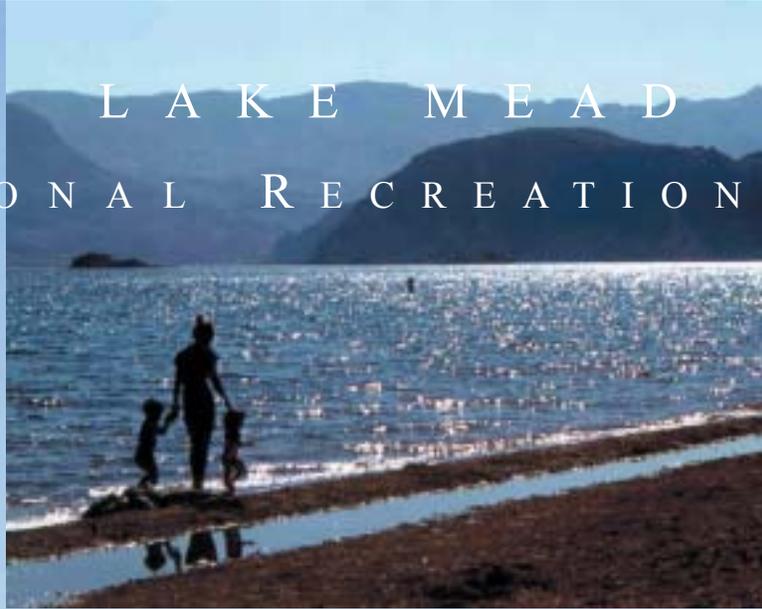




L A K E M E A D
N A T I O N A L R E C R E A T I O N A R E A



Lake Management Plan

Comments
and Responses on the

D R A F T

Environmental Impact Statement

V O L U M E T W O

Reader's Guide

This *Final Environmental Impact Statement / Lake Management Plan* documents the additions and changes made to the *Draft Environmental Impact Statement / Lake Management Plan* that was released to the public in April 2002. This final document is provided in two volumes.

Volume 1 contains the additions and changes to the draft document. The original text from the *Draft Environmental Impact Statement* is shown in black, while changes and additions to the draft are shown in blue. The exception to this is headings; both original and new headings are shown in black.

Volume 2 contains the public comments on the *Draft Environmental Impact Statement* and the responses to public comments prepared by the National Park Service (NPS) interdisciplinary planning team and the NPS contractor.

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RESPONSES TO SUBSTANTIVE COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

METHODOLOGY AND PURPOSE

The *Draft Environmental Impact Statement / Lake Management Plan* was released for public review on April 24, 2002 (65 Fed. Reg. 15,078(200)), initiating a formal 60-day public comment period that lasted until June 26, 2002. The U.S. Department of the Interior, National Park Service (NPS) is the lead federal agency generating the plan. The *Draft Environmental Impact Statement / Lake Management Plan* proposes additional management of recreational use for the waters of Lake Mead National Recreation Area. The plan describes four alternatives for managing the recreation area, including the management of personal watercraft, which would protect the resources and values of the park while offering recreational opportunities as provided for in the park's enabling legislation, purpose, mission, and goals.

The comment period generated 10,013 documents containing 41,516 comments. Comments were received by letter, electronic mail, fax, oral transcript, petition, and meeting comment form. Of the 10,013 documents received, 8,474 were form letters on 10 separate form letter formats; 1,384 were individual letters; 6,495 letters were received by electronic mail; and 792 were signatures on 8 separate petitions. Comment letters received included 9,153 from individuals, 30 from businesses, 813 from organizations (organization was identified in the letter), and 17 from public agencies. Public information meetings held during the comment period generated 107 written comments and 40 oral statements. Respondents were very interested in the document, and they invested considerable time and effort to voice their opinions and concerns about proposed changes in lake management.

A process referred to as "content analysis" was used to compile and correlate similar public comments into a format useable by NPS decision makers. The content analysis team (comprised of the NPS interdisciplinary planning team and the NPS contractor for preparation of this environmental impact statement) read all comments and determined which comments would require a response. Pursuant to the *National Environmental Policy Act* (NEPA), responses were prepared for all substantive comments, and the content of this *Final Environmental Impact Statement* also demonstrates a responsiveness to public input.

Content analysis was performed in the four steps described below.

Develop a coding structure — Initially, a coding structure was developed to help sort comments into logical groups by topics and issues, derived from an analysis of the range of topics covered in the *Draft Environmental Impact Statement / Lake Management Plan* and past NPS planning documents, National Park Service legal guidance, and the letters themselves. The coding structure used was inclusive rather than restrictive; an attempt was made to capture all comment content. The codes were assigned to comments within letters, faxes, oral transcripts, meeting comment forms, and electronic mail.

Create a comment database — For each comment in a correspondence, codes were assigned by one staff person, validated by another, and then entered into a database.

Prepare a narrative summary — The database was used to help construct a narrative summary. Opinions, feelings, and preferences of one element or one alternative over another, and comments of personal and philosophical nature were all read and analyzed. All comments were considered, whether they were presented by thousands of people voicing the same concern or by a single person or organization raising a technical point.

Read and code public comment letters — After each document was coded, a series of steps were taken to determine whether the individual comment was substantive or nonsubstantive, according to the criteria set forth in the Council on Environmental Quality regulations.

Substantive comments are comments that raise an issue regarding law or regulation, agency procedure or performance, compliance with stated objectives, validity of impact analyses, or other matters of practical or procedural importance. Substantive comments require a response or a corresponding revision in the final environmental impact statement text.

Nonsubstantive comments are comments that offer opinions or provide information not directly related to issues or impact analyses. Nonsubstantive comments are used as background information for the environmental impact statement team, but do not require a formal response.

The purpose of reading, coding, and analyzing the contents of the comment letters was to assist the content analysis team in determining if the substantive issues raised by the public warranted further modification of the alternatives and further analysis of issues and impacts. With the information provided through the public review process, the agency reconsidered the draft preferred alternative (alternative C) and developed a “modified preferred alternative” (alternative C) as described in the “Alternatives Selected for Analysis” chapter of volume 1 of this *Final Environmental Impact Statement / Lake Management Plan*.

Although the content analysis process attempted to capture the full range of public concerns, it is acknowledged that comments from people who chose to respond do not necessarily represent the sentiments of the entire public. Further, this is not a vote-counting process; emphasis in this process was on the content of the comment rather than the number of times a comment was received.

All comments received can be tracked to the original letter and can be sorted and reported in a variety of ways as described below.

ORGANIZATION OF COMMENTS AND RESPONSES

Comments and responses are categorized by topics and issues. A topic is a category of subject matter. These categories were developed through the scoping process and were selected in order to track major subjects through the *Draft Environmental Impact Statement*. Issues are subdivisions of topics. Each topic was broken down into several issues for ease of discussion. For example, the Visitor Conflicts topic was divided into eight issues, several of which include Boater Education, Shoreline Zoning, and Uniform Boating Regulations.

After all public comments were entered into the database by issue, substantive issue reports were generated per topic and issue. The team analyzed the comments and then grouped comments with similar subject matter in order to prepare issue statements that represented all comments in each subject matter group. Some of the more detailed comments that were received appear verbatim in this document, while others were summarized, reflecting the content of several similar comments. The issue statements were then sent to professionals in the respective fields (i.e., Air Quality, Water Quality, Wildlife and Habitat) for analysis and response. The resulting issue statement responses were reviewed by the contractor, Environmental Quality Division of the National Park Service, and Lake Mead National Recreation Area interdisciplinary planning team for accuracy and completeness, revisions and additions were made as needed, and the resulting responses to public comments are provided in this document.

There are two indexes provided in this document and each is described below.

Index of Comments by Category of Author — The Author Index lists businesses, organizations, and public agencies that submitted comments. Actual locations in this document of comments/responses by these groups can be found by locating the “Index of Comments by Category of Author” (see p. v) to first determine the document locator number and then choosing the appropriate topic heading in the Table of Contents. Individual members of the public submitted comments that were read, coded, and analyzed as described above. However,

because of the large number of individuals submitting comments, those comment letters were not categorized by author. Authors of individual letters should consult the Index of Comments by Topic, as described in the next paragraph. The majority of comments received by the National Park Service were form letters. Examples of the 10 different types of form letters are included at the end of this volume 2.

Index of Comments by Topic — To locate a response to a *representative* individual comment, refer to the “Index of Comments by Topic” (see p. x) to determine the topic your comment falls under and then locate the comment/response section for that topic in the Table of Contents (see p. xv). If an individual cannot find a representation of his or her comment in this document, the Park Service can be contacted for a copy of the coded letter. All letters received will be kept at the Lake Mead National Recreation Area headquarters. The authors of comments from agencies, businesses, and organizations should also consult this index to review all topics and issues of interest.

References to Volume 1 Within Responses

Within some responses to comments, readers are directed to a particular section, chapter, table, figure, or appendix to find more information about a particular subject. Those referrals pertain specifically to volume 1 of this *Final Environmental Impact Statement / Lake Management Plan*.

INDEX OF COMMENT LETTERS BY CATEGORY OF AUTHOR

BUSINESS COMMENT LETTERS

Bilbray Industries, Inc. — 08890. Facilities: Facility Expansion (Launch Ramp, Marina, etc.).

Callville Bay Marina — 08088. Alternatives: Alternative A (No Action); Facilities: Lake Boating Capacities.

Fitzgibbons & Anderson Law Corporation — 09059. Soundscapes: Impact from Other Vessels; Water Quality: Impacts from Other Vessels; Air Quality: Impacts to Air Quality (visibility, vegetation); Resource Protection: Phasing of Clean Engine Technology; Recreational Opportunity Zoning: Recreational Opportunity Zoning in Primitive and Semiprimitive Areas at Lake Mead and Lake Mohave; Visitor Conflicts: Shoreline Zoning.

Kawasaki Motors Corp., USA — 09057. General Assumptions Used for Analysis: Personal Watercraft Use Trends and Assumptions.

Las Vegas Boat Harbor, Inc. — 07151, 08092. Alternatives: Alternative A (No Action); Alternatives: Alternative B; Alternatives: Alternative C (Preferred Alternative); Alternatives: Alternative D; Appendix: Analysis of Recreational Carrying Capacity; Wildlife and Wildlife Habitat: Cumulative Impacts; Soundscapes: Cumulative Impacts; Socioeconomics: Economic Impact Analysis; Water Quality: Cumulative Impacts; Socioeconomics: Economic Impact Analysis; Visitor Use, Experience, and Safety: Enforcement; Facilities: Facility Expansion (Launch Ramp, Marina, etc.); Consultation and Coordination: General Comments; Miscellaneous Topics: General Comments;

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Overton Beach Marina — 08089. Alternatives: Alternative A (No Action); Alternatives: Alternative C (Preferred Alternative); Socioeconomics: Economic Impact Analysis; Visitor Use, Experience, and Safety: Enforcement; Facilities: Facility Expansion (Launch Ramp, Marina, etc.); Resource Protection: Phasing of Clean Engine Technology; Water Quality: Regulations, Methodologies, and Assumptions; Visitor Conflicts: Shoreline – 100-foot Flat-Wake Area; Visitor Conflicts: Shoreline Zoning.

Valley Investigations — 00974. Visitor Conflicts: Alcohol Use; Visitor Use, Experience, and Safety: Enforcement; Consultation and Coordination: General Comments; Sanitation and Litter: Glass/Styrofoam Prohibition; Facilities: Lake Boating Capacities (Boats at Any One Time); Alternatives: New Alternatives or Elements; Visitor Use, Experience, and Safety: Park Operations; Visitor Use, Experience, and Safety: Visitor Experience and Satisfaction.

ORGANIZATION COMMENT LETTERS

American Bass — 02258, 08980. Alternatives: New Alternatives or Elements; Recreational Opportunity Zoning: Recreational Opportunity Zoning in Primitive and Semiprimitive Areas at Lake Mead and Lake Mohave.

American Canoe Association, Inc. — 08094. Alternatives: Alternative B; Alternatives: Alternatives Eliminated; Other NEPA Issues: General Comments; General Assumptions Used for Analysis: General Methodology for Establishing Impacts/Effects; Air Quality: Impacts from Personal Watercraft from Airborne Pollutants; Soundscapes: Impacts from Personal Watercraft Use; Visitor Use, Experience, and Safety: Impacts from Personal Watercraft Use; Alternatives: New Alternatives or Elements; Purpose and Need: National Park Service Interpretation of Impairment Policies and Mandates; Resource Protection: Phasing of Clean Engine Technology; General Assumptions Used for Analysis: Personal Watercraft Use Trends and Assumptions; Visitor Use: Personal Watercraft Use within Lake Mead; Visitor Conflicts: Personal Watercraft Visitor Conflicts; Recreational Opportunity Zoning: Recreational Opportunity Zoning in Primitive and Semiprimitive Areas at Lake Mead and Lake Mohave; Purpose and Need: Scope of the Analysis; Visitor Conflicts: Shoreline – 100-foot Flat-Wake Area.

Arizona and Nevada Concerned Citizens — 00001. Other NEPA Issues: General Comments; Consultation and Coordination: General Comments.

Arizona and Nevada Concerned Citizens for the Continued Use of All of Lake Mead for All Citizens — 00944. Alternatives: New Alternatives or Elements; Purpose and Need: Park Legislation/Authority; Recreational Opportunity Zoning: Park Location Specific to Zoning; Recreational Opportunity Zoning: Recreational Opportunity Zoning in Primitive and Semiprimitive Areas at Lake Mead and Lake Mohave; Visitor Conflicts: Shoreline Zoning.

B.A.S.S., Inc. — 09058. Socioeconomics: Economic Impact Analysis.

Bluewater Network — 08595. Alternatives: Alternative B; Purpose and Need: Current Personal Watercraft Regulatory Framework; Cultural Resources: Impacts from Personal Watercraft Access; Air Quality: Impacts from Personal Watercraft from Airborne Pollutants;

Wildlife and Wildlife Habitat: Impacts from Personal Watercraft Use; Visitor Use, Experience, and Safety: Impacts from Personal Watercraft Use; Threatened and Endangered Species: Impacts from Personal Watercraft Use; Soundscapes: Impacts from Personal Watercraft Use; Water Quality: Impacts to Water Quality from Personal Watercraft Use; Facilities: Lake Boating Capacities (Boats at Any One Time); Purpose and Need: Objectives in Taking Action; Resource Protection: Phasing of Clean Engine Technology; General Assumptions Used for Analysis: Personal Watercraft Use Trends and Assumptions; Water Quality: Regulations, Methodologies, and Assumptions; Wildlife and Wildlife Habitat: Regulations, Methodologies, and Assumptions; Visitor Use, Experience, and Safety: Regulations, Methodologies, and Assumptions; Threatened and Endangered Species: Regulations, Methodologies, and Assumptions; Soundscapes: Regulations, Methodologies, and Assumptions; Cultural Resources: Regulations, Methodologies, and Assumptions.

Center for Biological Diversity: Grazing Reform Program — 09207. Threatened and Endangered Species: Cumulative Impacts.

Friends of Lake Mead — 08981. Consultation and Coordination: General Comments.

Lake Mead Boat Owners Association — 02215. Visitor Conflicts: Alcohol Use; Alternatives: Alternative A (No Action); Alternatives: Alternative C (Preferred Alternative); Soundscapes: Cumulative Impacts; Alternatives: Elements Common to All Alternatives; Visitor Use, Experience, and Safety: Enforcement; Facilities: Facility Expansion (Launch Ramp, Marina, etc.); Other NEPA Issues: General Comments; Water Quality: Impacts to Water Quality from Personal Watercraft Use; Facilities: Lake Boating Capacities (Boats at Any One Time); Alternatives: New Alternatives or Elements; Visitor Conflicts: Other Recreational Conflicts; Sanitation and Litter: Overnight/Boater Portable Toilet Requirement; Recreational Opportunity Zoning: Park Location Specific to Zoning; Visitor Use, Experience, and Safety: Park Operations; Resource Protection: Phasing of Clean Engine Technology; Visitor Conflicts: Portable Gas Containers; Water Quality: Regulations, Methodologies, and Assumptions; Visitor Conflicts: Shoreline Zoning.

Laughlin Chamber of Commerce — 02303.

Appendix: Analysis of Recreational Carrying Capacity; Socioeconomics: Economic Impact Analysis; Facilities: Facility Expansion (Launch Ramp, Marina, etc.); Consultation and Coordination: General Comments; Facilities: Lake Boating Capacities (Boats at Any One Time).

Personal Watercraft Industry Association — 01626.

Visitor Use, Experience, and Safety: Impacts from Personal Watercraft Use; Wildlife and Wildlife Habitat: Impacts from Personal Watercraft Use; General Assumptions Used for Analysis: Personal Watercraft Use Trends and Assumptions; Wildlife and Wildlife Habitat: Regulations, Methodologies, and Assumptions.

Sierra Club — 08207. Alternatives: Alternative B;

Soundscapes: Cumulative Impacts; Soundscapes: Impacts from Personal Watercraft Use; Soundscapes: Regulations, Methodologies, and Assumptions.

Sierra Club, Southern Nevada Group — 01528.

Water Quality: Cumulative Impacts; Other NEPA Issues: General Comments; Alternatives: New Alternatives or Elements; Recreational Opportunity Zoning: Recreational Opportunity Zoning in Primitive and Semiprimitive Areas at Lake Mead and Lake Mohave.

Wilderness Society and National Parks Conservation Association — 08204. Alternatives:

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Arizona Game and Fish Department — 08985.

Visitor Conflicts: Boater Education; Consultation and Coordination: General Comments; Miscellaneous Topics: General Comments; Alternatives: New Alternatives or Elements; Sanitation and Litter: Overnight/Boater Portable Toilet Requirement; Recreational Opportunity Zoning: Park Location Specific to Zoning; Visitor Conflicts: Personal Watercraft Visitor Conflicts; Recreational Opportunity Zoning: Recreational Opportunity Zoning in Primitive and Semiprimitive Areas at Lake Mead and Lake Mohave; Water Quality: Regulations, Methodologies, and Assumptions; Visitor Conflicts: Shoreline – 100-foot Flat-Wake Area; Visitor Conflicts: Uniform Boating Regulations.

Department of Administrative Services – Laughlin Town Manager — 05387. Socioeconomics: Economic Impact Analysis; Facilities: Facility Expansion (Launch Ramp, Marina, etc.); Consultation and Coordination: General Comments; Socioeconomics: Methodology and Assumptions.

Department of the Interior, Grand Canyon National Park — 09049; Alternatives: Alternative C (Preferred Alternative); Wildlife and Wildlife Habitat: Cumulative Impacts; Recreational Opportunity Zoning: Park Location Specific to Zoning.

Department of the Interior, Bureau of Reclamation — 08206. Consultation and Coordination: General Comments; Miscellaneous Topics: General Comments; Purpose and Need: Park Legislation/Authority; Threatened and Endangered Species: Regulations, Methodologies, and Assumptions; Purpose and Need: Scope of the Analysis; Appendix: Summary of Operations Under Forecasted Water Elevation.

Environmental Protection Agency — 08203. Facilities: Facility Expansion (Launch Ramp, Marina, etc.); Other NEPA Issues: General Comments; Water Quality: Impacts from other Vessels; Air Quality: Impacts from Personal Watercraft from Airborne Pollutants; Air Quality: Impacts to Air Quality (visibility, vegetation); Water Quality: Impacts to Water Quality from Personal Watercraft Use; Air Quality: Methodology and Assumptions; Resource Protection: Phasing of Clean Engine Technology; Water Quality: Regulations, Methodologies, and Assumptions.

Mohave County Board of Supervisors — 08986.

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Searchlight Town Advisory Board — 09048.

Facilities: Facility Expansion (Launch Ramp, Marina, etc.); Consultation and Coordination: General Comments; General Assumptions Used for Analysis: General Methodology for Establishing Impacts/Effects.

State of Nevada Department of Cultural Affairs, State Historic Preservation Office — 03666.

Consultation and Coordination: General Comments; Cultural Resources: Regulations, Methodologies, and Assumptions.

State of Nevada Division of Wildlife — 08205.

