

proposed the flat wake zone should apply to all motorized vessels.

*NPS Response:* The National Park Service concurs with the commenters. The preferred alternative in the LMP has been modified and clearly applies the flat wake zone to all motorized vessels. The intention of the flat wake zone is to provide a safe shoreline environment for water recreation. The Lake Management Plan has been modified based on public comment and consultation with the respective states of Nevada and Arizona to read, "A 200-foot flat wake zone will be applied to all beaches occupied by bathers, boats at the shoreline, swimmers in the water or persons at the shoreline." A future rulemaking will extend this provision to all boats.

2. The PWIA requested that PWC used for water-skiing and wakeboarding be permitted to launch from the shoreline like other motorized boats.

*NPS Response:* The NPS agrees. The intention the Lake Management Plan is to afford PWC the same setting for beach starts for water-skiing purposes as other motorized boats. Persons operating boats would need to be at flat wake speed only if they are within 200-feet of a beach occupied by bathers, a boat at the shoreline or a person in the water or at the shoreline. It is the intention to apply this rule to all boats and this will be accomplished with a separate rulemaking as described in the preceding comment response.

3. There were a number of comments stating that restricted PWC use should be permitted in Black Canyon.

*NPS Response:* The preferred alternative in the final environmental impact statement (EIS) has been revised for recreational use of Black Canyon, allowing restricted PWC use. The final EIS states, "In this area, temporal zoning would be applied, providing a range of recreational settings. The area would be managed for a primitive setting two days per week on a year-round basis. Between Labor Day and Memorial Day, the area would be managed for a semiprimitive setting five days per week. During the summer months between Memorial Day and Labor Day, the area would be managed for a rural natural setting with only houseboats, waterskiing, and wakeboarding prohibited. PWC use is consistent with the rural natural setting. However, due to the narrow canyon setting in Black Canyon (zones 8 and 9), PWC use would be monitored during this period and restricted if the safety of lake users becomes an issue. This would be determined by observed/reported conflict information and boating incidents." This authorization has been

specifically included in the final rulemaking.

4. Numerous commenters stated that the National Park Service is suggesting that one type of recreational experience is more meaningful than another.

*NPS Response:* The NPS disagrees that we place a higher value on a one type of recreational experience over another. The implication is that we place less value on PWC use than other forms of recreation. The Organic Act and the Lake Mead enabling legislation are the standards by which the National Park Service manages recreational activities. For Lake Mead NRA we have evaluated PWC use and are authorizing their continued use throughout 95% of the park waters.

5. Many commenters believed they should be able to use their USCG legal boat in every waterway where similar motorized boating activity occurs (*i.e.* water skiing, wake boarding, speed boating, etc.) They suggested the Lake Mead regulation should be based on engine type not hull design.

*NPS Response:* The National Park Service definition of PWC as noted in the draft and final EIS under the "Purpose of and Need for the Plan" chapter, "Background" section under "Personal Watercraft Use Regulatory Background" is as follows: Personal watercraft refers to a vessel, usually less than 16-feet in length, which uses an inboard, internal combustion engine powering a water jet pump as its primary source of propulsion. The vessel is intended to be operated by a person or persons sitting, standing, or kneeling on the vessel, rather than within the confines of the hull.

As presented in the description of the alternatives in the draft and final EIS, the National Park Service evaluated and chose the best regulatory approach in the preferred alternative in order to maintain the opportunities for various types of recreation while protecting the resources of the Lake Mead NRA. Some elements of the final EIS modified preferred alternative/final rule, such as the proposed recreational opportunity zoning, regulate PWC separately from other motorcraft, while other aspects, such as the flat wake zone and phase-out of old engine technology, regulates engine type instead of hull design.

6. We received numerous comments citing the Organic Act and the mission of the National Park Service to leave the resources and wildlife under its care "unimpaired for the enjoyment of future generations." We received a number of letters stating, federal law clearly prohibits activities that impair or derogate the NPA's resources or values.

*NPS Response:* The "Introduction" section of the "Environmental Consequences" chapter under "Summary of Laws and Policies" in the draft and final EIS summarizes the three overarching laws which guide the NPS in making decisions concerning protection of park resources. These laws, as well as others, are also reflected in the NPS Management Policies. In addition, in the "Methodology" section under the heading "Impairment Analysis," the EIS explains how the NPS applied these laws and policies to analyze the effects of PWC on Lake Mead park resources and values.

An impairment to a particular park resource or park value occurs when in the professional judgment of the responsible NPS manager the impact would harm the integrity of park resources or values, including the opportunity that otherwise would be present for the enjoyment of those resources or values. In making these determinations, the NPS managers must consider the provisions of the park's enabling legislation. For each resource topic, the draft and final EIS establishes thresholds or indicators of magnitude of impact. Should the impact approach a "major" level of intensity, it is one indication that impairment could result. For each impact topic, when the intensity approached "major," the team would consider mitigation measures to reduce the potential for "major" impacts, thus reducing the potential for impairment.

In response to growing concern regarding potential impacts from PWC, the National Park Service began an extensive review and regulation process. While comments were received opposing continued use of the vessel within units of the park system, other comments supported its use with certain conditions designed to protect park resources and values. Recognizing that some units needed to complete more local planning and analysis of impact was needed, the final servicewide PWC regulation provided for specified local decision-making on a park by park basis.

The servicewide regulation recognized the need for park areas wishing to continue PWC use to undertake and complete an analysis of the impacts to park resources and values that could result from continued use.

In the draft and final EIS, three of the four alternatives analyzed various PWC scenarios, along with other vessel management and recreational objectives. The alternatives also consider means to mitigate the effects of PWC on park resources and values, including limiting use in areas where management