

wilderness soundscape. As shown above, only 2.3% of the Natural Zone's area would be affected, and those soundscape effects would be offset even further by diurnal/nocturnal and seasonal reductions in watercraft noise.

There is a potential conflict in the management objectives between the Recreation and Resource Utilization Zone and the Natural Zone that is extremely difficult to avoid because the zones are adjacent to each other. However, the percentage of the Natural Zone that is adversely affected by PWC noise, as shown in the preceding paragraph, is small. The noise generated by watercraft in the Recreation and Resource Utilization Zone, including PWC, is consistent with Glen Canyon National Recreation Area's enabling legislation "to provide for public outdoor recreation use and enjoyment of Lake Powell and the lands adjacent thereto."

The modified preferred alternative B provides for a three-year pilot study to further evaluate PWC use areas. Potential restrictions of PWC use in other locations of the recreation area will be evaluated during the pilot study. The purpose of the pilot study and a description of how it will be implemented are provided in appendix C of the Final EIS. In addition, the preparation of a lake management plan, which was included in all alternatives in the Final Environmental Impact Statement, will provide an opportunity for the National Park Service to further evaluate impacts of all lake users on all resources, including the soundscape.

63. One commenter asked why if noise generated by watercraft is consistent with the park purposes is soundscape being addressed as a reason to manage PWC.

*NPS Response:* The "Purpose of and Need for Action" chapter in the Draft and Final Environmental Impact Statements states that the overall objective for EIS and rulemaking is to evaluate a range of alternatives and strategies to determine the appropriateness of PWC use at Glen Canyon NRA with the goal of ensuring protection of recreational and resource values. This objective was derived from the enabling legislation for Glen Canyon National Recreation Area. Soundscape was one of the issues that was evaluated in order to determine appropriateness of PWC use. As a result of the evaluation, the NPS determined that no additional measures are required, beyond exist NPS noise regulations, to manage noise from PWC.

64. One commenter stated that since 1998, the PWC companies have reduced engine sound levels by up to 70% and

have introduced design changes to not only reduce engine sound intensity, but to reduce the sound pitch that some claim to be annoying.

*NPS Response:* The National Park Service appreciates the information regarding new noise suppression designs being used by some PWC manufacturers. The Final Environmental Impact Statement refers to the potential noise abatement factors and acknowledges that future designs may mitigate sound impacts (see the "Affected Environment" chapter).

65. One commenter stated that the "promise" of quieter PWC by the PWC companies is no reason to approve PWC use at the recreation area.

*NPS Response:* The National Park Service has recognized that some PWC manufacturers are developing new noise suppression designs for new PWC. The industry's conversion to the four-stroke technology and the use of resonators is reducing the noise. Manufacturers are using noise absorbing foam and rubber padding in the construction of PWC. Consequently, the newer technology used in PWC construction is addressing noise concerns. The Final Environmental Impact Statement refers to the potential noise abatement factors and acknowledges that future designs may mitigate sound impacts (see the "Affected Environment" chapter).

The Final Environmental Impact Statement and final rule were designed to determine if PWC use was consistent with Glen Canyon National Recreation Area's enabling legislation and management goals and objectives. With completion of the Final Environmental Impact Statement, the National Park Service could, as it has in this rulemaking, take action to adopt special regulations to manage PWC use at Glen Canyon, or could have chosen to discontinue PWC use.

#### Drafting Information

The primary authors of this regulation were Suzy Schulman, Environmental Specialist, Glen Canyon NRA; Brian Wright, Outdoor Recreation Planner, Glen Canyon NRA; Sarah Bransom, Environmental Quality Division, National Park Service; Kym Hall, Regulations Program Manager, National Park Service, and Michael Tiernan, DOI Solicitor's Office.

#### Compliance With Other Laws

##### *Regulatory Planning and Review (Executive Order 12866)*

This document is a significant rule and has been reviewed by the Office of Management and Budget under Executive Order 12866.

(1) This rule will not have an effect of \$100 million or more on the economy. It will not adversely affect in a material way the economy, productivity, competition, jobs, environment, public health or safety, or State, local, or tribal governments or communities. This determination is based upon the findings in a report prepared by the National Park Service entitled "Economic Analysis of PWC Regulations in Glen Canyon National Recreation Area" (Law Engineering and Environmental Services, Inc., 2002). The focus of this study was to document the impact of this rule on a variety of small entities including PWC dealerships and repair shops, PWC rental business, and other local businesses that provide services to PWC users. The Economic Analysis may be viewed on the Glen Canyon Web site at <http://www.nps.gov/glca>.

This rule will continue PWC use with restrictions in some narrow canyon areas and other management restrictions. Some localized ecosystem protection and noise reduction benefits are anticipated. However, because the vast majority of Lake Powell, including the most popular areas for PWC use, will remain open to PWC use under this rule, the NPS anticipates no significant effects on the visiting public or local businesses.

If this rule was not instituted, PWC use would be completely banned under the no-action alternative, affecting the approximately 40 percent of visitors that use PWC. Maintaining PWC use in GLCA under this rule will result in an estimated increase in producer surplus (a measure closely related to business profit) in the local community of between \$1,232,800 and \$12,304,300 annually relative to baseline conditions (where PWC would be banned). The economic effect on the members of the visiting public that do not use PWC was not quantified due to limited data availability; however, the 40 percent of visitors that currently use PWC will regain all the consumer surplus value they receive from PWC use in GLCA. Consumer surplus gains to PWC users of continued access to GLCA are estimated to be between \$9,806,600 and \$20,166,400 annually. Beneficiaries of the no-action alternative would include the remaining portion of visitors that do not use PWC. Additionally, "nonusers" may significantly benefit from knowing that resources in the National Recreation Area will be better protected into the future.

Over a ten-year horizon, the present value of the gains is estimated to be \$86.9 million to \$155.3 million in consumer surplus and \$10.9 million to