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American Canoe Association, Inc. — 08094
Bluewater Network — 08595
Sierra Club — 08207
Wilderness Society and National Parks
Conservation Association — 08204

Regulations, Methodologies, and Assumptions

Bluewater Network — 08595

**THREATENED AND
ENDANGERED SPECIES** PAGE 101

Cumulative Impacts

Center for Biological Diversity: Grazing
Reform Program — 09207
Wilderness Society and National Parks
Conservation Association — 08204

Impacts from All Watercraft

State of Nevada Division of Wildlife — 08205

Impacts from Personal Watercraft Use

Bluewater Network — 08595
Wilderness Society and National Parks
Conservation Association — 08204

Regulations, Methodologies, and Assumptions

Bluewater Network — 08595
Department of the Interior, Bureau of
Reclamation — 08206
Wilderness Society and National Parks
Conservation Association — 08204

VISITOR CONFLICTS PAGE 49

Alcohol Use

Lake Mead Boat Owners Association — 02215
State of Nevada Division of Wildlife — 08205
Valley Investigations — 00974

Boater Education

Arizona Game and Fish Department — 08985
State of Nevada Division of Wildlife — 08205

Other Recreational Conflicts

Lake Mead Boat Owners Association — 02215
State of Nevada Division of Wildlife — 08205
Wilderness Society and National Parks
Conservation Association — 08204

Portable Gas Containers

Lake Mead Boat Owners Association — 02215

Personal Watercraft Visitor Conflicts

American Canoe Association, Inc. — 08094
Arizona Game and Fish Department — 08985
State of Nevada Division of Wildlife — 08205

Shoreline – 100 ft Wakeless Area

American Canoe Association, Inc. — 08094
Arizona Game and Fish Department — 08985
Mohave County Board of Supervisors — 08986

Overton Beach Marina — 08089
State of Nevada Division of Wildlife — 08205
Wilderness Society and National Parks
Conservation Association — 08204

Shoreline Zoning

Arizona and Nevada Concerned Citizens for the
Continued Use of All of Lake Mead for All
Citizens — 00944
Fitzgibbons & Anderson Law Corporation —
09059
Lake Mead Boat Owners Association — 02215
Las Vegas Boat Harbor, Inc. — 08092
Overton Beach Marina — 08089
State of Nevada Division of Wildlife — 08205

Uniform Boating Regulations

Arizona Game and Fish Department — 08985
State of Nevada Division of Wildlife — 08205

VISITOR USE PAGE 67

Personal Watercraft Use within Lake Mead

American Canoe Association, Inc. — 08094
State of Nevada Division of Wildlife — 08205

**VISITOR USE,
EXPERIENCE, AND SAFETY** PAGE 120

Enforcement

Lake Mead Boat Owners Association — 02215
Las Vegas Boat Harbor, Inc. — 08092
Mohave County Board of Supervisors — 08986
Overton Beach Marina — 08089
Valley Investigations — 00974
Wilderness Society and National Parks
Conservation Association — 08204

Impacts from Personal Watercraft Use

American Canoe Association, Inc. — 08094
Bluewater Network — 08595
Personal Watercraft Industry Association —
01626
Wilderness Society and National Parks
Conservation Association — 08204

Park Operations

Lake Mead Boat Owners Association — 02215
State of Nevada Division of Wildlife — 08205
Valley Investigations — 00974

Regulations, Methodologies, and Assumptions

Bluewater Network — 08595

Visitor Experience and Satisfaction
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Sierra Club, Southern Nevada Group — 01528

Impacts from Other Vessels
Environmental Protection Agency — 08203
Fitzgibbons & Anderson Law Corporation —
09059

**Impacts to Water Quality from Personal
Watercraft Use**
Bluewater Network — 08595
Environmental Protection Agency — 08203
Lake Mead Boat Owners Association — 02215

Regulations, Methodologies, and Assumptions
Arizona Game and Fish Department — 08985
Bluewater Network — 08595
Environmental Protection Agency — 08203
Lake Mead Boat Owners Association — 02215
Overton Beach Marina — 08089
Wilderness Society and National Parks
Conservation Association — 08204

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WILDLIFE HABITAT*** PAGE 92

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Las Vegas Boat Harbor, Inc. — 07151

Impacts from All Watercraft
State of Nevada Division of Wildlife — 08205

Impacts from Personal Watercraft Use
Bluewater Network — 08595
Personal Watercraft Industry Association —
01626
Wilderness Society and National Parks
Conservation Association — 08204

**Impacts to Water Quality from Personal
Watercraft Use**
State of Nevada Division of Wildlife — 08205

Regulations, Methodologies, and Assumptions
Bluewater Network — 08595
Personal Watercraft Industry Association —
01626

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Comments and Responses

PURPOSE AND NEED

Scope of the Analysis

Issue 1: Relationship of the Lake Management Plan to Other Plans

- A Comment: What is the relationship between the *Draft Environmental Impact Statement* (DEIS) and the plan presented in 1999–2000 to collect user fees at the Lake Mead National Recreation Area entrance stations?

Response: There is no relationship between this *Lake Management Plan* and the *Environmental Assessment* published in 1999–2000. The plan presented in 1999–2000 evaluated the impact of the construction at the entrance stations. This plan does not propose or affect changes in fees.

Public Comment:
01601 B, 01601 D

Commenter:

Affiliation:
Individual

Park Legislation/Authority

Issue 1: *Mission Statement and Enabling Legislation*

- A** Comment: Both the National Park Service (NPS) mission and the enabling legislation for Lake Mead National Recreation Area were referenced in the document and should be provided in the appendix.

Response: The Lake Mead mission statement is to provide diverse inland water recreational opportunities in a spectacular desert setting for present and future generations. This statement has been added to the “Objectives in Taking Action” section of the “Purpose of and Need for the Plan” chapter. The enabling legislation for Lake Mead National Recreation Area (Public Law [PL] 88-639) is summarized in this *Environmental Impact Statement*, but it is not included in its entirety. As noted in the “References” chapter, public laws, regulations, and statutes can be found on the internet at <http://www.gpo.gov>.

Public Comment:
08206B, 08206 J

Commenter:
Bureau of Reclamation

Affiliation:
Public Agency

- B** Comment: What acts and other legislative authorities or directives grant Lake Mead National Recreation Area the authority to plan for park resources and potentially restrict access?

Response: Legislation and NPS-specific directives that provide Lake Mead with the authority to plan for park resources and determine park-appropriate uses are identified in the “Background” section of the “Purpose of and Need for the Plan” chapter. Descriptions of park-specific planning documents, as well as servicewide legislation and NPS planning documents, are also provided in the “Background” section.

Public Comment:
01601 BC, 01601B F, 01601 A, C
and F

Commenter:

Affiliation:
Individual

Issue 2: *Park Arbitrarily Decides Which Species Are “Threatened” and Which Resources are “Culturally Sensitive” without Adequate Public Input*

- A** Comment: How does the park decide what species are “threatened” and then change management, including use of the park, without public input? Our concern is the same with culturally sensitive areas—how can you designate the area as sensitive and take management action without public input? Who gave you the authority to restrict our freedom?

Response: As discussed in the “Affected Environment” chapter, Lake Mead National Recreation Area has several threatened and endangered species (refer to appendix F) that are listed by the U.S. Fish and Wildlife Service in accordance with the *Endangered Species Act*. Listing of species under the *Endangered Species Act* is a complex process that takes many years of research and public input. The National Park Service is required by section 7 of the *Endangered Species Act* to ensure that any action the Park Service authorizes, funds, or carries out is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat.

As described in the “Servicewide Legislation and Planning Documents” section of the “Purpose of and Need for the Plan” chapter, the NPS *Organic Act* directs the parks to conserve native wildlife unimpaired for future generations. In addition, NPS *Management Policies* (NPS 2001c) directs all units of the Park Service to inventory, monitor, and manage state and locally listed species and other native species that are of special management concern to the parks in order to maintain their natural distribution and abundance.

The *Lake Mead National Recreation Area General Management Plan* (NPS 1986) designated natural zones and environmental protection and outstanding natural feature subzones within the recreation area. This document was finalized in 1986 after extensive public review and input. Park biologists used the

information in the *General Management Plan* and survey and species distribution lists to determine the most sensitive habitat within the lake and shoreline environments of Lakes Mead and Mohave.

As discussed in the “Methodology” section for cultural resources (“Environmental Consequences” chapter), the National Park Service must comply with numerous laws, regulations, and policies related to the protection and preservation of cultural resources. The National Park Service is required under the *National Historic Preservation Act of 1966* to establish programs in consultation with State Historic Preservation Offices to identify, evaluate, and nominate properties for the National Register of Historic Places. The Park Service is required under the NPS *Organic Act* to manage the recreation area with the purpose of conserving the historic objects while providing for their enjoyment. NPS *Management Policies* provides direction for the management and protection of cultural resources.

Public Comment:
00149B, 01506 A

Commenter:

Affiliation:
Individual

Issue 3: Personal Watercraft Can Be Singled Out for Regulation

- A *Comment:* Although the personal watercraft industry has claimed personal watercraft cannot be regulated differently than other motorboats, the National Park Service determined that personal watercraft are different from conventional motorboats and finalized personal watercraft-specific regulations in March 2000. What is the definition of a personal watercraft in the Lake Mead plan and how are personal watercraft being regulated separately from other watercraft?

Response: The NPS definition of personal watercraft 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” (see “Personal Watercraft Use Regulatory Background” in the “Background” section of the “Purpose of and Need for the Plan” chapter).

As discussed in “Alternatives Selected for Analysis” chapter, the National Park Service evaluated and chose the best regulatory approach in the preferred alternative (and modified preferred alternative) in order to maintain the opportunities for various types of recreation while protecting the resources of the Lake Mead National Recreation Area. Some portions of alternative C (modified preferred alternative), such as the proposed recreational opportunity spectrum, regulate personal watercraft separately from other watercraft, while other aspects, such as the phase-out of old engine technology, regulate engine type instead of watercraft type.

Public Comment:
08595C

Commenter:
Bluewater Network

Affiliation:
Organization

Current Personal Watercraft Regulatory Framework

Issue 1: Compliance with Bluewater Network Settlement Agreement

- A** Comment: The draft management plan does not comply with the court settlement between the National Park Service and Bluewater Network regarding analyses of effects personal watercraft has on the National Recreation Area. Why is data not included in the plan regarding the effects of personal watercraft as required by the court order?

Response: A summary of the NPS rulemaking and associated personal watercraft litigation is contained under “Personal Watercraft Regulatory Framework” in the “Purpose of and Need for the Plan” chapter. The National Park Service believes it has complied with the court order and has assessed the impacts of personal watercraft on those resources specified by the judge, as well as other resources that could be affected. These analyses were done for every applicable impact topic with the best available data, as required by the Council on Environmental Quality (CEQ) regulations (40 Code of Federal Regulation [CFR] 1502.22). Where data was lacking, best professional judgment prevailed using assumptions and extrapolations from scientific literature, other park units where personal watercraft are used, and personal observations of park staff. This *Final Environmental Impact Statement* includes additional text in the air and water resources sections to better define the magnitude of impact from personal watercraft on park resources. In addition, see Air and Water responses to comments.

Public Comment:
00115A

Commenter:

Affiliation:
Individual

- B** Comment: Why did the plan not recognize the thousands of public comments received on the NPS personal watercraft rulemaking opposing continued use of these vessels in units of the National Park Service? The final plan should include in the record the 30,000 citizen comments supporting a ban on personal watercraft at the Lake Mead National Recreation Area.

Response: Among many objectives, the *Lake Management Plan* strives to resolve a number of overall lake management issues related to visitor use and safety, sanitation, recreation, concessions, etc. The *Lake Management Plan* contains analyses for the continuation of and banning of personal watercraft use at the recreation area through the various alternatives. The 30,000 citizen comments submitted on the NPS personal watercraft rulemaking in the year 2000 are out of scope with the objectives of this planning effort because they address the servicewide rule rather than the *Draft* and *Final Environmental Impact Statements* for the *Lake Management Plan*. The controversy regarding personal watercraft use in park units is summarized under “Personal Watercraft Use Regulatory Background” in the “Purpose of and Need for the Plan” chapter.

Public Comment:
08595M

Commenter:
Bluewater Network

Affiliation:
Organization

- C** Comment: Some commenters stated that the settlement agreement should not overturn PL 88-639 (Lake Mead legislation) or U.S. Code Title 16. The National Park Service should be representing the interests of the general public and not special interest groups.

Response: The settlement agreement did not supercede or overturn Lake Mead enabling legislation. Both the personal watercraft settlement agreement (described in “Personal Watercraft Use Regulatory Background” in the “Purpose of and Need for the Plan” chapter) and the authorizing legislation for Lake Mead were considered when developing alternatives for this *Lake Management Plan*.

The “Introduction” section in the “Purpose of and Need for the Plan” chapter states that the overall objective for the plan is to improve the management of Lakes Mead and Mohave while providing for the long-term protection of park resources and allowing a range of recreational activities. This objective was

derived from the enabling legislation for Lake Mead National Recreation Area. As further stated in this section, a special analysis on the management of personal watercraft was also provided under each alternative to meet the terms of the settlement agreement between the Bluewater Network and the National Park Service.

As a result, the alternatives presented in the *Draft* and *Final Environmental Impact Statements* protect resources and values while providing recreational opportunities at Lake Mead National Recreation Area. As required by the settlement agreement and NPS policies, the impacts associated with personal watercraft and other recreational uses are evaluated under each alternative (refer to the “Environmental Consequences” chapter) to determine the potential for impairment to park resources. The National Park Service finds that the modified preferred alternative (alternative C), including the provision for personal watercraft and other watercraft use, would not result in impairment of park resources and values for which the Lake Mead Recreation Area was established. Thus, by ensuring resources are protected for future generations, the National Park Service is representing the interests of the general public.

Public Comment:
01601AC, 01601A F,
01601B C and F

Commenter:

Affiliation:
Individual

Issue 2: Compliance with National Park Service Director’s Orders

A *Comment:* A commenter questioned the values of NPS employees when the NPS Director’s Orders establish standards for which the plan does not meet. These standards include: Parks are a legacy; Preservation matters; National Park Service is part of the American community; Parks are to be enjoyed and preserved; and National Park Service is credible. In other words, the mission of the National Park Service is the responsibility of every employee. Allowing personal watercraft within the National Recreational Area is clearly insubordination of NPS duties as public servants. How can the National Park Service propose in its preferred alternative to continue personal watercraft use in light of these mandates?

Response: Every NPS employee is responsible for protection of park resources and values given NPS *Management Policies* and overarching environmental protection laws, such as the *Endangered Species Act*, *National Historic Preservation Act*, and *Clean Air Act*, which are described in the “Background” section of the “Purpose of and Need for the Plan” chapter. Each proposed alternative contained in the *Draft* and *Final Environmental Impact Statements* has been analyzed in order to understand the effects of personal watercraft use on park resources and values present within the Lake Mead National Recreation Area. This *Final Environmental Impact Statement* discloses the context, intensity, and duration of impacts as required by the *National Environmental Policy Act of 1969* (NEPA), including those from continued and discontinued personal watercraft use within the recreation area. The *Draft* and *Final Environmental Impact Statements* also include findings of nonimpairment to park resources and values based upon the criteria and methodology contained in the “Criteria and Thresholds for Impact Analyses” section of the “Environmental Consequences” chapter.

The Park Service employees who prepared the *Draft* and *Final Environmental Impact Statements* have fulfilled their responsibilities to assess potential consequences and benefits of each alternative and were diligent in finding applicable ways to reduce impacts and avoid impairment to Lake Mead Recreation Area resources and values.

Public Comment:
08989B

Commenter:

Affiliation:
Individual

Objectives in Taking Action

Issue 1: Purpose and Objectives Are Not Congruent with Plan Content

- A Comment: NPS representatives stated at recent public meetings that additional personnel would not be available to enforce the proposed *Lake Management Plan*. If the rules and regulations outlined in the plan cannot be enforced, then a new plan needs to be written to provide a workable way to manage the lake.

Response: Lake Mead National Recreation Area will incorporate the operational needs identified in the *Draft and Final Environmental Impact Statements* into the priorities submitted annually under the Operating Formulation System at the national park system. This administrative system is in place for park units to identify operational needs. Also see responses to Enforcement Issues under Visitor Use, Experience, and Safety.

Public Comment:
08528A

Commenter:

Affiliation:
Individual

- B Comment: The plan as written appears to be either (1) a vehicle to lobby for additional funding by presenting the perception of overcrowding, visitor conflicts, and chronic understaffing at Lake Mead National Recreation Area, or (2) is an effort to undermine the National Recreation Area's *Enabling Legislation* for the purpose of creating five complex park settings (recreation opportunity spectrum [ROS]) that restrict or over regulate future use at Lake Mead. Neither scenario was ever intended by the park legislation.

Response: The *Lake Management Plan* was not written to be a vehicle to lobby or as an effort to undermine the enabling legislation. The "Introduction" section of the "Purpose of and Need for the Plan" chapter states, "the overall objective of the plan is to improve the management of Lakes Mead and Mohave while providing for the long-term protection of park resources and allowing a range of recreational activities." This objective was derived from the enabling legislation for Lake Mead National Recreation Area, which provides for management of public recreation and for the preservation of the scenic, historic, scientific, and other important features of the area. The act specifically states that the Secretary of the Interior may provide for and describe regulations pertaining to uses of the National Recreation Area including "general recreation use, such as bathing, boating, camping, and picnicking."

This *Environmental Impact Statement* evaluates alternatives and strategies for protecting the resources and values of Lake Mead National Recreation Area, while offering recreational opportunities as provided for in the park's enabling legislation, purpose, mission, and goals as referenced under "Park Specific Legislation and Planning Documents" in the "Purpose of and Need for the Plan" chapter. A special analysis on the management of personal watercraft is provided under each alternative to meet the terms of the settlement agreement between the Bluewater Network and the National Park Service.

Public Comment:
03665D, 00988 E, I

Commenter:

Affiliation:
Individual

Issue 2: Plan Wording Misleads Reader as to Lake Mead's Purpose

- A Comment: The word "park" should not be used to describe Lake Mead and its resources. Lake Mead is a national recreation area and not a national park.

Response: Lake Mead National Recreation Area is a unit of the national park system and is managed under the same laws and policies as a "national park." The NPS *Organic Act of 1916* directs the National Park Service to manage units "to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such a manner as will leave them unimpaired for the enjoyment of future generations." Congress reiterated this mandate in the *Redwood National Park*

Expansion Act of 1978 by stating that the National Park Service must conduct its actions in a manner that will ensure no “derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress.” While the enabling legislation of Lake Mead National Recreation Area does provide for the management of public recreation, it also provides for the preservation of the scenic, historic, scientific, and other important features of the area as discussed in the “Background” section of the “Purpose of and Need for the Plan” chapter. The term “park” is used because Lake Mead National Recreation Area is a unit of the national park system.

Public Comment:
03665C, 01601B

Commenter:

Affiliation:
Individual

Issue 3: *Initiate Wilderness Suitability Study to Protect Sensitive Areas*

A *Comment:* The Muddy and Virgin Rivers inflow areas deserve the highest degree of protection because of their primitive qualities and important habitat. Currently personal watercraft can access the Colorado and Virgin Rivers inflows at high speed. Due to the diversity of plant and animal species and primitive nature of these areas, we encourage the National Park Service to initiate a wilderness suitability study.

Response: The Virgin River inflow area would be protected as a primitive area under the modified preferred alternative (alternative C) in this *Final Environmental Impact Statement*. Only nonmotorized vessels and boats with electric trolling motors would be permitted to operate in this area. The Muddy River inflow area is managed cooperatively by the Nevada Division of Wildlife and the National Park Service and is zoned as semiprimitive under alternative C. The National Park Service would continue to work with the Nevada Division of Wildlife to protect sensitive habitat in this area. As noted under the modified preferred alternative (alternative C), personal watercraft would be specifically restricted via a unit-specific rule in primitive and semiprimitive areas, including the Virgin and Muddy Rivers inflow areas.

The Colorado River inflow area is zoned as rural natural under the modified preferred alternative (alternative C). This zoning is contingent upon the Grand Canyon National Park allowing motorized boat traffic to enter the canyon from Lake Mead. If Grand Canyon were zoned to exclude boats from entering the canyon from Lake Mead, the Colorado River inflow area would be managed as semiprimitive. Grand Canyon National Park is currently preparing the Colorado River management plan, which will address motorized use in the Grand Canyon. As a result, this issue was dismissed from further consideration as discussed in the “Issues and Impact Topics” section of the “Purpose of and Need for the Plan” chapter.

A wilderness proposal was completed for Lake Mead National Recreation Area in 1974. This act determined that the lakes and shoreline areas, to a maximum of 300 feet back from the high-water lines of the lake, are inconsistent with wilderness management. Therefore, the lake shorelines to 300 feet above the high-water line, and inflow areas are not considered suitable for wilderness designation. Based on this analysis, wilderness suitability was also dismissed as an issue (refer to the “Issues and Impact Topics” section of the “Purpose of and Need for the Plan” chapter). The *Clark County Public Land Conservation Act* (Clark County 2002) was recently passed by both houses of Congress and established 180,000 acres of wilderness in Lake Mead National Recreation Area.

Public Comment:
08204T

Commenter:
The Wilderness Society

Affiliation:
Organization

Issue 4: *National Park Service Identification of the Preferred Alternative in the Draft Plan / Environmental Impact Statement*

A *Comment:* Why has the National Park Service identified a preferred alternative at this time? This is required when the *Final Environmental Impact Statement* comment period closes. Naming a preferred alternative in the *Draft Environmental Impact Statement* biases the objectivity of the plan.

Response: The CEQ regulations, which implement the *National Environmental Policy Act of 1969*, define the “preferred alternative” as the agency preferred course of action at the time a draft environmental impact statement is released for public review (1502.14(e), 40 Questions, 4(a)). The *National Environmental Policy Act* is designed as a planning process that is used for public disclosure of the range of reasonable alternatives, the consequences of those alternatives, and the agency’s proposed course of action at the time the draft environmental impact statement is released. The NEPA process also provides opportunities for public comment on the proposed alternatives and analysis. If disclosing the agency’s proposed course of action were left until the final environmental impact statement, the agency would not have the opportunity to fully explore other options until the end of the process. *Director’s Order 12 (NPS 2000a)* (the Park Service implementing procedures for the *National Environmental Policy Act*) encourages disclosing the preferred alternative at the time the draft environmental impact statement is released in order to obtain the benefit of full dialogue with the public.

Disclosing the proposed preferred alternative in the draft environmental impact statement does not mandate that the agency implement that alternative. Rather, it merely gives the public an opportunity to comment on the preferred alternative (along with other alternatives proposed), to suggest other alternatives and mitigation measures, and to present information or data to help the agency in its subsequent decision making. This *Final Environmental Impact Statement* contains a “modified preferred alternative” (alternative C) that reflects changes and edits in response to public input, among other factors, received during the public comment period on the *Draft Environmental Impact Statement / Lake Management Plan*. The final decision on the alternative that will be implemented will be contained in the Record of Decision that will be available no sooner than 30 days after release of the *Final Environmental Impact Statement*.

