

# Wilderness and the Private Boater

by Kim Crumbo - GCPBA Board Member

*[The National Park Service] shall promote and regulate the use of the Federal areas known as national parks, monuments, and reservations by such means and measures as conform to the fundamental purpose of the said parks, monuments, and reservations, which purpose 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 a manner and by such means as will leave them unimpaired for the enjoyment of future generations.*

National Park Organic Act (16 USC 1)

*We take our partnership with the National Park Service very seriously and we're proud of our contribution. Through the professional services we provide, the National Park Service's dual mission of providing public access to the Grand Canyon river experience while protecting the resource for future generations is fully realized.*

Grand Canyon River Outfitter Association

The Park Services Organic Act, the act establishing the National Park system, states that the fundamental purpose of National Park units (park, monuments, national recreation areas, etc...) is to protect park resources and provide for the enjoyment of those resources. This so-called dual mission, is often presented as the great dilemma confronting the agency and is the preferred excuse for degrading park resources and values through recreational use. The second quote above, taken from the Grand Canyon River Outfitters Association website ([www.gcroa.com](http://www.gcroa.com)), makes reference to this interpretation. The outfitters, or river concessionaires, take pride in pointing out their pivotal role in providing public access while protecting park resources.

This is, at best, a partial truth that contributes to the current lop-sided allocation system. Significantly, the concessionaires, capitalizing on this misinterpretation of the National Park Service (NPS) mission, are also the principal obstacle to protecting all park values (particularly wilderness).

According to NPS policy (USDI 2000):

*Congress, recognizing that the enjoyment by future generations of the national parks can be assured only if the superb quality of park resources and values is left unimpaired, has provided that when there is a conflict between conserving resources and values and providing for enjoyment of them, conservation is to be predominant. This is how the courts have consistently interpreted the Organic Act [having] but a single purpose, namely, conservation [emphasis added].*

There is no dual mission dilemma. The Park Service is charged first and foremost with protecting park resources and values. In addition, since the river in Grand Canyon is proposed wilderness, NPS Management Policies (USDI 1999) require that:

*The National Park Service will manage wilderness areas for the use and enjoyment as the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness (emphasis added).*

Policy explicitly requires the NPS to manage proposed wilderness (e.g., 94 percent of Grand Canyon) as wilderness until Congress, through legislation, addresses wilderness designation.

Significantly, NPS policy also directs the agency to:

*....encourage and facilitate those uses of wilderness that are in keeping with the definitions and purposes of wilderness and do not degrade wilderness resources and character.*

Motorized rafts remain the most conspicuous non-conforming use in Grand Canyon's wilderness and are prohibited by the Wilderness Act (Sec.4[c]). There exists no valid exception in law (including the Wilderness Act, Section 4[d][1]) nor in policy for their use in Grand Canyon's proposed wilderness. Because of this prohibition, the river concessionaires, sanctioned by the Park Service,

remain the principal obstacle to wilderness designation at Grand Canyon.

Motors remain because they, through shorter full length trips, greatly enhances the concessionaires' ability to market the preponderance of their allocation. This practice generates additional demand and assures continued dominance of commercial interests displacing those who neither need nor desire their services (guess who?). In addition, motors generally allow a higher profitability than non-motorized trips. This fact remains the reason concessionaires fight for continued motorized use.

On the other hand, non-motorized trips conform to wilderness and park purposes. They are quiet, and lack the chaotic rush and large groups of most motorized trips. They are, according to recent and past safety studies, slightly safer than motorized trips. Most importantly, they offer much more of what the wilderness environment of Grand Canyon provides. The concessionaires' insistence on motorized use conflicts with explicit intent regarding protecting wilderness and park values. In many ways motors deprive the American public the opportunity to experience the best of what the Grand Canyon offers.

In short, the Park Service and their representatives (concessionaires) are required to protect park resources and values, including wilderness. Neither has done so.

Park policy also emphasizes that park visitors need to accept wilderness on its own unique terms. This statement at least implies a preference for direct involvement in all aspects of any recreational activity (trip planning, paddling, bailing, cooking and other camp chores). Private trips meet this requirement better than commercial rowing trips and infinitely better than motorized commercial tours. NPS Policy continues:

*Accordingly, the [agency] will promote education programs that encourage wilderness users to understand and be aware of certain risks, including possible dangers arising from wildlife, weather conditions, physical features, and other natural phenomena that are inherent in the various conditions that comprise a wilderness experience and primitive methods of travel.*

Contrast this with recent (1999) brochures of many of the commercial river concessionaires emphasizing comfort and convenience provided by guided services. In fact, the current river management plan does not consider wilderness values over convenience, comfort, political, economic or commercial values (Boussard, 2000).

