, boater

## **TABLE OF CONTENTS**

### **Whitewater Recreation in Yellowstone National Park**

I. Executive Summary .....	I-1
II. Background on the Ban on Whitewater Boating .....	II-1
III. Proposal for Opening Select Rivers and Streams .....	III-1
IV. Analysis .....	IV-1
A. Laws, Regulations, and Policies Governing Yellowstone National Park. ....	IV-2
1. Legislation.....	IV-3
2. National Park Service Management Policies .....	IV-4
a) Consistent with the purposes of the Park .....	IV-6
b) No unacceptable impacts on visitor enjoyment .....	IV-9
c) Not a consumptive use of Park resources .....	IV-10
d) No unacceptable impacts on Park resources .....	IV-11
e) No unreasonable risks to participants or the public .....	IV-22
3. Case Law .....	IV-25
B. Whitewater Boating Can be Appropriately Managed.....	IV-28
1. Liability Concerns.....	IV-28
a) Federal Law .....	IV-28
b) State Law Issues .....	IV-29
1) Landowner Liability .....	IV-29
2) Contributory Negligence .....	IV-29
3) Assumption of Risk .....	IV-29
c) Examples from other National Parks .....	IV-31
2. Cost of Administration, Rescue and Facilities .....	IV-31
3. Commercial River Use .....	IV-34
C. <i>Boating on Yellowstone's Rivers: An Analysis and Assessment</i> (1988) ...	IV-35
D. Conclusions .....	IV-52
Appendix I:	Petitions and Letters
Appendix II:	About American Whitewater
Appendix III:	American Whitewater's Safety Code ( <i>revised June, 1998</i> )
Appendix IV:	Newspaper Editorials and Articles
Appendix V:	American Whitewater's Wyoming River Inventory (1990)
Appendix VI:	Whitewater Recreation Studies
Appendix VII:	NPS Management of Boating
Appendix VIII:	American Whitewater's Access Policy (1996)
Appendix IX:	Providing Public Information and Education
Appendix X:	Bibliography
Appendix XI:	Glossary of Abbreviations and Definitions of Terms