<i>Public Comment:</i> 08110B	<i>Commenter:</i>	<i>Affiliation:</i> Individual
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Issue 5: Federal Aid in Sport Fish Restoration Act Funds

A *Comment:* Use of *Federal Aid in Sport Fish Restoration Act* (FASFRA) funds does not guarantee personal watercraft access. The personal watercraft industry has long maintained that personal watercraft users have a “right” to use any boating infrastructure built using FASFRA funds. However, a 1999 Florida lawsuit negates the industry’s claim. In *Kissimmee River Valley Sportsman Association v. The City of Lakeland* (60 F. Supp. 2d 1289) (see enclosed copy), the U.S. District Court in Florida ruled that FASFRA funds does not create a federal right to equal access for boats of common horsepower ratings at boat launch facilities constructed or maintained under the act. This case suggests that government agencies may prohibit personal watercraft regardless of whether they have taken FASFRA funds to construct boat launches and facilities.

Response: Under the modified preferred alternative (alternative C) in the *Final Environmental Impact Statement*, the National Park Service would not limit access to public or commercial launch facilities by boat type within Lake Mead National Recreation Area. All launch facilities are constructed with federal or federal/state funding. Lake Mead National Recreation Area is partnering with the Nevada Division of Wildlife, Arizona Game and Fish Department, and the Bureau of Reclamation to provide improved recreation facilities. Funds provided through the Sportfish Restoration Program, the *Clean Vessel Act*, State Lake Improvement Fund, and the *Reclamation Recreation Act* have been used for the construction of new launch ramps, courtesy docks, floating boat-pump-out stations, first-aid stations, and parking areas.

<i>Public Comment:</i> 08595D	<i>Commenter:</i> Bluewater Network	<i>Affiliation:</i> Organization
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Issue 6: Need for the Plan

A Comment: Why is it that places like Lake Success in California, that only has 80,000 acre/feet of water at full capacity, doesn't have an environmental problem and lakes the size of Mead and Mohave do?

Response: We are not familiar with the environment of Lake Success in California. However, there are environmental issues associated with motorized recreation within Lake Mead National Recreation Area. The National Park Service will enter into a monitoring program to ensure the environment of Lakes Mead and Mohave is safe and protected. As noted in the "Purpose of and Need for the Plan" chapter, the objectives of this *Lake Management Plan* include protection of natural and cultural resources while allowing for a broad range of recreational opportunities to enhance visitor experience. Fulfilling these objectives requires addressing not only environmental concerns, but a variety of recreational and visitor concerns that are not necessarily dependant on the size of the water body. The many issues that must be addressed in the plan are noted in the "Issues and Impact Topics" section of the "Purpose of and Need for the Plan" chapter.

Public Comment:
00035C

Commenter:

Affiliation:
Individual

National Park Service Interpretation of Impairment Policies and Mandates

Issue 1: National Park Service Has Not Followed Its Mandate to Leave Park Resources Unimpaired for Future Generations

- A Comment: The Park Service is required under the *Organic Act* to leave park resources unimpaired for future generations. How does the *Lake Management Plan* comply with this requirement when it still proposes in three of the four alternatives to continue personal watercraft use at Lake Mead, especially in light of the fact that 70% of Americans want to enjoy public lands without interference from personal watercraft, dirt bikes, aircraft, etc.?

Response: The “Summary of Laws and Policies” section in the “Environmental Consequences” chapter summarizes the three overarching laws that guide the National Park Service in making decisions concerning protection of park resources. These laws, as well as others, are also reflected in the NPS *Management Policies*. An explanation of how the Park Service applied these laws and policies to analyze the effects of personal watercraft on Lake Mead National Recreation Area resources and values can be found under “Impairment Analysis” in the “Methodology” section.

An impairment to a particular park resource or park value must rise to the magnitude of a major impact, as defined by its context, duration, and intensity and must also affect the ability of the National Park Service to meet its mandates as established by congress in the park’s enabling legislation. For each resource topic, the *Draft* and *Final Environmental Impact Statements* establish thresholds or indicators of magnitude of impact. An impact approaching a “major” level of intensity 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 personal watercraft use, the National Park Service began an extensive review and regulation process. While comments were received opposing continued use of personal watercraft within units of the Park Service, other comments supported its use, under certain conditions designed to protect park resources and values. Recognizing that some units needed to complete more local planning and analyses of impacts, the final servicewide personal watercraft regulation allowed for local decision-making on a park-by-park basis.

Both the servicewide regulation and subsequent court settlement with Bluewater Network acknowledged that park units proposing to continue personal watercraft use must complete an analyses of impacts, including a thorough analysis at the enabling legislation of the unit, its management objectives, and the park resources and values potentially affected by continued use. While public comment on continued personal watercraft use is considered, it is done so while also taking into account these other factors.

In the case of this *Final Environmental Impact Statement*, three of the four alternatives were analyzed under various personal watercraft scenarios, along with management of other watercraft and recreational objectives. The alternatives also consider means to mitigate the effects of personal watercraft on park resources and values, including limiting use in areas where management objectives strive to create a visitor experience without intrusion of these vessels or where important park resources must be protected. The modified preferred alternative (alternative C) in the *Final Environmental Impact Statement* includes mitigation measures to protect other park users from potential conflicts with personal watercraft (refer to the modified preferred alternative section in the “Environmental Consequences” chapter, as well as other measures to protect species of special concern, water, and air resources).

The National Park Service finds that the modified preferred alternative (alternative C) presented in the *Final Environmental Impact Statement*, including the provision for continued personal watercraft use, if implemented, would not result in an impairment of park resources and values for which the Lake Mead Recreation Area was established.

Public Comment:
05983A, other documents 08094
(American Canoe Association) and
08204 (National Parks Conservation
Association) 08595 B (Bluewater)

Commenter:

Affiliation:
Individual

B *Comment:* The management policies of the National Park Service are clear so that if there is potential for impairment, parks can defer to local, state and other federal agencies, private industry, and nongovernmental organizations to meet the broader spectrum of recreational needs (NPS *Management Policies* section 8.2). The *Lake Management Plan's* preferred alternative does not weigh impacts to other visitors and natural resources as carefully as the NPS *Management Policies* clearly indicate. Why was this not done in the *Plan / Environmental Impact Statement*?

Response: See the above response for an explanation of how laws and policies, including impairment findings, were applied in the *Draft* and *Final Environmental Impact Statements*. In addition to this response, see the “Visitor Use, Experience, and Safety” sections in the “Environmental Consequences” chapter for the methodology and findings for each alternative. The modified preferred alternative (alternative C) in the *Final Environmental Impact Statement* incorporates substantive mitigation for reducing conflicts between park visitors. Proposed mitigation includes separation of shoreline activities, flat-wake zones, and 200-foot flat-wake areas around beaches frequented by bathers, boats at the shoreline, and near people in the water and at the water’s edge.

The commenter is correct in noting that the NPS *Management Policies* direct units to defer to other sources of recreational use outside of its jurisdiction, should there be a potential for impairment of park resources and values, including the purposes of the unit as established by congress in the unit’s enabling legislation. The National Park Service finds that there is no potential for impairment of any resource or value, as discussed under the “Impact Indicators, Criteria, and Methodology” section in the “Environmental Consequences” chapter. These indicators and criteria were created following study of scientific literature and management goals and objectives; after consultation with resource experts, and in accordance with resource protection mandates. This *Final Environmental Impact Statement* applies this thorough analysis in making its impairment findings for each resource.

If there were to be a potential for impairment, and the impairment could not be avoided through applying substantive mitigation, the closest available source to pursue personal watercraft recreation would be other regional waters. Lake Mead National Recreation Area is recognized as a major recreational water body. If personal watercraft use were banned under alternative A, regional recreational waters in Nevada, Utah, Arizona, and California would be impacted by displacement of personal watercraft users from Lakes Mead and Mohave. Many of these areas currently operate at their boating capacities during the summer months as noted in the “Impacts of Alternative A: No Action” section in the “Environmental Consequences” chapter.

Public Comment:
08204

Commenter:
Wilderness Society and National
Parks Conservation Association

Affiliation:
Organization

ALTERNATIVES

Alternative A (No Action)

Issue 1: *Alternative A*

- A Comment: Alternative A is the best plan because the National Park Service cannot or does not want to enforce the laws that are already on the books, such as alcohol consumption or minors on jet skis.

Response: Boating law enforcement is a cooperative effort between the states of Nevada and Arizona and the National Park Service. There are a number of laws that are enforced, and they differ depending on the state in which the boater is located. “Appendix E: Comparison of Boating Regulations” (volume 1 of this *Final Environmental Impact Statement*) lists a number of boating laws and shows how they differ across the different enforcement entities or jurisdictions. The implementation of boating laws is being done cooperatively with the respective states. This provides a greater understanding of the rules and greater opportunity for enforcement. The modified preferred alternative (alternative C) identifies the need for uniform boating laws for boating activities on Lakes Mead and Mohave as stated in the “Impacts of Alternative C” section of the “Environmental Consequences” chapter. Enforcement, boating education, and alcohol use are also discussed for alternative (refer to the “Visitor Use, Experience, and Safety” section in the “Alternatives Selected for Analysis” chapter). Under the modified preferred alternative (alternative C), the National Park Service would pursue uniform boating laws, boater education, and the prohibition of alcohol use while operating a boat.

Public Comment:
00151A

Commenter:

Affiliation:
Individual

Issue 2: *Alternative A Data Inaccurate*

- A Comment: In the “Alternative A: No Action” section of the “Alternatives Selected for Analysis” chapter, table 20 [sic] is inaccurate. The following items are referenced:

1. Overton Beach Marina to have 200 pull-through sites – there are over 600.
2. [Paragraph 2] Table 10 is further misleading under which the “pull-through parking” category by authorizing 415 additional spaces – this is a “no action” plan and as such should be at the very least representative of factual data.
3. Overton Beach Marina is authorized for 830 single parking spaces; *General Management Plan* (GMP) authorizes 880 parking spaces (reference vol. I, pp. xiii and 172).
4. Existing personal watercraft rentals are shown to be 8 – the correct number is 12.
5. Existing number of boats (rental) is shown to be 5 – the correct number is 7.
6. Existing number of wet slips is shown to be 135 – the correct number is 140.
7. Existing launch lanes is shown to be 4 and launch capacity of 192 – Meeting with Jim Holland on April 17, 1997 records an indication of 7 launch lanes and a capacity of 425 (factor of 10 launches per hour – not 8).

The outdated and grossly inaccurate data found in tables 8 and 10 is carried through as a foundation and causes further misrepresentation and miscalculations in the tables listed, contaminating the results in all of the alternatives.

Response: The information has been revised in the *Final Environmental Impact Statement* to show the existing 140 slips, 7 rental boats, and 12 personal watercraft. These minor changes in data do not substantially affect the analysis of impacts contained in the *Final Environmental Impact Statement*.

The parking calculations were based on aerial photographs showing the facility at capacity operation at an approximate lake elevation of 1,180 feet above mean sea level and thus, was not revised in the *Final Environmental Impact Statement*. The launch capacity was calculated consistent with other public launch ramps where they either function as side launch ramps or straight launch ramps but not both. Therefore, the launch capacity is based on the four-side launch lanes at eight minutes per launch/retrieval operation (consistent with other public launch ramps).

Public Comment:
08089C, excerpts from 08089

Commenter:
Overton Beach Marina

Affiliation:
Business

Issue 3: Selection of Alternative A Until Alternative C Is Better Defined

A *Comment:* With the information to date and the lack of detail in the draft plan, alternative A would be recommended, with or without a personal watercraft plan, until alternative C is defined more concisely in writing and the public has the chance to thoroughly review and comment on it in the final form.

Response: The National Park Service has modified the preferred alternative based on extensive public and agency comments received during the 60-day public comment period on the *Draft Environmental Impact Statement / Lake Management Plan*. The changes made to the preferred alternative which is now the modified preferred alternative (alternative C) are explained in detail in the “Environmental Consequences” chapter. The process and methodologies used to evaluate the effects of this alternative on all park resources and visitor experience, facilities, and conflicts at Lakes Mead and Mohave are identified in the “Methodology” section of the “Environmental Consequences” chapter, and the impacts associated with alternative C are also noted in this chapter. The detail in this analysis is consistent with the requirements of *Director’s Order 12*, which contains the NPS implementing procedures for the *National Environmental Policy Act of 1969*. Further environmental analysis (including public involvement) that tiers from this *Final Environmental Impact Statement / Lake Management Plan* would be undertaken when specific projects are proposed at the Recreation Area, such as the expansion of Cottonwood Cove or the addition of a new launch ramp at Eldorado Canyon or Stewarts Point.

Public Comment:
02215F

Commenter:
Lake Mead
Boat Owners Association

Affiliation:
Organization

Issue 4: Wet Slip Allocation Under Alternative A

A *Comment:* The plan [*General Management Plan*] stated that Callville would have a maximum of 75 house boats, not 65 as stated in the *Lake Management Plan*. The plan [*General Management Plan*] also allocated 1,050 wet slips and the only alternative that would maintain this number is alternative A. Callville can certainly support this number along with available lake access.

Response: The plan has been revised to show 75 houseboats at Callville Bay. The maximum development level for each marina is being revised during this planning process based on the boating carrying capacity of Lakes Mead and Mohave. This carrying capacity is explained in the “Description of Alternatives” section under the “Alternatives Selected for Analysis” chapter, “Appendix A: Commercial Services Plan,” and in “Appendix B: Analysis of Recreational Carrying Capacity.” While the marina may be able to support a higher number, the desired future condition on the lakes or shorelines under the modified preferred alternative (alternative C) cannot support the level of development originally proposed in the 1986 *General Management Plan*. Therefore, under this *Lake Management Plan*, the marina and public launch capacities would be revised as shown under the modified preferred alternative (alternative C).

Public Comment:
08088A

Commenter:
Callville Bay Marina

Affiliation:
Business

Alternative B

Issue 1: Alternative B

A Comment: Alternative B is supported with the following amendment: Total elimination of personal watercraft operations throughout Lake Mead and Lake Mohave, and acceleration of the phase out date for two-stroke motor operation, in accordance with the Park Service’s protection mandate.

Response: The air and water analysis has been revised in the *Final Environmental Impact Statement* to clarify the effects of early phase-out of carbureted two-stroke engines. The impact of the elimination of personal watercraft was considered in alternative A, but was not included under the modified preferred alternative (alternative C). It was determined that personal watercraft use under alternative C would not result in impairment to park resources and is consistent with the park’s purpose and management objectives defined by the enabling legislation for Lake Mead National Recreation Area. A discussion on what constitutes impairment (as defined by resource) is contained in the “Methodology” section of the “Environmental Consequences” chapter. This *Lake Management Plan* analysis has also taken into consideration the demand for personal watercraft use, as evidenced by the fact that 35% of the boats on the water at any one time are personal watercraft.

Public Comment:
FORM E1E, Form E2D

Commenter:

Affiliation:
Individual

B Comment: End all personal watercraft use through the amendment of alternative B. Visitor use and the diversity of animal and plant species, some found nowhere else in the world, will directly benefit from eliminating personal watercraft, which are a threat to the park’s mission of unimpaired conservation. However, alternative B is still insufficiently mitigated to maintain the natural quiet and other environmental resources of this treasured park.

Response: Based on the impact analysis for alternatives B and C (refer to the “Environmental Consequences” chapter), continued personal watercraft use would not result in impairment to the park resources or setting, nor would their use negatively impact the diversity of animal and plant species found within Lake Mead National Recreation Area. Personal watercraft use is consistent with the park’s purpose and management objectives. Therefore, the modified preferred alternative (alternative C) does not propose elimination of personal watercraft use. For further details, refer to comment responses under “Purpose and Need – National Park Service Interpretation of Impairment Policies and Mandates.”

Public Comment:
08204A

Commenter:
Wilderness Society and National
Parks Conservation Association

Affiliation:
Organization

C Comment: The American Canoe Association supports alternative B, with respect to recreational opportunity zone designation and protection of inflow areas, but favors a dramatic reduction in personal watercraft use. Personal watercraft use should be prohibited in all rural natural, semiprimitive, and primitive zones as delineated in alternative B.

Response: Personal watercraft use would continue to be prohibited in the primitive and semiprimitive zones of Lakes Mead and Mohave as proposed under the modified preferred alternative (alternative C) in the *Final Environmental Impact Statement*. The primitive and semiprimitive zones have been increased from 2% to 5% of the park waters. Based on public comments received on the *Draft Environmental Impact Statement*, the National Park Service reconsidered recreational uses that could occur in the rural natural zone and achieve desired visitor experience. There was no new information provided to support the elimination of personal watercraft from the rural natural zone other than requests to simply increase the acreage where they would be prohibited. Therefore, this change was not incorporated under the modified preferred alternative (alternative C) in the *Final Environmental Impact Statement*. As noted in

the previous response, continued personal watercraft would not result in impairment to park resources and values.

The modified preferred alternative (alternative C) shows that the rural natural zone would be managed for a 200-foot flat-wake zone proposed around beaches frequented by bathers, boats at the shoreline, and near people in the water and at the water's edge as described the "Alternatives Selected for Analysis" chapter. A flat-wake zone is a speed of 5 mph or less. Mandatory flat-wake zones would protect nonmotorized watercraft and other users from high speeds and irresponsible behaviors that may be exhibited by personal watercraft and other watercraft operators.

Public Comment:
08094C

Commenter:
American Canoe Association

Affiliation:
Organization

D *Comment:* NPS analysis of personal watercraft impacts in the *Draft Environmental Impact Statement* appears to violate the terms of the court-ordered settlement agreement. It is recommended that the National Park Service adopt alternative B with an amendment that calls for a personal watercraft prohibition, including direct-injected and four-stroke models, on all Lake Mead National Recreation Area waters.

Response: The National Park Service believes it has complied with the court order and has assessed the impacts of personal watercraft on those resources specified by the judge, as well as other resources that could be affected. These analyses were done for every applicable impact topic with the best available data, as required by CEQ regulations (40 CFR 1502.22). Where data was lacking, best professional judgment prevailed using assumptions and extrapolations from scientific literature, other park units where personal watercraft are used, and personal observations of park staff. A summary of the NPS rulemaking and associated personal watercraft litigation is contained in the "Background" section of the "Purpose of and Need for the Plan" chapter under "Personal Watercraft Use Regulatory Background."

This *Final Environmental Impact Statement* includes additional text in air and water resources sections to better define the magnitude of impact from personal watercraft on park resources. Also, see Air and Water responses to comments.

The impact of the elimination of personal watercraft was considered in alternative A, but was not included under the modified preferred alternative (alternative C). It was determined that personal watercraft use would not result in impairment to park resources and is consistent with the park's purpose and management objectives defined by the enabling legislation for Lake Mead National Recreation Area. A discussion on what constitutes impairment (as defined by resource) is contained in the "Methodology" section of the "Environmental Consequences" chapter.

More specific information regarding the relationship between personal watercraft use, the potential for impairment at Lake Mead, and the modified preferred alternative (alternative C) is provided in the comment response to "Purpose and Need – National Park Service Interpretation of Impairment Policies and Mandates."

Public Comment:
08595A

Commenter:
Bluewater Network

Affiliation:
Organization

Alternative C (Preferred Alternative)

Issue 1: Alternative C

A Comment: Commenters stated that alternative C is well written, but disagreed with the closures that are proposed on Lake Mead. They believe that the National Park Service is attempting to close off the best fishing waters on the lake. Commenters proposed creating wakeless zones rather than closing areas or restricting horsepower so that the general public would continue to have some access to these waters.

Response: The modified preferred alternative (alternative C) provides additional access to the primitive and semiprimitive areas. On Lake Mead, semiprimitive zones would be managed for flat-wake speed and primitive zones would allow for electric trolling motors (at flat-wake speed). Semiprimitive areas would include Bonelli Bay, Grand Wash Bay, and the Muddy River inflow area (Overton Wildlife Management Area). Primitive zones would be at the Virgin River inflow and Gypsum Beds.

On Lake Mohave, Black Canyon would be managed for a primitive setting for two days per week year-round. Black Canyon would be managed for a semiprimitive setting (65 horsepower or less) for five days per week between Labor Day and Memorial Day weekends. During the summer months, Black Canyon would be managed as rural natural for five days per week, only prohibiting houseboats, waterskiing, and wakeboarding. For more information, refer to the revised description of the recreational opportunity zones in the “Purpose of and Need for the Plan” chapter.

Public Comment:
FORM D1

Commenter:

Affiliation:
Individual

B Comment: Some commenters stated that they would prefer to leave the management of proposed primitive and semiprimitive areas unchanged at this time. However, a suggested alternative restricting these areas to nonmotorized watercraft or watercraft with motors less than 65 horsepower, would make these areas wakeless. Another alternative would be to allow these areas to be managed as primitive or semiprimitive on odd days with unrestricted access on even days.

Response: The modified preferred alternative (alternative C) provides for increased access to the semiprimitive and primitive zones as noted in the previous response. All semiprimitive zones on Lake Mead would allow any engine horsepower; however, the vessel would have to operate at a flat-wake speed while operating in that zone. Flat-wake speed is defined as 5 mph or less. Primitive zones would only allow electric trolling motors. Horsepower restrictions would only be imposed along Black Canyon when that area is being managed as semiprimitive (five days per week before Labor Day and Memorial Day. See the “Visitor Conflict” section under the alternative C description in the “Alternatives Selected for Analysis” chapter for further details.

Public Comment:
FORM A1

Commenter:

Affiliation:
Individual

C Comment: In table B-4, alternative C indicates zones 17 and 18 (which basically split the Overton Arm in half) will have almost equal boating capacities. Why then, is Echo Bay rewarded with 180 additional slips for a total of 540, while Overton Marina is only allotted a total of 185 slips? Alternative C, the preferred alternative, provides for 50 additional slips at Overton Beach Marina; however, the existing slip data is incorrect. The marina can support more than 50 slips. The improvements proposed at Stewarts Point, which is in zone 17 with Echo Bay, will undoubtedly increase the boats at any one time factor in zone 17 to a greater extent than zone 18, where Overton Beach Marina is located. At a minimum, the additional allocation of slips between these two facilities must be equal.