In Wilderness, the Park Service may not eliminate or unreasonably control risks that are normally associated with wildlands. The agency's principal role is to provide users with general information concerning possible risks, recommended precautions, minimum-impact use ethics, and applicable regulations, not floating bus tours catering to every creature comfort. Wilderness also emphasizes low-key, unobtrusive management approaches respectful of the visitor's desire for solitude and a "primitive and unconfined" experience. Motorized trips not only impact the group using the outboard, but also the other boaters and hikers they pass.

Another issue is the requirement that, according to NPS Policy, concessionaires may render services determined to be "necessary and appropriate" to achieve the purposes of the particular park unit, in this case Grand Canyon National Park. The NPS has never conducted this analysis and prefers simply to condone the status quo regarding river concession services.

While the concessionaires point out they serve all the American public, according to a recent survey at least half of their clientele consist of folks who make over \$100,000 a year. This is hardly a representative cross section of the "public". Based on recent research (Boussard 2000) on ten companies, motor trips average \$202 per day and oar trips \$193. The lowest per day cost was \$158 for an oar trip and the most expensive was \$287. While these prices are consistent with other vacations, such as cruise ship and Disneyland tours, they are much more expensive than private river trips, and at least two the three times as expensive as the bare bones cost (on-river salaries

included) necessary to conduct commercial trips. Groups consisting of education, physically challenged, youth and other interests disenfranchised through cost are not adequately served by the concessionaires.

In the Fall 1998 edition of *Boatman's Quarterly Review*, I presented ways to "expand the spectrum" of commercial trips. In summary, the proposal suggested using a significant portion of the current commercial allocation to reach special populations currently disenfranchised by physical, social, or economic barriers. These populations include youth groups, educational groups (university students), the physically challenged and other folks with disabilities. The Park Service should establish, as part of a renewed wilderness and river planning process, a workgroup or panel to identify additional "special populations". Once these populations are identified and concession contracts completed, the outfitter would work with special advisory panels of experts to develop and implement the program.

Another frequently requested concession service, support trips for kayaker and other boaters who prefer the company of a qualified guide, could be offered within the current commercial allocation. Unlike the current practice, the outfitter would charge only for the actual service provided (a boat, a guide, food, etc.). Participants would provide their own boats and unpaid boatmen, but would not ride in the guide's boat. The proposed concession would allow greater trip participation, but would address the need for support services (e.g., equipment rental, food service, advice on how to run the river), at a much reduced cost than the current support service. This would differ from the current traditional service in that a group (similar to a private group) could actually hire someone to lead the trip. It just might help reduce the private waiting list. Of course, the traditional outfitted trip would be offered, but these trips wouldn't consume the lion's share of the commercial allocation.

It's important to remember that private river runners also represent a broad diversity of socioeconomic levels. Our plight (10 to 20 year waiting list) is well known and must be resolved. One solution would be simply reverting back to (and slightly modifying) the 1980 wilderness river plan. This action would increase private launches to two trips a day (four total including commercials) and increase private access by about 75% without reducing the commercial allocation. Use would simply be spread out over a six-month period rather than crammed into the summer months. Additional winter launches allowed under this wilderness alternative could further increase private allocation. Under this (one of many) wilderness scenario, protecting wilderness resources and character would also result in better access for all wilderness-dependent trips. Of course, none of this is possible without a new, enlightened, comprehensive wilderness and river management plan. The recent cancellation of the river planning process preempted our best chance to address these inequities. We need a new planning process now. GCPBA and others are currently involved in a lawsuit to do just that.

### **References:**

Boussard, Elizabeth. 2000. Master Thesis, Preliminary Manuscript.

USDI, National Park Service. 1999. Reference Manual RM 41: Wilderness Preservation and Management. Washington, D.C.:

National Park Service Office of Policy

USDI, National Park Service. 2000. Director's Order #55: Interpreting the National Park Service Organic Act. Washington, D.C.:

National Park Service Office of Policy.