

Network and the Superintendent of Glen Canyon National Recreational Area. The lifting of the closure will allow the use of PWC on the majority of Lake Powell. The agreement, however, retained the restrictions in the 2002 Superintendent's Compendium and added closures from the mouth of San Juan River to the NRA boundary and north or beyond mile marker 108 of the Colorado River as measured from the Glen Canyon Dam to the NRA boundary.

### Changes to the Final Rule

Some changes have been made in the FEIS and to the final rule. The alternatives presented in the DEIS were modified in the FEIS in response to comments received on the DEIS. The primary modifications to alternatives A and B in the FEIS include conducting a 3-year pilot study to identify and develop conflict resolution techniques and preparing a comprehensive lake management plan to address all uses of Lake Powell. Additionally, alternative B and the final rule were modified to include compliance with 2006 emission standards (described below) and to add an additional geographic restriction.

1. Alternative B includes strategies to better protect recreation area resources, improve visitor safety, and reduce conflicts. These strategies include conducting a 3-year pilot study to identify the techniques and area restrictions that would be most effective in reducing conflicts and preparing a comprehensive lake management plan addressing all uses. See the discussion below in the comments summary (e.g., comment numbers 20 and 60) and in appendix C of the Draft and Final Environmental Impact Statement.

2. Alternative B, as reflected in this final rule, requires that PWC in the recreation area meet the 2006 U.S. Environmental Protection Agency emissions standards by the end of 2012 and in subsequent years. PWC not meeting the standards would no longer be permitted to operate within Glen Canyon National Recreation Area beginning in 2013. See the discussion below under number 17 in the comments discussion.

3. In the DEIS and NPRM a PWC would have been allowed to operate at flat wake speed on the Dirty Devil River upstream of the Utah Highway 95 bridge to a point where measurable downstream current is encountered. In the FEIS and final rule, PWC use on the Dirty Devil River upstream of the Utah Highway 95 bridge is prohibited. In addition the reference to Coyote Gulch in the proposed rule has been changed in the final rule to reference Coyote Creek. Coyote Creek is the correct

geographic name for the area discussed and this non-substantive change was made for clarification.

### Discussion of Economic Effects of PWC Use

In the Economic Analysis, NPS estimates that the total impact of the proposed alternatives for regulating PWC use in Glen Canyon on Page, Arizona, output is \$23.8 to \$39.9 million for Alternatives A and B and \$0 for Alternative C (because this alternative maintains baseline conditions) in the first year after the rule implementation. The increases in output under Alternatives A and B are substantial compared to the size of the regional economy, ranging from about 11 to 18 percent of regional personal income. Area businesses would be likely to experience large positive impacts under this final rule.

### Summary of Comments

A proposed rule was published for public comment on January 17, 2003 (68 FR 2,466–76), with the comment period lasting until March 17, 2003. The National Park Service received 2,170 timely written responses regarding the proposed regulation. Of the responses, 1,973 were form letters in 5 separate formats and 197 were individual letters. Of the 197 individual letters received 180 were from individuals, 5 from businesses, 8 from organizations and 4 from public agencies. Within the analysis, the term “commenter” refers to an individual, business, or organization that responded. The term “comments” refers to statements made by a commenter.

### General Comments

1. Some commenters, including the PWC Industry Association (PWIA), advocate that any regulation or restriction on PWC by the National Park Service should be uniformly applied to all motorized recreational vessels. Allowing other motorized vessels to operate in some of the proposed restricted areas would undermine the purported goals of reducing user conflicts and allowing for solitude and quiet. Closing these river areas to PWC, and not other motorized vessels, would be discriminatory.

*NPS Response:* With this final rule the National Park Service is adopting special regulations to manage PWC use at Glen Canyon. The alternatives listed in the Final Environmental Impact Statement were based upon the best information available. As noted by the commenter, the management actions under modified preferred alternative B for the San Juan, Escalante, Colorado,

and Dirty Devil Rivers will be implemented to reduce visitor conflicts with river rafters, fishermen, and backcountry hikers; promote opportunities for quiet and solitude; and ensure visitor safety. Following completion of the Final Environmental Impact Statement, it remains within National Park Service authority to prescribe similar use restrictions on all watercraft, if appropriate.

Glen Canyon expects to proceed with a Lake Management Plan in the near future, which will further examine vessel management as a whole on the waters of Lake Powell and its tributaries.

2. A number of commenters, including PWIA, proposed that the flat-wake zone should apply to all motorized vessels. Restricting only PWC to flat-wake speeds presents a safety hazard if other vessels are permitted to operate at significantly faster speeds.

*NPS Response:* Under a combination of NPS regulations and State laws and regulations all vessels are required to operate at flat wake speed in certain areas. In the case of the Escalante River, the NPS is requiring in this special regulation all PWCs to operate at flat wake speed because of the narrow waterways, blind corners and high use of the area, which would otherwise be a safety concern. The NPS has already adopted this requirement for all vessels in the Superintendent's Compendium for the same reasons.

3. Many commenters questioned why the focus of the analysis was on PWC alone when other motorized watercraft have similar or greater impacts on park resources.

*NPS Response:* The focus was on PWC because of the new management approach taken by the NPS. As a result, PWC use would be prohibited unless Glen Canyon NRA adopted a special regulation. The EIS and rulemaking were not designed to determine if PWC caused more environmental damage to park resources than other boats, but rather to determine if PWC use was consistent with Glen Canyon National Recreation Area's enabling legislation and management goals and objectives. As stated in the “Purpose of and Need for Action” chapter in the Draft and Final Environmental Impact Statements, the overall objective for the EIS and rulemaking is to evaluate a range of alternatives and strategies to manage PWC use, with the goal of ensuring protection of recreation and resource value. The impacts of other motorized watercraft could be considered in a future Lake Management Plan.

4. One commenter stated that the analysis should include examples of