Response: The infrastructure development has been taken into consideration in the zoning designations for the Overton Arm. Zone 17 is proposed to be managed as an urban park setting and zone 18 is

proposed to be managed as a urban natural setting under the modified preferred alternative (alternative C). These designations provide for increased use over the existing condition. Boats at any one time (BAOT) numbers for these zones are shown in table B-4 in appendix B. Commercial and public facility development and expansion needed to support higher use levels are shown in tables 21 and 22.

In the development of the *Lake Management Plan*, the capacities of each marina were examined in relation to the *General Management Plan*. While capacities were adjusted, only one marina (Overton Beach) was authorized to exceed the capacity established in the *General Management Plan*. The modified preferred alternative (alternative C) provides for limited expansion (45 additional slips) of the Overton Boat Dock. There are a number of factors contributing to this decision. The physical space to support marina expansion at Overton Beach is limited, so parking is a limiting factor. But more important is the general location of the marina at the northern end of the Overton Arm of Lake Mead. The National Park Service finds that marinas more centrally located have a greater ability to distribute boats. As boats exit lake access sites they tend to distribute within 15 miles in each direction (Graefe and Holland 1997). Marinas at the end of the reservoir have limited ability for boat distribution, as boats can only distribute one direction from the marina, and thus, a greater percentage will be forced in a single direction, concentrating use in that area. Therefore, the preference is to expand the marinas where there is greater boat distribution potential. In the case of the Overton Arm of Lake Mead, expansion includes the construction of a new launch ramp at Stewarts Point and the expansion of launch capacity at Echo Bay Marina. Both of these facilities would influence use in zone 18.

Public Comment:
08089I

Commenter:
Overton Beach Marina

Affiliation:
Business

- D** *Comment:* Alternative C, the preferred alternative in the *Draft Environmental Impact Statement*, states “The width of the launch ramp, number of slips in the marina, and parking are the primary management tools used to manage the lake carrying capacity.” The data used for the widest ramp, number of slips, and parking at Overton Beach Marina is inaccurate and must be redetermined prior to adopting any of the alternatives.

Response: The existing marina capacity has been changed from 135 to 140 wet slips in tables 8, 14, 20, and 28 in this *Final Environmental Impact Statement*. The parking capacity in the *Draft and Final Environmental Impact Statements* is based on aerial photographs showing the facility operating at peak capacity. The launch capacity for the launch ramp is determined consistent with other launch ramps of similar configuration and size. Therefore, the user data under each alternative is accurate.

Public Comment:
08089J

Commenter:
Overton Beach Marina

Affiliation:
Business

Issue 2: Inaccuracies in Alternative C

- A** *Comment:* In “Table 20: Commercial Marina Services at Lake Mead under Alternative C” in the *Draft Environmental Impact Statement*, where did the existing parking numbers come from for the Las Vegas Boat Harbor? There is no change to our parking numbers and this is very misleading. In addition, “Table 33: Summary of Existing Water Recreation Facilities at Lake Mead” in the *Draft Environmental Impact Statement*, fails to list Las Vegas Bay and Lake Mead Cruises.

Response: The Las Vegas Boat Harbor capacities are determined based on only 20% of the boats in the slips being out on the lake at any one time as indicated in footnote 1 for tables 25 and 26 in the *Final Environmental Impact Statement*. Additional parking capacity was allocated for the rental boats, restaurant, and store. The total single-space parking needed to support this marina operation was determined to be 285. The pull-through parking capacity for the public launch ramp was determined separately and found to be approximately 222.

The table in this *Final Environmental Impact Statement* has been revised to include Las Vegas Bay. Lake Mead Cruises is not specifically analyzed in this process because their total launch capacity is only four boats.

Public Comment:
08092P

Commenter:
Las Vegas Boat Harbor

Affiliation:
Business

Issue 3: *Alternative C Is Too Ambiguous*

- A *Comment:* Alternative C was rated as good, but there are concerns that it is not definitive enough in that actions could be interpreted in an unacceptable way, and that there is not enough staff to implement the plan. This is an issue that must be addressed in the plan if it is going to be acceptable.

Response: The modified preferred alternative (alternative C) in the *Final Environmental Impact Statement* is now more definitive because the definitions for the recreational opportunity zoning scheme have been revised. Specific management criteria for each of the proposed primitive and semiprimitive zones are provided in the “Purpose of and Need for the Plan” chapter. Operational issues (such as staffing) associated with the management and planning for future recreational use of Lake Mead National Recreation Area are addressed in this *Lake Management Plan* as required by the NPS *Director’s Order 12*. A lack of appropriate staff does not prevent park managers from defining the desired future condition of Lakes Mead and Mohave.

Lake Mead National Recreation Area will incorporate the operational and staffing needs identified in the *Final Environmental Impact Statement* into the priorities submitted annually under the Operating Formulation Systems of the national park system. This administrative system is in place for park units to identify operational needs. Over the past 10 years, Lake Mead National Recreation Area has experienced a 60% increase in its operating budget. Similar increases may occur in the future.

Public Comment:
02215A

Commenter:
Lake Mead
Boat Owners Association

Affiliation:
Organization

Issue 4: *Alternative C Not in Accordance with Americans with Disabilities Act*

- A *Comment:* Commenter stated that under alternative C many of their favorite places would be inaccessible because they can’t canoe or kayak. This is against the principles of the *Americans with Disabilities Act* [*sic*]. The commenter can support banning two-cycle engines and making certain coves wakeless, but cannot support closing special areas to all but physically fit people.

Response: Under all alternatives in the *Final Environmental Impact Statement*, the entire surface of the lake is open to all visitors. Visitors with disabilities are not prohibited from accessing any areas on the lakes. The modified preferred alternative (alternative C) allows motorized use at flat-wake speed within the semiprimitive zones (except in Black Canyon where the semiprimitive zone is managed for 65 horsepower or less) and only electric trolling motors in the primitive zones.

Public Comment:
02274A

Commenter:
Lake Mead
Boat Owners Association

Affiliation:
Individual

New Alternatives or Elements

Issue 1: Inadequate Range of Alternatives

A *Comment:* Some commenters believed that the *Draft Environmental Impact Statement* does not provide an adequate range of alternatives. An alternative that designates recreational opportunity zones similar to alternative B and prohibits personal watercraft use from all or most of Lake Mead National Recreation Area is needed. The statement in the *Draft Environmental Impact Statement* that the alternatives selected represent “the full spectrum of reasonable options” is simply inaccurate.

Response: The NPS *Director’s Order 12* states that a full range of alternatives must be examined and that “the alternatives carried forward for analysis must meet project objectives to a large degree, although not necessarily completely.” The National Park Service believes the *Draft* and *Final Environmental Impact Statements* contain a reasonable range of alternatives under this definition. Regarding recreational opportunities, the planning objectives described in the “Purpose of and Need for the Plan” chapter states that an objective of the plan is to “zone the waters for a variety of recreational experiences ranging from primitive to urban.” Objectives were developed from the recreation area enabling legislation.

Alternatives presented in the *Draft* and *Final Environmental Impact Statements* were developed by the NPS interdisciplinary planning team of Lake Mead National Recreation Area. The team developed the criteria to characterize the recreational opportunity zones and then mapped the zones on Lakes Mead and Mohave. The next step included developing the desired future conditions and alternatives to achieve those conditions. Once the alternatives were drafted, the team met with a wide-variety of user groups to seek feedback on the alternatives. In 1998, five public meetings were held and the alternatives were presented to the public. Following these public informational meetings, modifications to the alternatives were made to those presented in the *Draft Environmental Impact Statement*. Regarding personal watercraft use, the alternatives range from prohibiting personal watercraft under alternative A to unrestricted use of personal watercraft in alternative D.

Public Comment:
08094AB

Commenter:
American Canoe Association

Affiliation:
Organization

B *Comment:* When compared to existing conditions, it does not appear that the minor changes desired on alternative C are needed. The areas that are designated primitive and semiprimitive don’t contain many boats.

Response: The modified preferred alternative (alternative C) in the *Final Environmental Impact Statement* takes into consideration existing conditions. One of the criteria used to identify primitive and semiprimitive areas was that they were remote and currently not receiving a great deal of visitor use. Therefore, your statement relative to these areas not currently having “many boats” is accurate and confirms one of the NPS evaluation criteria.

Public Comment:
01670A

Commenter:

Affiliation:
Individual

C *Comment:* It is clear that there are at least four ways the National Park Service can choose to go:

1. Implementation of one of the untenable (both legally and fiscally) options.
2. Maintain the status quo and seek funding sources or other solutions to enforce the laws as written.
3. Transfer the Lake Mead National Recreation Area land management, maintenance, and law enforcement responsibility to the states of Nevada and Arizona.

4. Invite concerned and involved citizens to assist in defining the issues and solutions associated with the operation of the recreation area, and do so in a manner that actually encourages participation.

Response: The *Draft* and *Final Environmental Impact Statements* presented a reasonable range of alternatives that are consistent with and support the recreation area's enabling legislation, purpose, mission, and management objectives. Each of the alternatives are attainable both legally and fiscally. The National Park Service considered the status quo in alternative A, the no-action alternative. Transferring management of the park to the respective states was not considered, as this action would not be consistent with the enabling legislation of Lake Mead National Recreation Area. The formation of a citizen group to assume management of the recreation area is not consistent with NPS *Management Policies* and, therefore, was not considered. However, public input in this and subsequent planning efforts is required and always encouraged.

Public Comment:
03665G

Commenter:

Affiliation:
Individual

RECREATIONAL OPPORTUNITY ZONING

Percent Zoning Primitive Areas – Lake Mead

Issue 1: Increase the Percent of Primitive and Semiprimitive Zoning

- A** Comment: Setting aside a portion of the water area and the land area as primitive or semiprimitive is prudent future planning. It is advocated that 2% combined primitive/semiprimitive area in alternative C be increased to 4%; such appropriate allocation to be based on information already available as part of the *Draft Environmental Impact Statement*.

Response: The modified preferred alternative (alternative C) reflects an increase in the percentage of lake waters designated as primitive and semiprimitive. The combined primitive and semiprimitive areas were changed from 2% to 5%. The designation of some areas has changed between the *Draft* and *Final Environmental Impact Statements*. Under the preferred alternative in the *Draft Environmental Impact Statement*, primitive zones would be located in the Gypsum Bed area, and semiprimitive zones would be located in Grand Wash Bay of Lake Mead. Black Canyon above Willow Beach was temporarily zoned as both primitive and semiprimitive. Temporal zoning would provide primitive, semiprimitive, and rural natural experiences at different times throughout the year. Under the modified preferred alternative (alternative C), primitive areas would remain at the Gypsum Beds and the inflow area of the Virgin River. Semiprimitive areas would be designated at Bonelli Bay, Grand Wash, and the Muddy River inflow area (Overton Wildlife Management Area).

The modified preferred alternative (alternative C) reflects revisions to Lake Mead surface acres of primitive and semiprimitive zones (803 acres and 5,946 acres, respectively). This Lake Mead acreage may increase depending on the outcome of the ongoing Colorado River management plan. If powerboats are prohibited from entering the Grand Canyon National Park along the Colorado River, then zones 23 and 24 may be managed for semiprimitive settings. Zone 22 is not being considered for semiprimitive zoning, as it is a major destination zone for powerboats on Lake Mead. Lake distribution data show zone 22, including Sandy Point, to be one of the five most used zones on Lake Mead.

Public Comment:
01528B

Commenter:
Sierra Club,
Southern Nevada Group

Affiliation:
Organization

- B** Comment: By keeping 98% of Lake Mead and Lake Mohave open to personal watercraft use, the preferred alternative fails to ensure a safe, enjoyable visitor experience for nonmotorized recreational visitors. The noise created by personal watercraft is uniquely disturbing, as described in the *Draft Environmental Impact Statement* on page 16. The noise generated from personal watercraft contradicts the *NPS Management Policies* that protect visitors' peaceful and tranquil experience from being unreasonably interfered with.

Response: The proposed recreational opportunity zoning for Lakes Mead and Mohave in the *Draft* and *Final Environmental Impact Statements* recognizes a mix of recreational boating activities. The designation of primitive and semiprimitive zones identifies areas where emphasis would be placed on the peaceful and tranquil setting. The modified preferred alternative (alternative C) increases the percentage of the lake waters designated as primitive or semiprimitive. The combined primitive and semiprimitive areas were changed from 2% to 5%. This acreage was increased based on the addition of Bonelli Bay and the Muddy River portion of the Overton Wildlife Management Area (an area already managed for flat-wake speed on days hunting is authorized). The addition of these areas to the semiprimitive zoning increased the acreage from 1,644 to 5,946 on Lake Mead. This acreage could be increased based on determinations made in the Colorado River management plan. Refer to the "Soundscapes" section of the modified preferred alternative (alternative C) in the "Environmental Consequences" chapter and the comment responses for Soundscapes.

Public Comment:
08204Q

Commenter:
Wilderness Society and National
Parks Conservation Association

Affiliation:
Organization

- C** *Comment:* It is unclear why areas in the upper portions of Lake Mead could not be considered as primitive and semiprimitive zones? Zones 23 and 24 would naturally fall into these categories due to their proximity to Grand Canyon National Park, but zone 22 should also be considered.

Response: Zones 23 and 24 were considered as primitive zones under alternative B in the *Draft Environmental Impact Statement*. Under the modified preferred alternative (alternative C) in this *Final Environmental Impact Statement*, zone 24 is identified as rural natural and may be changed to semiprimitive depending on the outcome of the ongoing Colorado River management plan. If the Colorado River management plan prohibits powerboats from entering the Grand Canyon National Park along the Colorado River, then zones 23 and 24 may be managed for semiprimitive settings. Zone 22 is not being considered for semiprimitive zoning under the modified preferred alternative (alternative C), because it is a major destination zone for powerboats on Lake Mead. Lake distribution data show zone 22, including Sandy Point, to be one of the five most used zones on Lake Mead. The Colorado River management plan is currently being developed by the National Park Service and is scheduled for completion in 2004.

Public Comment:
08629AD

Commenter:

Affiliation:
Individual

Issue 2: Suggested Recreational Opportunity Zoning Rewording

- A** *Comment:* In the *Draft Environmental Impact Statement*, under the Rural Natural Setting heading, it states that some types of boating and water activities are restricted. Suggest rewording to, “At times, some boating and water activities may be restricted due to hazardous or other conditions.” It would be clearer.

Response: Boating restrictions (such as sound or noise restrictions) would be implemented in the rural natural setting. The National Park Service has the authority to implement such restrictions, and the alternatives in the *Draft and Final Environmental Impact Statements* simply acknowledge this authority. For the purposes of this *Lake Management Plan*, there are not the engine size or speed restrictions in the rural natural zone as there are in the primitive and semiprimitive settings. Additional restrictions may be necessary to protect the recreational setting or to ensure visitor safety. For example, under the modified preferred alternative (alternative C), Black Canyon would be managed for a rural natural setting during the summer months between Memorial Day and Labor Day. Personal watercraft would be monitored and would be restricted if the safety of lake users becomes an issue; this would be determined by reported conflict information and boating incidents.

Public Comment:
06752A

Commenter:

Affiliation:
Individual

Issue 3: Questions Recreational Opportunity Zoning Classifications

- A** *Comment:* What is the need and logic in establishing primitive setting zones, as defined in table 1, for Lake Mead? Large basins characterize the reservoir, and sometimes hazardous boating conditions created by regular wind advisories are often not conducive to the use of nonmotorized watercraft. No attempt to quantify the current demand or forecasted use for such areas was included in the *Draft Environmental Impact Statement*.

Response: It is the responsibility of the National Park Service to manage recreational use at Lake Mead National Recreation Area consistent with the recreation area’s enabling legislation, purpose, mission, and

management objectives. One of the management objectives is to provide for a range of recreational opportunities, ranging from primitive to urban. This objective was developed based on public input received during the scoping process for development of this *Lake Management Plan*. During scoping, visitors asked if there was some place on the lake where they could avoid the big, loud, and fast boats. The spectrum of recreational settings and associated carrying capacities presented in the *Final Environmental Impact Statement* are intended to reflect and maintain this range of recreational opportunities. The primitive zone represents one end of this spectrum and would allow some refuge from heavily used areas that provide a more urbanized, crowded experience.

As described in the “Purpose of and Need for the Plan” chapter, the NPS *Organic Act of 1916* directs the National Park Service to manage units to conserve the scenery, natural and historic objects, and wildlife in such a manner that will leave them unimpaired for the enjoyment of future generations. Designating a full spectrum of recreational settings, including primitive, satisfies the legislation by providing recreational opportunities, while also ensuring the protection of natural resources.

<i>Public Comment:</i> 08985C	<i>Commenter:</i> Arizona Game and Fish Department	<i>Affiliation:</i> Public Agency
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B *Comment:* The areas selected as primitive are unrealistic due to the fact that there has already been intervention — there are roads that have been taken to the water. If it were necessary to zone the recreation area, then three settings would cover the park — high use, medium use, and low use, or semiprimitive, natural, and urban.

Response: In this *Final Environmental Impact Statement*, there are three areas proposed for primitive classification under the modified preferred alternative (alternative C): the Gypsum Beds and Virgin River inflow area on Lake Mead; and Black Canyon above Willow Beach on Lake Mohave. The proposed zones are characterized in table 1 in the “Purpose of and Need for the Plan” chapter. Roads were a factor taken into consideration in defining the recreational opportunity zones. Primitive areas are generally roadless and semiprimitive areas are accessible by gravel roads. The National Park Service believes the five recreational opportunity zones provide a greater range of recreational opportunities for Lake Mead and Mohave and allows for greater management flexibility.

<i>Public Comment:</i> 01661C, 02082	<i>Commenter:</i>	<i>Affiliation:</i> Individual
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Issue 4: Horsepower Restrictions in Primitive and Semiprimitive Zones

A *Comment:* The *Draft Environmental Impact Statement* contains no rationale for limiting conventional watercraft to 65 horsepower in selected management zones. How will the 65 horsepower restriction be enforced? Would rangers make the visitor pull the boat (from the water) for verification? The *Lake Management Plan* should not propose regulations that cannot be reasonably enforced. A flat-wake zone would be a better option to the 65-horsepower restriction for the Grand Wash area, as this would allow all engine sizes to access the area.

Response: Under the modified preferred alternative (alternative C), the 65-horsepower restriction would only apply to Black Canyon and only during the five days per week (between Labor Day and Memorial Day weekends) that the canyon would be managed as a semiprimitive zone (see response to comments under “Recreational Opportunity Zoning, Park Location Specific to Zoning, Proposed Zoning in Black Canyon”). Visitors would be made aware of this restriction through a coordinated boater education program and through posting of a buoy/sign at the mouth of Black Canyon, just above the marina at Willow Beach. Maps and notices would also be produced and made available in appropriate places to assist with public notification. If a boater were suspected of exceeding the authorized engine horsepower, that person would be contacted by a park ranger and informed of the restriction.

The modified preferred alternative (alternative C) provides a rationale for the selection of 65 horsepower as the maximum engine size to operate in the Black Canyon area during certain times of the year. The 65-horsepower engine was selected as the maximum size to address the noise, speed, wake, and mix of boats that best meet semiprimitive management objectives. This engine size is large enough to allow smaller fishing boats to safely access the canyon, but it discourages the fast, loud, and big boats, thus creating a more quiet and tranquil setting consistent with the semiprimitive zone. The engine size also limits the size of the wake produced that nonmotorized watercraft would need to negotiate as they descend the canyon. The five recreational opportunity zones are described in the “Purpose of and Need for the Plan” chapter.

The modified preferred alternative (alternative C) would allow motorized watercraft in the semiprimitive zone at Grand Wash Bay on Lake Mead while retaining the character of the area, as it would be managed for flat-wake speed, as opposed to horsepower limitations.

Public Comment:
08091H, 00149 A, 02860 C,
08205 G

Commenter:
Sierra Club,
Southern Nevada Group

Affiliation:
Organization

Issue 5: *Oppose Primitive and Semiprimitive Zoning Due to Access Limitations*

A *Comment:* The Virgin River area, Gypsum Beds, Grand Wash, and the Colorado River between Hoover Dam and Willow Beach represent some of the finest fishing areas available in Lake Mead National Recreation Area. Under the zoning definitions, public accessibility to these areas would be compromised or eliminated.

Response: The modified preferred alternative (alternative C) would allow greater motorized watercraft access to each of these areas while retaining their primitive and/or semiprimitive character. The semiprimitive zone description contained in table 1 under the “Purpose of and Need for the Plan” chapter was revised to show that management of this semiprimitive zone only allows flat-wake speed on Lake Mead, as opposed to horsepower limitations. The primitive zone description has also been revised to allow for electric trolling motors (flat-wake speed). Personal watercraft would be prohibited from primitive and semiprimitive zones.

The modified preferred alternative (alternative C) proposes that on Lake Mohave, Black Canyon would be managed for a primitive setting two days per week year-round. Black Canyon would be managed for a semiprimitive setting (65 horsepower or less) five days per week between Labor Day and Memorial Day weekends. During the summer months, Black Canyon would be managed as rural natural setting five days per week, only prohibiting houseboats, waterskiing, and wakeboarding.

Public Comment:
FORM A1B, 08985 G

Commenter:
Sierra Club,
Southern Nevada Group

Affiliation:
Individual

Park Location Specific to Zoning

Issue 1: Proposed Zoning in Black Canyon

A *Comment:* The Black Canyon area of Lake Mohave is an important component of that reservoir's sport fishery. The horsepower restriction needs to be reevaluated and/or clearly defined. What is the need to restrict horsepower on motorized watercraft in the Black Canyon between Hoover Dam and Willow Beach? The majority of boaters that use this areas operate with a minimum of 100 horsepower. Can the desired setting be realized in Black Canyon without restricting horsepower? The 65-horsepower restriction in the Black Canyon does nothing to address wake or speed in the area. Will these restrictions make the area safer, or will it just restrict the majority of the present day users? What is the total number of vessels, including personal watercraft that will be affected?

Response: The National Park Service supports the opportunity for both motorized and nonmotorized boaters to experience and enjoy the unique environment of Black Canyon. Consequently, the preferred alternative (alternative C) in the *Draft Environmental Impact Statement* has been revised and is now the modified preferred alternative (alternative C). Under the modified preferred alternative, Black Canyon would be temporally zoned with primitive, semiprimitive, and rural natural settings to allow access for a wider range of boat that would be compatible with these different settings.

The modified preferred alternative (alternative C) proposes that Black Canyon would be managed for a primitive setting two days per week year-round, and managed for a semiprimitive setting (65 horsepower or less) five days per week between Labor Day and Memorial Day weekends. During the summer months, Black Canyon would be managed as rural natural setting five days per week, only prohibiting houseboats, waterskiing, and wakeboarding. Boats with four-, six-, and eight-stroke engines, including personal watercraft, would be authorized to operate when Black Canyon is managed as a rural natural setting.

The modified preferred alternative (alternative C) states that the 65-horsepower maximum engine size restriction for operation in the Black Canyon area would only be in effect during those days it would be managed as a semiprimitive zone. The 65-horsepower engine was selected as the maximum size to address the noise, speed, wake, and mix of boats that best meet the semiprimitive management objectives. This engine size is large enough to allow smaller fishing boats to safely access the canyon, but it discourages the fast, loud, and big boats, thus creating a more quiet and tranquil setting consistent with the semiprimitive zoning. The engine size restriction limits the size of the wake that nonmotorized watercraft would have to negotiate as they descend the canyon. A horsepower restriction was considered preferable to speed restrictions in the Black Canyon due to the presence of a current, which makes it difficult to manage for a speed or wake restriction. A detailed description of the five recreational opportunity zones can be found in the "Purpose of and Need for the Plan" chapter.

The objective in using the horsepower restriction is to provide a place for visitors to go to get away from the fast, loud, and big boats. The desired setting will be more quiet and tranquil. Other management options were examined in this *Final Environmental Impact Statement* to help achieve this zoning objective. However, due to the presence of a current and the difficulty in managing for a speed restriction, the use of horsepower restrictions was found to be the best tool to achieve the desired setting. In this zone, the number of nonmotorized launches would be increased from 30 per day to 45.

Under the modified preferred alternative (alternative C), Black Canyon would be managed as a rural natural setting five days per week during the summer months between Memorial Day and Labor Day (the primary boating season). During the period between Labor Day and Memorial Day, the impact on powerboat users under the Black Canyon primitive and semiprimitive zoning would be lessened.

Boating inventories completed in 2002 show boating levels can exceed 50 boats at any one time. Many of these are nonmotorized canoes and kayaks. This would be consistent with the proposed carrying capacity for Black Canyon as described in the "Visitor Conflict" section of the *Final Environmental Impact Statement*.

<i>Public Comment:</i> 08985G, 08091 I, 00353B, 08205 L, 08110 C	<i>Commenter:</i> Arizona Game and Fish Department	<i>Affiliation:</i> Public Agency
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B *Comment:* Consider eliminating the use of the Black Canyon area by motorized vessels or at least limit their use to protect the environment in this 2% of the river. It appears reasonable to allow a small area to remain in a primitive, pristine condition that is suitable for canoeing and kayaking.

Response: The modified preferred alternative (alternative C) would not eliminate the use of motors in Black Canyon because the National Park Service wants to honor the long fishing history in that area. In addition, the Black Canyon area is unique and there is a demand to allow boaters the opportunity to visit the area, at least for part of the year. The National Park Service believes the mix of boating opportunities identified under the modified preferred alternative (alternative C) would best meet the planning objectives for Black Canyon.

In preparing the *Lake Management Plan*, planning objectives were not developed by geographic areas, but by zoning category (see table 1 in the *Final Environmental Impact Statement*). Under the modified preferred alternative (alternative C), Black Canyon would be managed for primitive, semiprimitive, and rural natural settings.

<i>Public Comment:</i> 01933A, 01936B B	<i>Commenter:</i>	<i>Affiliation:</i> Individual
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C *Comment:* How will the proposed 100-foot wakeless speed zone along the shore affect Black Canyon north of Willow Beach? How wide is this water area at the widest and narrowest points? How does changing water depth affect the wakeless zones? The effect [*sic*] of flat-wake zones along both sides of the water in this canyon will compress the nonflat-wake area to a very narrow corridor requiring all powerboats to pass in very close and confined spaces, creating a serious navigational hazard.

Response: The proposed 100-foot flat-wake zone around the entire lake has been revised in the modified preferred alternative (alternative C) to more closely parallel the state of Nevada standard. The modified preferred alternative (alternative C) now proposes a 200-foot flat-wake zone around beaches frequented by bathers, boats at the shoreline, and near people in the water and at the water's edge. The limited width of Black Canyon requires that boats need to be at flat-wake speed (5 mph or less) when within these criteria.

<i>Public Comment:</i> 00353C, 00353 L	<i>Commenter:</i>	<i>Affiliation:</i> Individual
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D *Comment:* A suggested alternative to the 65-horsepower restriction in Black Canyon would be to require all motorboats using that stretch of the canyon to be any horsepower as long as it is four-stroke engine. This would alleviate the safety, noise, and pollution concerns and still allow fishing access via motorboats.

Response: The modified preferred alternative (alternative C) proposes that Black Canyon would be managed for a primitive setting two days per week year-round, and managed for a semiprimitive setting (65 horsepower or less) five days per week between Labor Day and Memorial Day weekends. During the summer months, Black Canyon would be managed as rural natural setting five days per week, only prohibiting houseboats, waterskiing, and wakeboarding. Boats with four-, six-, and eight-stroke engines, including personal watercraft, would be authorized to operate when Black Canyon is managed as a rural natural setting.

The modified preferred alternative (alternative C) states that the 65-horsepower maximum engine size restriction for operation in the Black Canyon area would only be in effect during those days it would be managed as a semiprimitive zone. The 65-horsepower engine was selected as the maximum size to address the noise, speed, wake, and mix of boats that best meet the semiprimitive management objectives. This engine size is large enough to allow smaller fishing boats to safely access the canyon, but it discourages the fast, loud, and big boats, thus creating a more quiet and tranquil setting consistent with the semiprimitive zoning. The engine size restriction limits the size of the wake that nonmotorized watercraft would have to negotiate as they descend the canyon. A horsepower restriction was considered preferable to speed restrictions in the Black Canyon due to the presence of a current, which makes it difficult to manage for a speed or wake restriction. A detailed description of the five recreational opportunity zones can be found in the “Purpose of and Need for the Plan” chapter.

The objective in using the horsepower restriction is to provide a place for visitors to go to get away from the fast, loud, and big boats. The desired setting would be more quiet and tranquil. Other management options were examined during preparation of the *Lake Management Plan* to help achieve this zoning objective, but due to the presence of a current and the difficulty in managing for a speed restriction, the use of horsepower was found to be the best tool to achieve the desired setting.

The four-stroke engine proposal only addresses the emissions and noise concerns and does not address speed and wake issues. All engines are authorized in Black Canyon during the summer months between Memorial Day and Labor Day until 2012 when carbureted two-stroke engines would be prohibited parkwide.

<i>Public Comment:</i> 08205K	<i>Commenter:</i> Nevada Division of Wildlife	<i>Affiliation:</i> Public Agency
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E *Comment:* Alternative C is misleading in that “primitive and semiprimitive settings” (Black Canyon) are defined as 2% of the surface area at Lake Mohave rather than 22% of the navigable length of the lake. Proximity laws for vessels are already in place; if properly enforced, reduce conflicts between different classes of vessels (i.e., powerboats, personal watercraft, kayaks, canoes, etc.).

Response: This segment does represent 22% of the length of the lake and it represents 2% of the surface waters. The modified preferred alternative (alternative C) revises the boating-in-proximity laws, proposing that Black Canyon would be managed for a primitive setting two days per week year-round, and managed for a semiprimitive setting (65 horsepower or less) five days per week between Labor Day and Memorial Day weekends. During the summer months, Black Canyon would be managed as rural natural setting five days per week, only prohibiting houseboats, waterskiing, and wakeboarding. Boats with four-, six-, and eight-stroke engines, including personal watercraft, would be authorized to operate when Black Canyon is managed as a rural natural setting.

<i>Public Comment:</i> 03665E	<i>Commenter:</i>	<i>Affiliation:</i> Individual
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F *Comment:* If the National Park Service is intent on closing the river between Hoover Dam and Willow Beach to motorized craft two days per week between Labor Day and Memorial Day, those days should be during the workweek. Closing the river on weekends would adversely affect a larger number of boaters. A change to “No Wake” designation is recommended for those days.

Response: The selection of one weekend day and one week day for the primitive designation was based on the National Park Service’s attempt to provide a fair and equitable division of use on weekend days. It was decided that the weekend days, which are the highest use days for both the motorized and nonmotorized users, should be divided. The modified preferred alternative (alternative C) now states that Sundays and Mondays would be managed as primitive and Tuesdays through Saturdays would be managed as semiprimitive and rural natural, depending on the time of year. A flat-wake designation was

not considered a management option due to the characteristics of the river current present in Black Canyon.

Public Comment:
08986F

Commenter:
Mojave County
Board of Supervisors

Affiliation:
Public Agency

- G** *Comment:* In “Rural Natural Setting” which includes the Virgin Basin, Gregg Basin, Iceberg Canyon to Pierce [Pearce] Ferry, and up the Virgin River, the *Draft Environmental Impact Statement* states “some boating” and water activities are restricted. That is too ambiguous. It needs to be defined. The “fact sheet” states only restrictions would be the 2%. That is contradictory to what the written plan states.

Response: Currently, boating restrictions are in place on the lakes. One example is the sound or noise restrictions. The National Park Service has the authority to implement such restrictions and the *Draft* and *Final Environmental Impact Statements* simply acknowledge this authority. In the *Final Environmental Impact Statement*, there are no engine size restrictions proposed in the rural natural zone as originally proposed for the primitive and semiprimitive zones in the draft document. The latter two zones now constitute 5% of the water area under the modified preferred alternative (alternative C).

Public Comment:
02215L

Commenter:
Lake Mead
Boat Owners Association

Affiliation:
Organization

Issue 2: Proposed Zoning in Grand Wash

- A** *Comment:* The semiprimitive setting proposed for Grand Wash (closure to watercraft with 65-horsepower motors) poses a potential public safety issue and unnecessarily excludes all motorized watercraft from the bay. Boaters who attempt to travel to Grand Wash from South Cove or Pierce [Pearce] Ferry, in watercraft equipped with less than 65-horsepower motors, are at risk of sustaining wave-related accidents. Other commenters stated that the horsepower restriction is arbitrary and identification of a speed restriction, wake restriction, or other mechanism to address the undefined objective of the horsepower constraint would be less objectionable.

Response: The modified preferred alternative (alternative C) would allow greater motorized watercraft access of the semiprimitive zone while retaining the character of the zone. The zone description in table 1 was revised, and in the *Final Environmental Impact Statement*, the semiprimitive zone would be managed for flat-wake speeds on Lake Mead, as opposed to horsepower limitations. This change would allow all engine types, except personal watercraft. Grand Wash Bay would be managed as a semiprimitive zone, and thus would have a flat-wake speed restriction while in the bay.

Public Comment:
08985D, 01655 A, 08205 J

Commenter:
Arizona Game and Fish Department

Affiliation:
Public Agency

Issue 3: Proposed Zoning for Gypsum Beds

- A** *Comment:* Gypsum Beds have long been considered by recreational anglers to be a particularly productive area for black bass. Consistent enforcement of a use restriction to nonmotorized vessels within the Gypsum Beds will be difficult, if not impossible.

Response: The West Gypsum Bay area was closed to all boating for use as a research area up until 1998. The modified preferred alternative (alternative C) in the *Final Environmental Impact Statement* designates the Gypsum Beds as a primitive zone. However, the use restrictions in the primitive zones on Lake Mead do allow the use of electric trolling motors (operating at less than 5 mph) as recommended by fishing

organizations. This would allow continued fishing access to this area. The National Park Service believes that the trolling motors would not detract from the primitive setting. A detailed description of the five recreational opportunity zones can be found in the “Purpose of and Need for the Plan” chapter.

<i>Public Comment:</i> 08205I	<i>Commenter:</i> Nevada Division of Wildlife	<i>Affiliation:</i> Public Agency
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B *Comment:* Gypsum Beds will go unused by those seeking a primitive experience simply because the area is a significant distance from any areas conducive to boat launching. This could create a public safety issue in that it may encourage users to attempt to reach the Gypsum Beds from the Bonelli Landing.

Response: While the Gypsum Beds are remote, kayaks and canoes currently access the area from Bonelli Bay. These are generally more self-reliant visitors who have some experience in kayaking and are aware of the dangers associated with open-water kayaking. The modified preferred alternative (alternative C) in the *Final Environmental Impact Statement* would allow the use of electric trolling motors at flat-wake speed in the Gypsum Beds. The area’s remoteness is an important factor in the designation of the area as a primitive setting.

<i>Public Comment:</i> 08985C	<i>Commenter:</i> Arizona Game and Fish Department	<i>Affiliation:</i> Public Agency
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Issue 4: Proposed Zoning for Overton Arm

A *Comment:* The upper reach of the Overton Arm of Lake Mead, shown in the *Draft Environmental Impact Statement* as zone 18, is identified in alternative C for future management in an urban natural setting. Commenters stated concerns whether this designation would allow an adequate level of infrastructure development and visitor accommodation at Overton Boat Dock and Marina. Overton Arm is becoming increasingly popular as an initial destination and as an “overflow” area for the Boulder Basin.

Response: The infrastructure development has been taken into consideration in the zoning designations for the Overton Arm. Zone 17 would be managed as an urban park setting and zone 18 would be managed as a urban natural setting under the modified preferred alternative (alternative C) in the *Final Environmental Impact Statement*. These designations provide for increased use over the existing condition. Boats at any one time for these zones are shown in table B-4 in appendix B. Facility development to support these use levels are contained in tables 21 and 22 of the *Final Environmental Impact Statement* illustrating the commercial and public facilities and their expansion.

The modified preferred alternative (alternative C) provides for the expansion (45 additional slips) of the Overton Boat Dock. There are a number of factors contributing to this decision. The physical space to support marina expansion at Overton Beach is limited, so parking is limited. An important factor is the marina’s location at the northern end of the Overton Arm of Lake Mead. Marinas more centrally located have a greater ability to distribute boats. Marinas at the end of the reservoir have limited ability for boat distribution. The National Park Service finds that marinas more centrally located have a greater ability to distribute boats. As boats exit lake access sites they will tend to distribute within 15 miles in each direction (Graefe and Holland 1997). Marinas at the end of the reservoir have limited ability for boat distribution, because boats can only distribute in one direction from the marina, and thus, a greater percentage are forced in a single direction, concentrating use in that area. The preference would be to expand the marinas where there is greater potential for boat distribution. In the case of the Overton Arm of Lake Mead, expansion is included in the construction of a new launch ramp at Stewarts Point and in the expansion of launch capacity at Echo Bay Marina. Both of these facilities would influence use in zone 18.

<i>Public Comment:</i> 08205M	<i>Commenter:</i> Nevada Division of Wildlife	<i>Affiliation:</i> Public Agency
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B Comment: Commenters stated concerns that restrictions on vessel operation on the inflow areas of the Muddy and Virgin Rivers would impact operations (maintenance of buoys and lake blinds) at the Overton Arm.

Response: Administrative use within the recreational use zones is authorized and is not limited under this plan.

Public Comment:
08205Y

Commenter:
Nevada Division of Wildlife

Affiliation:
Public Agency

Issue 5: Proposed Zoning for Virgin River Basin

A Comment: For the mouth of the Virgin River, at least close the basin above the narrows from motorboat entry, as this is where the potential and opportunity is greatest for protection of wildlife habitat.

Response: Alternative B in the *Draft Environmental Impact Statement* included the designation of the area above Fisherman Island along the Virgin River as primitive. However, at high-water levels, the Virgin Bowl is considered one of the premier recreational destinations on Lake Mead, and the use of this area does not conflict with the wildlife values found along the Virgin River. The modified preferred alternative (alternative C) in the *Final Environmental Impact Statement* does provide for the protection of wildlife habitat near the river/lake confluence through the primitive zone designation. This proposed primitive designation at the confluence of the Virgin River and Lake Mead is primarily for habitat protection values. The goal is to protect the biologically diverse habitat of the mixing zone of the river with the lake. Consequently, this zone will move with the fluctuating water level. The boundaries for this protection zone have been developed in cooperation with the U.S. Fish and Wildlife Service. Refer to figure 9 in the *Final Environmental Impact Statement*.

Public Comment:
07718D

Commenter:

Affiliation:
Individual

Issue 6: Proposed Zoning for Cottonwood Cove and Willow Beach

A Comment: The urban park setting may be necessary for Cottonwood Cove vicinity (upper zone 3), but a semiprimitive setting for the narrowing canyon below Willow (zones 6 and 7), where relative confinement of canyon walls, suggests conflict with personal watercraft. The very least restrictive designation suggested would be rural natural setting, with restrictions against personal watercraft and waterskiing activities.

Response: The modified preferred alternative (alternative C) in the *Final Environmental Impact Statement* includes the designation of zones 4, 5, 6, and 7 as a rural natural setting. Personal watercraft use is consistent with the park’s purpose and management objectives for that general area. Due to the canyon setting in zones 8 and 9, personal watercraft use would be monitored when it would be managed for a rural natural setting. Their use may be prohibited if their operation is found to be in conflict with other boaters or a safety hazard.

Public Comment:
07718I

Commenter:

Affiliation:
Individual

FACILITIES

Lake Boating Capacities (Boats at Any One Time)

Issue 1: Boating Capacity

- A** *Comment:* The National Park Service had more than once identified when the carrying capacity was or nearly exceeded. There is a concern that if Katherine Landing is closed due to this, it would cause congestion on the Colorado River near Laughlin, and problems for various enforcement and rescue programs. Additional consideration must be examined before this carrying capacity is finalized.

Response: The recreational carrying capacity methodology for both Lakes Mead and Mohave is explained in appendix B. The National Park Service looked at physical factors (water safety and shoreline spacing) and social factors (crowding) to determine the maximum number of boats at any one time on both lakes. The lower portion of Lake Mohave was found to be operating at its physical and social carrying capacity on summer weekends and holidays, as indicated by all three factors. Based on these findings, the public and commercial launch facilities will not be expanded at Katherine Landing. Boaters may be displaced during those periods when the lower portion of Lake Mohave is operating at its carrying capacity. Other regional recreational waters may see increased use, including the Colorado River below Davis Dam and Lake Havasu, where carrying capacity has not been established.

Public Comment:
08205H

Commenter:
Nevada Division of Wildlife

Affiliation:
Public Agency

- B** *Comment:* Our economy at the present time does not need to be impacted by restrictions that limit boater traffic, which will only further hurt tourism and our economy in Nevada. Like the other measures, further studies and investigations are necessary prior to implementing these drastic measures. Not just limits to the visitor number count, but as to all measures in alternative C.

Response: Under the modified preferred alternative (alternative C), boating capacity would actually increase from the current 4,437 to 5,055 boats at any one time. The National Park Service believes that the recreational carrying capacity methodology (see appendix B) and the socioeconomic analysis used during development of the *Draft and Final Environmental Impact Statements* provide a thorough investigation. The analyses contain the information necessary to determine an appropriate balance between lake carrying capacity and a positive visitor experience that would fulfill park objectives.

One measure being considered by the Laughlin Chamber of Commerce is a reservation system for the launching of boats at Katherine Landing. Such a program may be appropriate due to the launch lines that develop on Saturdays and holiday weekends. However, the implementation of a reservation system needs public support. The National Park Service agrees that additional public involvement is needed to address the reservation system for the launching of boats at Katherine Landing. As described under the modified preferred alternative (alternative C), the National Park Service will work with the community and boating public to investigate the use of a reservation system. If deemed appropriate, an experimental reservation system could be tested at Katherine Landing.

Public Comment:
01665F

Commenter:

Affiliation:
Individual

- C** *Comment:* What does the National Park Service or paddlers consider too intrusive on the 10 miles of river? Are eight or nine boats too intrusive (as observed by commenter)?

Response: Recreational settings and visitor experiences are discussed in the "Purpose of and Need for the Plan" chapter. This discussion was expanded in the *Final Environmental Impact Statement* to further describe the recreational setting components.

Appendix B identified the management zoning for Black Canyon and provides the boating capacity. Under alternative C in the “Visitor Conflict” section it states: “Black Canyon would be managed for 15 parties with 3 to 4 nonmotorized boats per party.

<i>Public Comment:</i> 09027D	<i>Commenter:</i>	<i>Affiliation:</i> Individual
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D *Comment:* Does the limit on boats on the lake include those in slips? Most of them don’t even get used.

Response: The boats at any one time calculations do not include the boats that are in the slips at the marina. Based on the results of the visitor use survey and boat inventory shown in tables 4 and 5 in the “Alternatives Selected for Analysis” chapter, it was generally found that no more than 20% of the boats in the marina wet slips are out on the lake at any one time.

<i>Public Comment:</i> 02242AC	<i>Commenter:</i>	<i>Affiliation:</i> Individual
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Issue 2: Boats at Any One Time Methodology Concerns

A *Comment:* Some commenters have little faith in the 8- to 10-year-old survey used to determine social crowding, on the lake. Laughlin Chamber of Commerce has less in the plan’s methodology for dealing with this crowding, that is to completely limit improvements to drive away the business. As stated before, local businesses and the Laughlin Chamber of Commerce stand ready to encourage mid-week visits to Lake Mohave, offer assistance in cleanup campaigns, encourage, through marketing and public relations, use of the full 150 miles of the lake, and to partner with the National Park Service to conduct a survey that is more representative of lake users in the 21st century.

Response: As described in appendix B, the carrying capacity calculations are based on both physical and social factors. While social factors may change with time and setting, the physical factors are given. Physical carrying capacity calculations do not become outdated as they are based on size of the reservoir and miles of shoreline. This is especially true for Lake Mohave where there is a narrow lake fluctuation zone.

The National Park Service has used the 4 to 5 acres per boat in the *Draft and Final Environmental Impact Statements* as the maximum boating density for the urban park zone, the highest boating density areas. This is consistent with other urban reservoir capacities including Lake Parris in Southern California, Quail Creek Reservoir in Southern Utah, and Lake Pleasant in Southern Arizona where lake carrying capacities have been evaluated.

<i>Public Comment:</i> 01953AG	<i>Commenter:</i> Laughlin Chamber of Commerce	<i>Affiliation:</i> Organization
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B *Comment:* Commenter stated that the plan does not specifically state where the problem areas are, but assumes that the total lake is a problem area for overcrowding, lack of facilities, and so forth. Only Boulder Basin, Katherine Landing, and Princess Cove were said to be a problem per the comments during the meeting the commenter attended.

Response: As described in the “Affected Environment” chapter, crowding is not a problem throughout both lakes. It is focused in the southern portions of Lake Mohave (zones 1 and 2) and in the Boulder Basin of Lake Mead (zones 10, 11, and 12). Because crowding is not an issue lakewide, the National Park Service proposes a variety of recreational settings, including primitive and semiprimitive zones. One of the planning objectives of the *Lake Management Plan* is to provide a range of recreational settings and proactive framework for addressing potential future problems related to increasing visitor use.

Public Comment:
00952D

Commenter:

Affiliation:
Individual

C *Comment:* If the number of boats ever exceeds the maximum, changes need to be implemented, such as a reservation system for all boats, commercial and private, with no one getting precedence over another. Everyone should have to buy passes for a busy weekend. How was the number of commercial boats determined? With space for slips at a minimum at Katherine Landing, shouldn't the number of rental boats possibly be reduced?

Response: The *Draft* and *Final Environmental Impact Statements* are based upon existing conditions. The modified preferred alternative (alternative C) uses the existing marina and launch ramp capacities. New facilities were evaluated based on location, existing conditions, and recreational setting.

If it is determined that a reservation system is required, it would be applied equitably. At this time, the only area where a reservation system is being considered is Katherine Landing, and this is at the recommendation of the Laughlin Chamber of Commerce. As described under the modified preferred alternative (alternative C), the National Park Service will work with the community and the boating public to assess the need for the reservation system. If deemed appropriate, an experimental reservation system would be tested at Katherine Landing, and could eventually be put into place permanently.

The entrance program is designed so that all visitors are required to purchase either a short-term or annual pass.

The National Park Service did not evaluate the possible reduction of rental boats at Katherine Landing. The process started with the existing condition for capacities of all commercial and public operations, including rental boat operations.

Public Comment:
01816D

Commenter:

Affiliation:
Individual

D *Comment:* It is unfair to limit the parking spots in the park to control the amount of boats on the lake due to traffic of people that do not go out on the water. The plan reduces the parking spaces at Las Vegas Bay Marina from 750 with approval for over 2,000 more to allow only 288 [sic] spaces. Las Vegas Bay Marina has over 900 boats in slips and dry storage in addition to the people that come to eat, feed the fish, or rent a boat. The water level determines how many people can park anyway.

Response: The parking capacity determinations took into account the size of the marina, the size of the rental fleet, and the size of the dry boat storage area. As shown in tables 4 and 5 in the "Alternatives Selected for Analysis" chapter, not all the boats from these areas were on the lake at the same time. For the purposes of parking calculations, 20% of the boats from the marina wet slips, 10% of the boats from dry boat storage, and 100% of the rental fleet are assumed to be out on the lake at any one time. In addition, seating at the restaurant and use at the store are also taken into account.

The parking for the public launch ramp was calculated separately from the marina operation. The total parking shown in table 21 for Las Vegas Bay Marina is 285 single spaces and 222 pull-through spaces for the public launch ramp, for a total of 507 spaces.

Public Comment:
07151D

Commenter:
Las Vegas Boat Harbor

Affiliation:
Business

E *Comment:* Concerning the overcrowded conditions of Lake Mead, some commenters do not believe Lake Mead is overcrowded and question how it was determined that only 7% of the Lake Mead shoreline is useable?

Response: The National Park Service consulted with the U.S. Geological Survey (report on file at the National Park Service) to map the shoreline of both lakes at an elevation of 1,178 feet. The shoreline was classified into six categories including: steep or rocky, beach, camping beach, steep shoreline with cliffs, cliff, and shallow shoreline. The beach and beach camping areas were combined to identify the 7% usable shoreline from a recreational perspective. Carrying capacity methodology (including social carrying capacity) is described in appendix B.

Public Comment:
07213A

Commenter:

Affiliation:
Individual

F *Comment:* Why lower boat capacities with plan C? The ‘fact sheet’ you put out states, “The overall level of boating activity could slightly increase.” Are the given numbers support numbers or a ‘limit of boats on the lake’ or a limit number?

Response: Alternative C proposes a lower number of boats at any one time than alternative A because the no-action alternative recognizes the large marina expansions in the *General Management Plan*. In applying those capacities to recreational opportunity zoning, the National Park Service would manage the lakes primarily for an urban setting and experience. Reduced numbers in the modified preferred alternative (alternative C) in the *Final Environmental Impact Statement* were used to provide more area in the rural natural, semiprimitive, and primitive settings. The boating numbers coincide with the recreational opportunities identified in the “Alternatives Selected for Analysis” chapter.

Public Comment:
02215H

Commenter:
Lake Mead
Boat Owners Association

Affiliation:
Organization

Facility Expansion (Launch Ramp and Marina, etc.)

Issue 1: Construction/Expansion of Facilities at Existing Locations

A Comment: Katherine Landing and Princess Cove on the Arizona side of Lake Mohave are mentioned in the *Draft Environmental Impact Statement* as being inadequate to handle their current capacity, especially on holiday weekends. None of the alternatives in the *Draft Environmental Impact Statement* offer any facility expansion or improvements to marinas or coves nearest to Bullhead City and Laughlin. In the effort to drive boaters north to Cottonwood Cove and to more primitive areas of Lake Mohave to “protect the environment,” the plan fails in its mission to also support visitors current needs.

Response: The *Draft* and *Final Environmental Impact Statements* set carrying capacities for recreational use on the water and at the shoreline as described in appendix B. Each year the park conducts boat inventories as part of the monitoring of recreational use. Boating inventories conducted as recently as 2002 indicate Lake Mohave operating at or above desired capacities on weekends in the southern portion. However, no new lake access facilities are proposed in that area.

A lack of expansion of the lake access facilities would not mean public and commercial facilities at Katherine Landing would not be improved. Commercial facility improvements are scheduled as part of the renewal of the concession contracts. Public facility improvements, such as replacing the asphalt launch ramp with concrete, are accomplished either through the NPS cyclic maintenance / rehabilitation programs or through partnerships with other agencies.

<i>Public Comment:</i> 01953BD	<i>Commenter:</i> Laughlin Chamber of Commerce	<i>Affiliation:</i> Organization
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B Comment: The local area near Las Vegas Bay and Las Vegas Marina is in horrendous need of improvements, repair, and expansion of the launch facilities, which are very limited and dangerous. Las Vegas Wash and Harbor needs to be cleaned up of pollutants. Improvements to the area, such as better ramps and concrete docks, would draw more tourists that would enjoy the lake and add to revenue that could be put back into the lake.

Response: Public launch ramps in general are in deteriorated condition, and the National Park Service is proposing to upgrade these facilities including the replacement of the deteriorated asphalt with concrete. This work is underway. Improvements are being planned through the new concession contracts and through a variety of alternative funding sources.

While it is generally true that better facilities attract more visitors, there are major issues associated with the location of the Las Vegas Bay Marina due to the flows of the Las Vegas Wash. The marina operators have approached the National Park Service requesting their operation be relocated from Las Vegas Bay due to the encroachment of the Las Vegas Wash delta. This proposal was evaluated through the preparation of an environmental assessment on Las Vegas Bay. This document was released for public review in September 2002, and finalized with a Finding of No Significant Impact on September 27, 2002. The marina was temporarily relocated to Horsepower Cove in October 2002.

The water quality issues raised in this comment are beyond the scope of the *Lake Management Plan* environmental analysis process (CWA 1987, Section 313). These issues are being addressed, in part, in the systems conveyance and operating program environmental impact statement, currently in progress (sponsored by the National Park Service, Bureau of Reclamation, and Clean Water Coalition). Alternatives for wastewater discharge for the Las Vegas Valley are being discussed. The larger water quality issues are being addressed as part of the Water Quality Forum.

<i>Public Comment:</i> 01682B, 01682 A, 00256 D	<i>Commenter:</i>	<i>Affiliation:</i> Individual
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C *Comment:* The reasonable expansion of existing access points and facilities, such as Overton Boat Dock, should be an integral part of the strategy to address increased visitor demands and may in some cases be a useful interim solution depending on the rate of increased usage, within the context of the larger lake plan objectives. Although the *Draft Environmental Impact Statement* mentions accommodation of future boating capacity in zone 18, the plan identifies only a limited expansion of commercial marina infrastructure and no increase in public facilities at Overton Boat Dock, which is the only existing or projected facility within that zone.

Response: The modified preferred alternative (alternative C) provides for the expansion (45 additional slips) of the Overton Boat Dock. Factors contributing to this decision include limited parking space based on topography, as well as the general location of the marina at the northern end of the Overton Arm of Lake Mead. The National Park Service finds that marinas more centrally located have a greater ability to distribute boats. As boats exit lake access sites they will tend to distribute within 15 miles in each direction (Graefe and Holland 1997). Marinas at the end of the reservoir have limited ability for boat distribution, as boats can only distribute in one direction from the marina, and thus, a greater percentage will be forced in a single direction, concentrating use in that area. Therefore, the preference is to expand the marinas where there is greater boat distribution potential. In the case of the Overton Arm of Lake Mead, expansion is included in the construction of new a launch ramp at Stewarts Point and in the expansion of launch capacity at Echo Bay Marina. Both of these facilities would influence use in zone 18.

<i>Public Comment:</i> 08205M	<i>Commenter:</i> Nevada Division of Wildlife	<i>Affiliation:</i> Public Agency
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D *Comment:* Perhaps Callville Bay could tolerate a 20% increase in capacity, but it would have to be very carefully planned. Expansion of the current concession could have an adverse environmental impact. Could the parking lot be increased without incurring extensive erosion? Where would this occur?

Response: The modified preferred alternative (alternative C) proposes that the marina capacity at Callville Bay be increased by 200 slips. Because parking is an important factor in that decision, the marina has been informed that no expansion will occur until parking issues can be addressed. A comprehensive evaluation (performed by the National Park Service) of the facilities and their locations would also address the issue of providing adequate parking to support the proposed marina expansion. The evaluation would also be used to determine if the picnic area, trailer village, and campground should be replaced to provide for marina and launch ramp parking. Appropriate environmental compliance and public involvement would be completed as part of that evaluation.

<i>Public Comment:</i> 00256C	<i>Commenter:</i>	<i>Affiliation:</i> Individual
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E *Comment:* The town of Searchlight is the main entrance to Lake Mohave. Why was the town not advised or included in any of the hearings? The major impact (traffic and congestion) is through a very small two-lane road that is not made for the abuse it is going to take nor will the wilderness be protected on the way to the lake.

Response: Area newspapers provided notification of the release of the plan and public meeting dates. The National Park Service held a public meeting in Searchlight to discuss the *Lake Management Plan* on June 19, 2002. During that meeting, the Park Service discussed the Cottonwood Cove access road and the fact that it is a county-maintained road. The Park Service supports continued improvement of that road and will partner with the community and the county to ensure its maintenance to the highest of county standards.

<i>Public Comment:</i> 01431A	<i>Commenter:</i>	<i>Affiliation:</i> Individual
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F Comment: Capital expenditures of the NPS budget should be based upon customer demand, usage, and location rather than on some standardized irrelevant set of questions drawn up for more generalized results. Katherine Landing is the highest use facility on Lake Mohave and any upgrades and expansion programs should reflect and correlate with that demand and anticipated future demand.

Response: Katherine Landing is intensively used and the NPS budget, as far as investing in operations and facility improvements, reflects this fact. More park staff are based out of Katherine Landing and the majority of the facility improvement budget also is invested in Katherine Landing. The National Park Service is investing the majority of the Lake Mohave operational and capital improvement funding in Katherine Landing. Some examples of the capital improvements at Katherine Landing in the last five years are construction of the concrete launch ramp; construction of the Princess Cove Launch Ramp; first-aid station; replacement of the restrooms in the campground; and the South Telephone Cove and Princess Cove picnic areas. Although less visible, there have also been major investments in water treatment and wastewater treatment facilities at Katherine Landing.

Public Comment:
05387E

Commenter:
Laughlin Town Manager

Affiliation:
Public Agency

G Comment: Before any new or additional facilities are funded, the ramp situations have to be corrected. In order to build to suit the water levels we are now faced with, can the water level be dropped further, extend the ramps and then bring the level back to where it is now? This was done a couple of years ago to repair the ramps at Katherine Landing.

Response: The National Park Service believes the four Lake Mohave public launch ramps are in excellent condition, as Lake Mohave does not experience the dramatic fluctuations that occur at Lake Mead. The Katherine Landing and Willow Beach launch ramps were recently reconstructed to replace the asphalt with concrete. Princess Cove is a concrete launch ramp. Cottonwood Cove launch ramp is asphalt but in good condition.

The public launch facilities on Lake Mead are more problematic as the Bureau of Reclamation is experiencing an extensive drawdown due primarily to a three-year drought in the Colorado River Basin. The *Draft* and *Final Environmental Impact Statements* only address the marina and launch ramp operations for lake elevations of 1,170 to 1,215 feet above mean sea level (see the "Background" section and appendix C). The National Park Service is doing everything possible to keep the launch ramps operational during these periods of lower lake levels. Thus far, it has been possible to keep the public launch ramps open and operational although fewer launch lanes are available. Major holes have been patched using river cobble and gravel. The National Park Service has undertaken a major initiative for the launch ramps, taking this low lake level as an opportunity to replace the deteriorated asphalt with concrete. The National Park Service is scheduling this work for most of the asphalt ramps over the next two years.

Public Comment:
00163A

Commenter:

Affiliation:
Individual

H Comment: If the Las Vegas Marina is relocated or eliminated due to encroachment of the Wash delta, is there still overcrowding at this end of the lake? Does the plan provide for changes in the lake conditions and shorelines?

Response: The marina operators have approached the National Park Service requesting their operation be relocated from Las Vegas Bay due to the encroachment of the Las Vegas Wash delta. An environmental assessment was released for public review in September 2002. The marina was temporarily relocated to Horsepower Cove in October 2002.

The carrying capacity analysis in appendix B shows the Boulder Basin of Lake Mead to be a heavily used area for boating and consequently classified the area as urban park zone. The public launch ramp at Las Vegas Bay will remain open. Based on physical and social carrying capacity factors, the Boulder Basin has the launch capacity to operate at the recommended capacity and, therefore, no new launch facilities are proposed.

Appendix C only addresses the marina and launch ramp operations for lake elevations from 1,170 to 1,215 feet above mean sea level. Funds have been secured to evaluate the more extreme fluctuations in the Lake Mead water elevations projected by the Bureau of Reclamation.

<i>Public Comment:</i> 08528C	<i>Commenter:</i> Las Vegas Bay Marina	<i>Affiliation:</i> Business
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I *Comment:* A commenter expressed trouble understanding the logic of facility expansion under the preferred alternative when in reality boat use is proposed to drop from 5,961 to 4,965. Where is the money for expansion coming from?

Response: The launch capacity is defined by the size of the marinas and the number of launch lanes at the public launch ramps. Alternative A represents the development levels authorized in the *General Management Plan*. The *General Management Plan* authorizes expansion of some of the marinas to levels much higher than exists today. The 5,975 boats at any one time represents the full development of the previously approved *General Management Plan* as described in the description of alternative A under the “Alternatives Selected for Analysis” chapter.

The modified preferred alternative (alternative C) proposes lower boats at any one time numbers than alternative A (no action) because the no-action alternative recognizes the large marina expansions in the *General Management Plan*. As described in the “Description of Alternatives” section for alternative C, applying those capacities to recreational opportunity zoning, the lakes would be managed primarily for an urban setting and experience. Reduced expansion numbers were used in alternative C to provide more area in the rural natural, semiprimitive, and primitive settings.

The proposed expansion under the modified preferred alternative (alternative C) would be achieved by limited marina expansion and construction of two new launch ramps: one on Lake Mohave (Eldorado) and one on Lake Mead (Stewarts Point). Funding for the construction of the new public facilities would come from NPS capital improvement funds, entrance fees, or other federal sources including the capital improvement program under the *Southern Nevada Public Lands Management Act*, as well as partnership programs under states of Nevada and Arizona boating access programs.

<i>Public Comment:</i> 08984B	<i>Commenter:</i>	<i>Affiliation:</i> Individual
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Issue 2: Construction of Facilities at New Locations

A *Comment:* New facilities should be built closer to the population centers, not at remote areas like Stewarts Point or improving the Temple Bar area, which is very remote to Las Vegas.

Response: Areas close to population centers are operating at the resource carrying capacity so additional launch facilities in those areas would compromise the desired future conditions in those areas. Appendix B describes carrying capacity methodology. New and expanded facilities would assist in increasing boater distribution around Lakes Mead and Mohave to areas that can better accommodate increases in visitor use.

<i>Public Comment:</i> 00164B	<i>Commenter:</i>	<i>Affiliation:</i> Individual
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B Comment: Why is the National Park Service allowing a new marina at Stewarts Point when there are concerns about the number of boats on the lake?

Response: The 1997 carrying capacity analysis found that the Boulder Basin on Lake Mead is operating at its social carrying capacity and is classified as urban park zone in the *Draft and Final Environmental Impact Statements*. The urban park zone is managed for the highest use levels. There are other areas of Lake Mead that are not operating at that level of use, and expansion of facilities and corresponding use may be appropriate in those areas. The Overton Arm of Lake Mead is an area of the lake that can accommodate additional visitor use. As such, under the modified preferred alternative (alternative C), the National Park Service proposes to manage the central portion of that area for urban park setting and allow the addition of a public launch ramp at Stewarts Point (similar to the facility at Government Wash). Marina expansions above existing operations are proposed at the Echo Bay Marina and Overton Beach Marina.

Public Comment:
02215J

Commenter:
Lake Mead
Boat Owners Association

Affiliation:
Organization

C Comment: As far as a new launch ramp at Nelson, the money would be better spent on reopening Willow Beach.

Response: Willow Beach is open with the store and launch ramp in operation. Additional facilities at Willow Beach are dependent on the construction of flood mitigation facilities, and the National Park Service is still pursuing those funds. However, the 125-slip marina at Willow Beach will be a critical component of the concession contract that may be advertised in 2005. The proposed facilities at Eldorado are also important in providing increased water access and distributing boat use on upper Lake Mohave. Refer to tables 22 and 24 in the *Final Environmental Impact Statement* for a description of marina services and launch capacities on Lake Mohave.

Public Comment:
08153C

Commenter:

Affiliation:
Individual

Issue 3: Concerns with Facility Expansion Activities

A Comment: For alternatives C and D, pages 184 and 203 indicate that marina facilities would be expanded at Cottonwood Cove and Overton Beach. Should the action alternatives require the expansion, modification, relocation, or removal of fuel lines or fuel storage tanks, it should be addressed in the *Final Environmental Impact Statement*. The *Final Environmental Impact Statement* and subsequent “tiered” NEPA documents should address if National Park Service and/or concession operators would be responsible for complying with federal and state requirements on fuel lines and fuel storage tanks, as well as environmental restoration efforts.

Response: This requirement is included as a part of the concession contract. All NPS concession operators within Lake Mead National Recreation Area are responsible for complying with all federal and state requirements on fuel lines and fuel storage tanks, as well as environmental restoration efforts. This information was added to appendix A. Also, a separate environmental analysis that tiers off this *Final Environmental Impact Statement* will address these requirements as design plans for these facilities are developed.

Public Comment:
08203J

Commenter:
Environmental Protection Agency

Affiliation:
Public Agency

B Comment: The final *Environmental Impact Statement* should address if lead-based paint and/or asbestos-containing materials are a potential issue of concern at any facilities proposed for renovation, modification, or expansion. If so, appropriate commitments to reduce public exposure should be presented, as well as measures to protect worker health and safety.

Response: Lake Mead National Recreation Area complies with federal and state regulations related to the *Clean Air Act* and hazardous materials. Any facility renovation within Lake Mead National Recreation Area first requires a licensed contractor to test the building components to determine if there are asbestos and lead contaminants present. If contaminants are present, contractors are hired to remove the contaminants in accordance with state and federal standards and requirements (see appendix A).

<i>Public Comment:</i> 08203I	<i>Commenter:</i> Environmental Protection Agency	<i>Affiliation:</i> Public Agency
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C Comment: In order to assist the reader’s understanding of the construction activities proposed under the action alternatives, we recommend that the final *Environmental Impact Statement* contain a matrix identifying all construction activities for alternatives B, C, and D, with a notation regarding activities requiring a subsequent “tiered” NEPA analysis.

Response: A matrix has been developed and is included in the *Final Environmental Impact Statement* as “Table 6: Construction Projects and Additional Analysis Required.” This table can be found in the “Alternatives Selected for Analysis” chapter.

<i>Public Comment:</i> 08203O	<i>Commenter:</i> Environmental Protection Agency	<i>Affiliation:</i> Public Agency
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D Comment: Some commenters expressed concerns about the potential traffic impacts that expanded marinas or other facilities would have on two-lane roads in small towns such as Searchlight.

Response: Access to the Cottonwood Cove developed area is provided by County Road 146, which exits U.S. Highway 95 in the community of Searchlight, Nevada. The first mile of this 15-mile, two-lane road exits the community. The National Park Service has contacted Clark County concerning the future of this road, and it is scheduled for maintenance (chip seal) within the next two years. No additional upgrades are proposed or currently considered necessary. The National Park Service will continue to work with the community and Clark County regarding the future of this county road.

<i>Public Comment:</i> 01431A	<i>Commenter:</i> Searchlight Town Advisory Board	<i>Affiliation:</i> Organization
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Issue 4: Parking Issues

A Comment: Handicapped parking needs improvement. The walking distance is too far.

Response: Handicapped parking spaces are provided parkwide at each of the developed areas. All new recreational facilities are developed in accordance with the *Americans with Disabilities Act Accessibility Guidelines: Recreation Facilities* (36 CFR, Part 1191). The National Park Service is conducting a parkwide accessibility assessment of building and recreational facilities to determine what is needed to bring them up to current standards (see the “Other Plans, Policies, and Actions Considered” section in the “Purpose of and Need for the Plan” chapter).

The handicapped parking for the public launch ramps is a more difficult issue as launch ramps, by their very nature, operate at grades of 9%–14%. It is not practical for handicapped parking to be authorized on

grades of this nature because it is difficult to exit a vehicle on those grades and difficult to open or close vehicle doors. Because of these issues, handicapped parking has to be located at the top of the launch ramps, and this can be at some distance from the water, especially at lower lake levels.

Public Comment:
00146A

Commenter:

Affiliation:
Individual

B *Comment:* The lake management plan calls for a 30% decrease in parking from the development concept plan for the Willow Beach concessioner. How can the lake management plan make these changes to the development concept plan?

Response: The parking numbers for Willow Beach (155 pull-through spaces and 200 single spaces) referenced in the *Draft* and *Final Environmental Impact Statements* (currently tables 24 and 26) are the same numbers that were approved in the *Development Concept Plan* and *Final Environmental Impact Statement* for Willow Beach.

Public Comment:
08091G

Commenter:
Sierra Club,
Southern Nevada Group

Affiliation:
Organization

C *Comment:* Adjustment needs to be made so parking will be available to people who are paying for slips. Will marina slip owners be turned away when parking lots are full? Is parking going to be limited to the number of spaces minus spaces allowed for paid slip parking?

Response: Parking has always been managed on a first-come, first-serve basis. Parking space availability is equal for all and no preference has been given to any group including slip customers. There is no guarantee a parking space will be available on any given day. The National Park Service is not proposing to change this approach to management under this *Final Environmental Impact Statement*.

Parking for marina visitors is separated from public launch ramp visitors by the single or pull-through parking areas. At Katherine Landing, visitors are disconnecting their trailers from their boat and taking two-single parking areas rather than parking in the pull-through spaces. This is resulting in inadequate parking to support marina operations. In the future, visitors may not be able to disconnect their trailers and consume single parking spaces. The modified preferred alternative (alternative C) describes a pilot reservation system that may be implemented at Katherine Landing.

Public Comment:
00166A, 06752 VE, 01674 A, 08528
B

Commenter:

Affiliation:
Individual

D *Comment:* Regarding parking availability to those who pay for slips: It was stated that no one would be turned away, but then why put it in the plan if you are not going to enforce it? More weekend/overflow parking is needed at Callville Bay.

Response: Parking has always been and would continue to be managed on a first-come, first-serve basis. There is no guarantee a parking space will be available on any given day. Callville Bay is operating at capacity on summer weekends. Overflow parking is occurring in the campground and along the access road. Marina expansion is proposed for Callville in this *Final Environmental Impact Statement*, but parking deficiencies must be addressed prior to any marina expansion. A comprehensive evaluation (performed by the National Park Service) of the facilities and their locations would address the issue of providing adequate parking to support the proposed marina expansion. The evaluation would also be used to determine if the picnic area, trailer village, and campground should be replaced to provide for marina

and launch ramp parking. Appropriate environmental compliance and public involvement would be completed as part of this evaluation.

A matrix has been developed and is included in the *Final Environmental Impact Statement* as “Table 6: Construction Projects and Additional Analysis Required.” This table can be found in the “Alternatives Selected for Analysis” chapter.

<i>Public Comment:</i> 06752V, 00381A C	<i>Commenter:</i>	<i>Affiliation:</i> Individual
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E *Comment:* Lake access should only be limited to the number of parking spaces available at marinas. The lake needs another major marina.

Response: The National Park Service has considered the addition of another major marina but not in the urban zones where the lakes are already operating at their physical and social carrying capacity. The discussion for alternative A (see the “Alternatives Selected for Analysis” chapter), explains that the Fire Mountain facility was proposed in the *General Management Plan* but the infrastructure costs are prohibitive. Because of these prohibitive infrastructure costs, the National Park Service has focused efforts on expanding existing facilities rather than constructing new facilities.

<i>Public Comment:</i> 00382B	<i>Commenter:</i>	<i>Affiliation:</i> Individual
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F *Comment:* If parking is a problem, then why not increase the available parking spaces? The parking of vehicles with trailers should also be addressed.

Response: Parking is currently limited by topography at a number of marinas and launch ramps. In some areas, parking can be expanded, and these proposed expansions are shown in tables 21, 22, 23, and 24 of the *Final Environmental Impact Statement*. The parking of vehicles with trailers is referred to in the *Final Environmental Impact Statement* as pull-through parking.

<i>Public Comment:</i> 02215B	<i>Commenter:</i> Lake Mead Boat Owners Association	<i>Affiliation:</i> Organization
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Other Park Facilities

Issue 1: Restroom Facilities

- A** Comment: The National Park Service proposes to implement new sanitation standards. What are the assurances that sufficient facilities will be installed and maintained? There have been numerous problems with maintenance and availability of the bathroom facilities up to this point.

Response: The National Park Service agrees there have been some issues with sanitation facilities. To this end, emphasis has been on replacing restrooms throughout the area. Over the last five years, 30 public restrooms have been replaced in NPS campgrounds, picnic areas, and at the launch ramps. Movable flush toilets have been placed at Boulder Beach. These toilets are critical to accommodate the dramatic fluctuating lake levels experienced over the last two years.

This *Final Environmental Impact Statement* requires that all boaters who stay overnight must have a portable toilet in their possession. To support this requirement, under the modified preferred alternative (alternative C) floating restrooms, port-a-potty dump stations, and boat pump-out stations would be placed at seven critical locations on Lake Mead and three locations on Lake Mohave. The design and location of these floating sanitation facilities address the public's concerns regarding sanitation issues and should improve the shoreline setting on both lakes.

Public Comment:
00353N

Commenter:

Affiliation:
Individual

- B** Comment: Why would the National Park Service put in all those nice picnic areas along the Lake Shore Road with trash cans, tables, barbecues, and shade, but no restrooms?

Response: The Lakeshore Road is outside the scope of the environmental impact analysis process for this *Lake Management Plan*; however, restroom facilities are proposed for the new roadside picnic areas recently constructed along Lakeshore Road.

Public Comment:
08092K

Commenter:
Las Vegas Boat Harbor

Affiliation:
Business

- C** Comment: Many more floating toilets are needed.

Response: Currently, two of the new floating pump-out stations, restrooms, and port-a-potty dump stations are in place at Middle Point and Rotary Cove on Lake Mead. There are an additional five stations proposed and scheduled to be in place over the next two years. This is discussed in the description of the modified preferred alternative (alternative C) in the "Sanitation and Litter" section under the "Alternatives Selected for Analysis" chapter.

Public Comment:
00381AC

Commenter:

Affiliation:
Individual

- D** Comment: Alternative C in the *Draft Environmental Impact Statement* states that all people camping on the lake would be required to have a portable toilet. When camping in the cove with a floating toilet, is it still necessary to bring a portable one?

Response: The presence of floating sanitation stations in areas where visitors are camping does not cancel the requirement for a portable toilet in each individual camp. All shoreline campers would still be required to have a marine head or portable toilet in their possession. This is discussed in the description of the

modified preferred alternative (alternative C) in the “Sanitation and Litter” section under the “Alternatives Selected for Analysis” chapter.

Public Comment:
08581A

Commenter:

Affiliation:
Individual

E *Comment:* While considering *Americans with Disabilities Act* compliance, the public restrooms at the Cottonwood Cove launching ramp are only accessible to a wheelchair bound person if there is someone else to aid in holding the door and making sure the chair doesn’t fall off the cement into the sand.

Response: Lake Mead is currently conducting a parkwide inventory of all NPS facilities to determine *Americans with Disabilities Act* compliance needs. The recent assessment of the restroom at the Cottonwood Cove launch ramp did reveal there are some *Americans with Disabilities Act* deficiencies. These included the concrete walkway and the weight of the door. The park has initiated an accessibility assessment, and is seeking funds to correct this deficiency.

Public Comment:
02274B

Commenter:

Affiliation:
Individual

Issue 2: Miscellaneous Recreation Facilities

A *Comment:* There is not a sailing area listed for Lake Mohave. There should be one at 6-mile Cottonwood Cove for sailboards and kites.

Response: Sailing is an authorized use on Lake Mohave and can occur in the majority of recreational settings. A sailing area was established at Boulder Beach on Lake Mead due to the volume of sailboats and sailboards and the competition for space. If such a need is identified on Lake Mohave, an area may be designated, but at this time, use levels do not warrant such designation.

Public Comment:
00169A

Commenter:

Affiliation:
Individual

B *Comment:* New road improvements should be incorporated with bicycle trails so there could be more use for the resource other than just boats and swimming.

Response: The concern for terrestrial facilities is generally beyond the scope of this *Lake Management Plan*. This planning effort focuses on water-based recreation, although a Northshore Loop Road is included to provide alternative access to the shoreline in that area. As part of the environmental compliance for that construction project, bicycle access will be addressed.

Public Comment:
01658A

Commenter:

Affiliation:
Individual

C *Comment:* Launching policy needs to be stated more clearly. On page 74 of the *Draft Environmental Impact Statement* it states, “Launching of personal watercraft would be limited to designated launch facilities or areas.” Isn’t it true that launching of all vessels is limited to designated facilities or areas?

Response: Yes, launching of vessels is limited to designated launch areas. A map illustrating the designated launch sites has been incorporated in the “Affected Environment” chapter of the *Final Environmental Impact Statement*.

Public Comment:
08092I

Commenter:
Las Vegas Boat Harbor

Affiliation:
Business

Issue 2: Need for Additional Visitor Center

- D** Comment: Commenter feels that the Park is not in any way serving the visitor to the level they should be, and a visitor center is needed at Lake Mohave.

Response: The National Park Services agrees that there is a need to develop a better way to communicate with the public in the southern portion of Lake Mohave. Over the past few years, the National Park Service has been partnering with the local communities at Bullhead City, Arizona, and Laughlin, Nevada, to identify a site for a new visitor center. A tentative site has been identified and the partnership is in the process of forming an agreement to cooperatively develop the visitor center facilities.

Public Comment:
01656A

Commenter:

Affiliation:
Individual

Issue 3: Fees and Maintenance

- A** Comment: Why is there not an entrance fee at the Overton end of the lake? Why are the residents of the Las Vegas Valley the only ones paying to use the recreation area?

Response: The entrance program will address all visitors to Lake Mead National Recreation Area, and all visitors will be required to pay entrance fees. The entrance program for the National Recreation Area includes nine stations, only four of which are in place. Two additional stations, Overton and Cottonwood Cove, are currently in the design phase. These stations are scheduled to open in 2003.

Public Comment:
05035A

Commenter:

Affiliation:
Individual

- B** Comment: Numerous commenters indicate that the park needs more staffing and trash facilities. What is done with fees that are collected?

Response: There are operational issues concerning the staffing necessary to support the diversity of recreational activity throughout the National Recreation Area. A “Park Operations” section has been included in each of the alternative descriptions under the “Alternatives Selected for Analysis” chapter. The results of operational audits and reported deficiencies are included as part of the discussions, along with numbers of additional staff needed to manage recreational use.

The National Park Service also agrees there are litter problems throughout the park but especially along the shoreline in the Boulder Basin. This issue was identified during the visitor use survey that was conducted in preparation for this planning effort. A variety of alternatives have been pursued to address the shoreline litter issue. The National Park Service has staged numerous community-based shoreline cleanups and has used alternative labor sources including prison crews to collect litter. Signs have been placed asking park visitors to assist the National Park Service in keeping the area clean.

The litter initiative is presented in the “Sanitation and Litter” section of the “Alternatives Selected for Analysis” chapter. It states, “Specific litter cleanup efforts would include the continued practice of having garbage bags available at each of the launch ramps and marinas. An environmental park cleanup program is proposed through a partnership with park concessioners, fuel providers, volunteer groups, and the National Park Service. Volunteers would access priority cleanup areas using a houseboat provided by the partnership, while taking advantage of a houseboat vacation. A similar program at Glen Canyon National Recreation Area has shown this partnership to be effective in maintaining backcountry beaches.” There are additional initiatives in the *Final Environmental Impact Statement* involving recycling programs and the prohibition of glass and styrofoam containers throughout the recreation area.

Eighty percent of the fees collected at Lake Mead National Recreation Area stay in the park for capital improvement projects. Part of these fees pay for the collection of fees and the remainder are programmed for facility improvements. Examples of the types of projects that can be undertaken with funds generated from the entrance program include the proposed replacement of the asphalt launch ramps with concrete, as well as improvement of the Princess Cove access road. The Department of the Interior policy prohibits fee revenues from being used to hire additional park staff.

Public Comment:
00248AD

Commenter:

Affiliation:
Individual

C *Comment:* Some commenters disagree with additional staff and believe that money can be better spent on boat ramp maintenance. Low water levels versus boat ramps (temporary surfaces such as aircraft landing grates are needed) needs to be addressed. If creating launch ramps, plan for water levels going back up so they are not lost under water.

Response: Investing in public launch facilities is a park priority. However, additional staff would still be necessary to effectively manage the recreation area no matter which alternative was ultimately chosen to be implemented in this planning effort. The National Park Service is doing everything possible to keep the launch ramps operational during these periods of lower lake levels. So far, it has been possible to keep the public launch ramps open and operational although fewer launch lanes are available. Major holes have been successfully patched using river cobble and gravel, making it unnecessary to resort to aircraft landing mat and moveable concrete blocks for supporting the launch ramps.

The major initiative for the public launch ramps is to take this opportunity while the lake levels are down and replace the deteriorated asphalt with concrete. The work for all the asphalt launch ramps will be completed over the next two years.

As stated in appendix C, the National Park Service is planning for a variety of lake levels, including rising lake levels. All forecasts are for Lake Mead to operate at lower lake levels for the next few years. This is due to a three-year drought, the over-allocation of Colorado River water, and the fact that the lower basin states are using their full allotment. This will result in more fluctuations in the water levels for Lake Mead. Funds have been secured for a planning process to address this issue.

Public Comment:
00381AC, 00102 B

Commenter:

Affiliation:
Individual

VISITOR CONFLICTS

Shoreline Zoning

Issue 1: Potential User Conflicts Due to Newly Designed Zones in Boulder Basin

A Comment: Figure 10 in the *Draft Environmental Impact Statement* appears to show a conflict between the existing SCUBA Park and potential fish stocking areas south of Lake Mead Marina dike. Also, the historic angling and winter fish stocking area south of Hemingway Launch Ramp is not identified as such in figure 10. There is potential for substantial conflict between angling and SCUBA, and waterskiing and personal watercraft use as depicted in the plan.

Response: There is potential for conflict in all of the urban areas. The area south of the causeway near Lake Mead Marina is primarily a SCUBA area but fishing is allowed when the SCUBA park is not in use. The Horsepower Cove area was zoned for personal watercraft use and SCUBA in the draft plan. This area is now the temporary location of the Las Vegas Bay Marina. The personal watercraft area would be relocated to the north on the Special Events Beach.

As stated under the modified preferred alternative (alternative C) in the “Alternatives Selected for Analysis” chapter, the National Park Service remains flexible on fish stocking sites. Depending on the lake level, access can be a difficult issue. The National Park Service would continue to work with the respective state agencies on stocking locations.

Public Comment:
08205B

Commenter:
Nevada Division of Wildlife

Affiliation:
Public Agency

B Comment: The beach geometry at the proposed sailing beach at Boulder Beach creates a corner that cannot be returned to in offshore winds without sailing through the restricted fishing area. Also, the terrain directly above the proposed area produces extremely dangerous gusty winds, causing possible boat flipping, necessitating more rescues by the National Park Service.

Response: The sail beach would not be affected by the plan. It would remain at its existing location as described under the modified preferred alternative (alternative C) in the “Alternatives Selected for Analysis” chapter and as shown in figure 10.

Public Comment:
00030B, 00020 A, B

Commenter:

Affiliation:
Individual

Issue 2: Shoreline Camping Opportunities

A Comment: Shoreline camping opportunities (developed and undeveloped, accessible by car) should be increased, as not everyone who uses Lake Mead has a boat.

Response: As stated in the “Alternatives Selected for Analysis” chapter under the description of the modified preferred alternative (alternative C), vehicle and shoreline camping would be authorized in the Boulder Basin only in the Government Wash area. Camping would be prohibited at Boxcar Cove, Crawdad Cove, and Kingman Wash. Each of these sites is within drainage areas and subject to flooding. Although not directly on the shoreline, developed campgrounds are provided in the Boulder Basin at Callville Bay, Las Vegas Bay, and Boulder Beach. Under the modified preferred alternative (alternative C), future shoreline camping may be provided at the end of 8.0 Mile Road, opposite Government Wash.

The Government Wash shoreline camping area would be developed to provide sanitation facilities and other amenities, including litter receptacles, to lessen the impact campers have on the shoreline areas.

There is a desire that the shoreline camping facilities be managed and a capacity established to reduce the conflict that occurs at these camping sites.

Shoreline camping outside the urban zones would also be authorized, and perimeters would be set to clearly define the area available for camping use under the modified preferred alternative (alternative C).

Public Comment:

00256D, 00267 B, 05035 C 01952 C

Commenter:

Affiliation:

Individual

- B** *Comment:* Proposed camping at Government Wash will be too high above the waterline, causing people to camp outside designated area.

Response: Camping at the shoreline at Government Wash (and potentially at the end of 8.0 Mile Road) would be authorized and managed as stated under the modified preferred alternative (alternative C) description in the “Alternatives Selected for Analysis” chapter. The elevation of the campsites would fluctuate with the water level. No other shoreline camping would be authorized within the urban zone of the Boulder Basin.

Public Comment:

08092J

Commenter:

Las Vegas Boat Harbor

Affiliation:

Business

- C** *Comment:* How will the proposed camping permit system be managed and by whom? How will it be enforced and by whom? Will there be equal access to this system for all users or will it also favor the paddlecraft users?

Response: As stated in the “Alternatives Selected for Analysis” chapter under the modified preferred alternative (alternative C), the Government Wash camping permit system is proposed to be a managed system with a site supervisor and set capacity. This is to address the environmental and social impacts of uncontrolled camping that the National Park Service has observed historically. The camping permit would be on a first-come, first-serve basis and would provide equal access for all visitors. The permit system may be managed under contract, but the National Park Service would have the ultimate enforcement responsibility.

Public Comment:

003530

Commenter:

Affiliation:

Individual

Issue 3: Shoreline Horsepower Limitations

- A** *Comment:* Accessing waters at Gypsum Beds, Virgin River, Grand Wash, and the Colorado River between Hoover Dam and Willow Beach would be dangerous with a small, 65-horsepower motor.

Response: As described under the modified preferred alternative (alternative C) in the “Alternatives Selected for Analysis” chapter, this alternative would allow for greater motorized watercraft access to each of these areas while retaining their primitive and/or semiprimitive character. The semiprimitive zone description has been revised to manage this zone for flat-wake speeds on Lake Mead, as opposed to horsepower limitations. The zone would still prohibit personal watercraft. The primitive zone description has been revised to allow for electric trolling motors at flat-wake speed. Personal watercraft would be prohibited from primitive and semiprimitive zones.

As described under the modified preferred alternative (alternative C) in the “Alternatives Selected for Analysis” chapter, Black Canyon on Lake Mohave would be managed for a primitive setting for two days per week year-round. Black Canyon would be managed for a semiprimitive setting (65 horsepower or less) five days per week between Labor Day weekend and Memorial Day weekend. During the summer

months between Memorial Day and Labor Day, Black Canyon would be managed as rural natural five days per week, only prohibiting houseboats, waterskiing, and wakeboarding.

Public Comment:
FORM A1B, 00353 H, 05416 A,
Form A1 C 00154 B, 00149 A,
00137

Commenter:
Form Letter

Affiliation:
Individual

- B** *Comment:* The Arizona shore of the Boulder Basin (close to shoreline) is popular with waterskiers because they can go close to shore in adequate water, but avoid high-speed traffic between the dam and popular Nevada-side beaches. Some areas of the lake are not likely to have heavy shoreline use and should not be restricted.

Response: As described in the “Alternatives Selected for Analysis” chapter, the modified preferred alternative (alternative C) has been revised to provide for a 200-foot flat-wake zone around beaches frequented by bathers, boats at the shoreline, and near people in the water and at the water’s edge. The 100-foot flat-wake zone around the entire lake has been eliminated. Consequently, if a beach does not have swimmers, fishermen, or boats, you would not have to operate at a flat-wake speed.

Public Comment:
00165B

Commenter:

Affiliation:
Individual

Issue 4: Need for Delineating Shoreline Zones

- A** *Comment:* Page 74 of the *Draft Environmental Impact Statement* indicates the future development, specific shoreline zoning on lower Lake Mohave from Stop Sign Cove to Mineshaft Cove, conflicts between various recreational users including shoreline anglers. However, the *Draft Environmental Impact Statement* does not provide enough detail to fully understand where those conflicts would be addressed or how conflicting uses would be partitioned. Specifically on the Nevada shoreline, Nevada Telephone Cove is identified for a variety of high-intensity uses without site-specific detail provided. The *Draft Environmental Impact Statement* does list a number of generic considerations and potential actions that would occur for areas “where fishing is the primary recreational activity,” and we strongly encourage National Park Service to incorporate both Nevada Division of Wildlife and Arizona Game and Fish Department in future discussions and planning efforts if and when specific zoning actions are proposed for this area of Lake Mohave.

Response: The “Alternatives Selected for Analysis” chapter provides a list of specific recreational activities that would be authorized at each of the shoreline sites under the modified preferred alternative (alternative C). This plan does not zone the shoreline, as there is inadequate space at each of these sites to assign a specific area to a specific activity. This plan simply lists the mix of activities that are appropriate at this site. It does not list a single recreational activity as the primary recreational activity for any of the sites considered. This zoning effort and potential conflict management strategies would be done in cooperation with the state agencies.

Public Comment:
08205R

Commenter:
Nevada Division of Wildlife

Affiliation:
Public Agency

- B** *Comment:* Have the swim area buoyed off so it would be very clear to the boaters and jet skiers that it is specific for swimming.

Response: The National Park Service currently has established, through the use of buoys, areas where boats are excluded for water-based shoreline activities. Specific swimming areas and beaches have not been formally designated because formal designation would require lifeguards and compliance with county and state regulatory requirements.

Public Comment:
01652B

Commenter:

Affiliation:
Individual

- C** *Comment:* SCUBA operations (and other nonmotorized activities) need to have specific areas so they are not mixing with different recreational activities that conflict.

Response: As shown in figure 10 in the “Alternatives Selected for Analysis” chapter, the modified preferred alternative (alternative C) would establish three specific SCUBA areas in the urban park zone of the Boulder Basin. These SCUBA areas would include the area of the SCUBA park adjacent to the causeway, a dive area at Horsepower Cove, and a dive area at the Boulder Islands. These areas would help minimize the conflict between fishermen and divers.

Public Comment:
01677E

Commenter:

Affiliation:
Individual

Issue 5: Illegal Fueling

- A** *Comment:* What is “illegal fueling” and where is it defined?

Response: Polluting or contaminating park waters, including fuel spillage, is a citable offense under 36 CFR 2.14(a)(6), as mentioned in the “Resource Protection” section of the “Alternatives Selected for Analysis” chapter. Portable fuel tanks would be allowed under all the alternatives.

Public Comment:
02215N

Commenter:
Lake Mead
Boat Owners Association

Affiliation:
Organization

- B** *Comment:* “Alternative C: The Preferred Alternative” in the *Draft Environmental Impact Statement* states that it is illegal to refuel boats and personal watercraft along the shoreline. While it is agreed that this issue must be addressed, most likely by specifying the type of equipment that can be used or enforcement of existing pollution laws, there is no existing law prohibiting refueling along the shoreline except in harbor areas.

Response: That is correct. Shoreline refueling is not illegal, but polluting or contaminating park waters, including fuel spillage, is a citable offense. The modified preferred alternative (alternative C) in the *Final Environmental Impact Statement* has been revised to correct this.

Public Comment:
08089N

Commenter:
Overton Beach Marina

Affiliation:
Business

Issue 6: How Was Usable Shoreline Determined

- A** *Comment:* Appendix B in the *Draft Environmental Impact Statement* states only 7% of Lake Mead Shoreline is useable for recreational purposes. It seems this is way off. How was this number derived?

Response: As described in appendix B, the U.S. Geological Survey, in consultation with the National Park Service (report is on file with the National Park Service at Lake Mead National Recreation Area headquarters) mapped the shoreline of both lakes at an elevation of 1,178 feet above mean sea level. The shoreline was classified into these six categories: steep or rocky, beach, camping beach, steep shoreline with cliffs, cliff, and shallow shoreline. The beach and beach camping areas were combined to identify the 7% usable shoreline from a recreational perspective.

Public Comment:
08846AA

Commenter:

Affiliation:
Individual

Shoreline – 100-foot Flat-Wake Area

Issue 1: Flat-Wake Designation Does Not Solve Problems

A Comment: Shoreline flora and fauna are trampled by personal watercraft-user behavior. Personal watercraft pose a great risk to sensitive shoreline flora and fauna. Referring to this risk, the *Draft Environmental Impact Statement* states, “[A]ccess to shoreline areas by motorized vessels, including personal watercraft, could lead to the disturbance of sensitive plant species. Sensitive plant species that grow in sandy areas could be trampled by recreational use of these areas.” More than just a potential risk, the *Draft Environmental Impact Statement* outlines typical visitor behaviors that threaten the shoreline on a daily basis. “[P]ersonal watercraft congregate in shoreline accessible areas and are usually operated within 0.5 miles of the shoreline...a base camp is established along the shoreline.” Though a 100-foot no-wake zone would be established under alternatives B and C, this regulation would not prevent the trampling of important vegetative life due to the documented areas of personal watercraft use. Even operating at no-wake speed, personal watercraft destroy plants, and must be banned to allow adequate protection of shoreline plant habitat.

Response: The commenter is referring to the issue statements. The issue statements are not an indication of the context, duration, and intensity of impact. The National Park Service agrees that a 100-foot shoreline flat-wake zone would not prevent damage to vegetative life by trampling, particularly on beaches where there is concentrated recreational use. As described under the modified preferred alternative (alternative C) in the “Alternatives Selected for Analysis” chapter, due to the nature of the reservoirs and the shoreline environment, both personal watercraft and other vessels have equal access to the same shoreline areas of Lakes Mead and Mohave. The majority of visitor use is concentrated along the shoreline, which is below the maximum pool elevations of both lakes. The amount of high-quality habitat in these areas is low compared to the amount above the high-water line. Much of the shoreline is composed of nonnative tamarisk/bare ground and neither lake has sensitive grasses or submerged aquatic vegetation, except in the sensitive inflow areas. The designation of a primitive zone in the Virgin River inflow on Lake Mead, and temporal zoning to protect threatened or endangered species on Lakes Mead and Mohave, would protect the vegetation in the sensitive inflow areas of the lakes from potential impacts of personal watercraft use.

Public Comment:
08204P

Commenter:
Wilderness Society and National
Park Conservation Association

Affiliation:
Organization

Issue 2: Safety of Blanket 100-foot Flat-Wake Designation

A Comment: Many commenters expressed concerns regarding the proposed 100-foot shoreline flat-wake zone. Concerns included safety issues related to forced concentration of boat traffic, the need to be closer to the shoreline in rough weather conditions, and the logistics of enforcement and possible confusion of boaters. Some expressed the opinion that the flat-wake zone should only be applied near occupied shorelines or around swimmers. Some commented that it should extend farther than 100 feet from the shoreline.

Response: The preferred alternative (alternative C) in the *Draft Environmental Impact Statement* has been revised and is now the modified preferred alternative (alternative C) in this *Final Environmental Impact Statement*. The modified alternative C proposes a 200-foot flat-wake zone around beaches frequented by bathers, boats at the shoreline, and near people in the water and at the water’s edge. The 100-foot flat-wake zone around the entire lake has been eliminated under the modified preferred alternative (alternative C). Consequently, if a beach does not have swimmers, fishermen, or boats, boaters would not have to be operating at a flat-wake speed. The inclusion of the flat-wake provision is to provide greater protection for people and boats at the shoreline. The National Park Service is including this rule to provide a greater level of protection and security to park visitors. Enforcement of this restriction would be no different than any other boating-in-proximity rule, and would rely on the judgment of the park officer.

The National Park Service would not mark all flat-wake situations. It is incumbent upon the boater to know the boating regulations. The National Park Service would inform and educate boaters so that the safety of visitors at or near the shoreline is not compromised.

<i>Public Comment:</i> 08094D, 00384 A, 08205 Q (Nevada Division of Wildlife), 00165 A, 08985 H, 08205 Q, 02267 A, 00181 C, 08204 P, 08089 K, 01657 B, 05416 B, and 08897 E	<i>Commenter:</i> American Canoe Association	<i>Affiliation:</i> Organization
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Issue 3: Flat-Wake Designation Concerns

A *Comment:* Because of the unique characteristics of the Black Canyon, such as its narrow width and river current, how would the horsepower restrictions and proposed wakeless speed be managed within the canyon?

Response: On Lake Mohave, Black Canyon would be managed for a primitive setting for two days per week year-round. Black Canyon would be managed for a semiprimitive setting (65 horsepower or less) five days per week between Labor Day and Memorial Day weekends. During the summer months between Memorial Day and Labor Day, Black Canyon would be managed as rural natural five days per week, only prohibiting houseboats, waterskiing, and wakeboarding.

The objective in using the horsepower restriction is to provide a place for visitors to go to get away from the fast, loud, and big boats. The desired setting would be more quiet and tranquil. The engine size also limits the size of the wake produced that nonmotorized watercraft would need to negotiate as they descend the canyon. Other management options were examined to help achieve this zoning objective, but due to the presence of current and the difficulty in managing a speed restriction, the use of horsepower was found to be the best tool to achieve the desired setting. In this zone the number of nonmotorized launches would be increased. Boats with over 65 horsepower and personal watercraft would be allowed access to Black Canyon five days per week when the area is managed for the rural natural setting during the summer months between Memorial Day and Labor Day.

As described under the modified preferred alternative (alternative C) in the “Alternatives Selected for Analysis” chapter, the 100-foot flat-wake zone has been revised to 200-foot flat-wake zone around beaches frequented by bathers, boats at the shoreline, and near people in the water and at the water’s edge. This would apply to Black Canyon and all locations on Lakes Mead and Mohave.

<i>Public Comment:</i> 00353L	<i>Commenter:</i>	<i>Affiliation:</i> Individual
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B *Comment:* There technically is no such thing as a no wake area. It’s only flat-wake, keep uniform technology according to U.S. Coast Guard rules.

Response: This change has been incorporated throughout the *Final Environmental Impact Statement*.

<i>Public Comment:</i> 01676A	<i>Commenter:</i>	<i>Affiliation:</i> Individual
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Alcohol Use

Issue 1: *Alternatives to Alcohol-Use Restrictions*

A *Comment:* There should be a blood alcohol level test not a complete ban.

Response: The National Park Service is not proposing a complete ban on alcohol. In the description of the modified preferred alternative (alternative C) in the “Alternatives Selected for Analysis” chapter, the text under “Enforcement, Boater Education, and Alcohol Use” states, “alcohol consumption while operating a boat would be prohibited.”

Public Comment:
00102G, 02215 C (LMBOA)

Commenter:

Affiliation:
Individual

Issue 2: *Questions Alcohol-Use Verbiage*

A *Comment:* What specifically constitutes a “high-use area?” Is the *Draft Environmental Impact Statement* stating that campers in these areas cannot have a drink? If there are going to be dry beaches, it needs to be specified exactly what beaches will be dry.

Response: High-use areas are areas that receive relatively high numbers of visitors. The National Park Service is simply stating that areas exist on the lake where the accident and fatality history suggest the Park Serve should provide more intense management. One example of this is Gypsum Wash, an area that has the highest accident and fatality rate in the recreation area. Here, the National Park Service presently has banned alcohol use and under alternative C, any additional areas where these problems exist, could also be managed as alcohol-free area. This limitation would only be applied where there is a trend for accidents or fatalities. The intention is not to have dry beaches, it is to manage for a safe shoreline recreational setting.

Public Comment:
08682H, 08092 N, 08682 H

Commenter:

Affiliation:
Individual

Issue 3: *Alcohol-Use Questions*

A *Comment:* Implementation of this [proposal] would require changes to the laws of the states of Nevada and Arizona. There are laws in place that address the consumption of alcohol and the operation of boats and motor vehicles. Which part of enforcing current laws fails to accomplish this objective?

Response: There are existing laws addressing operating under the influence of alcohol. However, there is no provision in current law to prohibit alcohol consumption while operating a boat.

The intent of the proposed rule is to manage for a safe shoreline recreational setting. It would be consistent with how the National Park Service already manages in some areas. At Gypsum Wash in the Boulder Basin, an area that has the highest accident and fatality rate in the recreation area, alcohol use is presently banned. Under this alternative, any additional problem areas may be designated alcohol-free if it is deemed to be in the best interest of the public. This limitation would only be applied where there is a trend for accidents or fatalities.

Public Comment:
03665F, 00252 E

Commenter:

Affiliation:
Individual

B *Comment:* Will passengers be able to drink while on a boat? Will open containers be allowed in the open space of a boat?

Response: The rule will only affect the boat operator.

Public Comment:
02215C

Commenter:
Lake Mead
Boat Owners Association

Affiliation:
Organization

- C** Comment: Nevada Division of Wildlife supports the concept of nonconsumption of alcohol while operating a vessel, however, Nevada will most likely not have a similar provision that they could enforce.

Response: With Nevada Division of Wildlife support, the National Park Service would continue to work toward uniform boating regulations including the prohibition of alcohol consumption while operating a boat. This intention is stated in the description of the modified preferred alternative (alternative C) in the “Alternatives Selected for Analysis” chapter.

Public Comment:
08205U

Commenter:
Nevada Division of Wildlife

Affiliation:
Public Agency

Issue 4: Suggests Rewording

- A** Comment: Page 27 of the *Draft Environmental Impact Statement* states, “Designated high-use areas and high-use shorelines would be alcohol-free.” Suggest rewording to “Some problem areas may be designated alcohol-free if it is deemed to be in the best interest of the public.”

Response: This is a good suggestion and has been incorporated under the modified preferred alternative (alternative C) in the *Final Environmental Impact Statement*.

Public Comment:
96752B

Commenter:

Affiliation:
Individual

Issue 5: Enforcement Issues

- A** Comment: The alcohol rule is a rule that is impossible to enforce and a form of stopping the public from enjoying their trip to the lake. (There were many comments regarding the park’s ability to enforce this regulation.)

Response: The consumption of alcohol by the boat operator is difficult to enforce because an officer must observe the offense. However, as a boating regulation, the rule would be a part of all boating education classes and included in boating regulatory literature. As such, the boating public would be aware of the role alcohol plays in boating accidents, and it would be taught that alcohol consumption while operating a boat is not appropriate behavior.

Public Comment:
00252E

Commenter:

Affiliation:
Individual

Boater Education

Issue 1: *Comments on Draft Environmental Impact Statement*

A *Comment:* National Park Service has identified a boating education facility to be developed within the recreation area at Boulder Beach. In the 1993 rough draft, it was identified as a need. Nevada Division of Wildlife and the Clark County Boating Facilities and Safety Committee are currently funding this project. The *Draft Environmental Impact Statement* leads one to believe that this project is in the consideration stage rather than the implementation stage.

Response: *The Final Environmental Impact Statement* has been revised to acknowledge this, and the description of the modified preferred alternative (alternative C) in the “Alternatives Selected for Analysis” chapter reflects the correction.

Public Comment:
08205F

Commenter:
Nevada Division of Wildlife

Affiliation:
Public Agency

B *Comment:* Nevada Division of Wildlife supports the concept of requiring boater education. This will have the most significant impact on reducing boating accidents, coupled with aggressive law enforcement. Nevada Division of Wildlife will work with Arizona to implement similar requirements in their state. Nevada Division of Wildlife would expect the National Park Service to also be a partner in any boating education program. This should be identified as part of the plan. Nevada Division of Wildlife would like to point out that the concessioners, especially Las Vegas Bay Marina, have worked closely with Nevada Division of Wildlife in boat rental programs to educate rental operators. They are a key component of an education program. We also will continue to partner with National Park Service and Arizona, the U.S. Coast Guard Auxiliary, the U.S. Power Squadron, the Clark County Boating Facilities and Safety Committee, and other volunteers on safety campaigns including literature, media, and the new safety center. Page 77 of the *Draft Environmental Impact Statement* identifies phasing in a program similar to the one in Utah. The Utah program focuses on personal watercraft youth operation and we do not support that concept. Nevada’s program targets operators of all vessels.

Response: As stated under the modified preferred alternative (alternative C) description in the “Alternatives Selected for Analysis” chapter, the National Park Service is fully supportive of the development of unified boats laws for Lakes Mead and Mohave. This includes all aspects of boating laws for all operators. The National Park Service is and would continue to be a full partner in all boating education programs and initiatives. The Utah rule was cited as an example of a phased boating education program, not as the specific model for Lake Mead National Recreation Area.

Public Comment:
08205T

Commenter:
Nevada Division of Wildlife

Affiliation:
Public Agency

Issue 2: *Education Requirements/Implementation/Enforcement*

A *Comment:* Boat operators should be licensed and required to take a boating class, and show proof at all times. When buying the pass to get into the park with boat/personal watercraft the license should be shown. Licensing should also be required to rent a personal watercraft.

Response: The National Park Service supports a mandatory boater education program. Nevada has approved such a program and will require all Nevada-resident boat operators born after January 1, 1983, to take an approved boating education course and have in their possession proof of taking such a course. This is different than licensing, but should provide significant benefits as the program is phased in over time. Arizona has not approved a mandatory education program, but the Department of Game and Fish is in favor of such a mandatory education program.

Public Comment:
01816B, 01952 B

Commenter:

Affiliation:
Individual

- B** *Comment:* Implement required licensing of anyone under the age 21; ban the operation of boats and personal watercraft for persons under the age of 16.

Response: The National Park Service is not proposing licensing, but is supporting mandatory boating education for all boat operators. As described in “Appendix E: Comparison of Boating Regulations,” the minimum age for the operation of personal watercraft differs by state. In Nevada the minimum age is 14 and in Arizona the minimum age is 12. California requires personal watercraft operators to be 16, this is important as California and Arizona share hundreds of miles of boarder along the Colorado River. As stated under the modified preferred alternative (alternative C) in the “Alternatives Selected for Analysis” chapter, it is an NPS objective to move toward a unified boating law for Lake Mead National Recreation Area.

Public Comment:
01952B

Commenter:

Affiliation:
Individual

- C** *Comment:* How would National Park Service enforce boater education regulations for boaters from states with no licensing requirements?

Response: For boater education, the state of residency is important. The rule of reciprocity applies; the boating education requirements for the state of residency apply. For example, Oregon has a mandatory boating education program so all boaters on Lakes Mead and Mohave from the state of Oregon born after January 1, 2003, would need to have proof of boating education. California does not have a mandatory boater education requirement. California visitors would be able to operate a boat in Nevada for 90 days without having proof of boater education. After 90 days, they would be required to meet the Nevada education requirement. Utah has a mandatory education requirement for personal watercraft operation and they would be required to show proof of that education at Lakes Mead and Mohave. Arizona does not require boating education so these rules would not apply on Arizona waters. This is complicated but clearly defined in the Nevada boating regulations *NRS 488: 700-770*. The NPS program would be consistent with the state of Nevada.

Public Comment:
08528G

Commenter:
Las Vegas Bay Marina

Affiliation:
Business

Uniform Boating Regulations

Issue 1: Implementation Clarifications

A *Comment:* According to the preferred alternative, National Park Service will act cooperatively to develop uniform boating laws for Lakes Mead and Mohave. Based on management prescriptions within the preferred alternative, it may be difficult for law enforcement personnel to enforce many of the laws or regulations proposed within this plan. Regulatory issues related to shoreline conflict (e.g., wakeless areas), recreational opportunity zoning (motor restrictions) and alcohol use (while operating) are federal law and/or NPS regulations. However, future efforts to attain uniform boating laws agreeable to all parties should remain a priority.

Response: The modified preferred alternative (alternative C) is now more compatible with state boating laws. Differences still remain but the goal is to achieve consistency between the states and federal agencies for boating laws within Lake Mead National Recreation Area.

Public Comment:
08985K

Commenter:
Arizona Game and Fish Department

Affiliation:
Public Agency

Issue 2: Uniform Flat-Wake Regulations

A *Comment:* Implement a uniform boating law with respect to the current law in Nevada, which requires a 200-foot wakeless zone around swimmers. The 200-foot wakeless zone gives more of a buffer than the current 100-foot zone.

Response: The 100-foot flat-wake zone around the entire lake has been modified to more closely parallel the state of Nevada standard. The modified preferred alternative (alternative C) in the *Final Environmental Impact Statement* now proposes a 200-foot flat-wake zone around beaches frequented by bathers, boats at the shoreline, and near people in the water and at the water's edge.

Public Comment:
01652B

Commenter:

Affiliation:
Individual

Personal Watercraft Visitor Conflicts

Issue 1: Personal Watercraft Safety Issues / Conflicts with Other Users

A *Comment:* With almost 80% of personal watercraft accidents involving a collision, it is clear that personal watercraft operation poses a significant threat to other waterway users. National Park Service needs to thoroughly evaluate this threat to park visitors and regulate personal watercraft accordingly. The American Canoe Association sees no evidence in the *Draft Environmental Impact Statement* that National Park Service has done so.

Response: Safety is an issue for all boaters, including personal watercraft users. Boating safety issues for the Lake Mead National Recreation Area are described in the “Recreational Use of the Lake” section of the “Affected Environment” chapter. Under the modified preferred alternative (alternative C), unified boating laws for Lakes Mead and Mohave are proposed, including the requirement of boater safety education for any boater born after 1983. While operating a boat and when applicable, the boat operator would be required to carry proof of completion of a boater safety course. The course must meet the requirements of the National Association of Boating Law Administrators.

Under the modified preferred alternative (alternative C), a 200-foot flat-wake zone is proposed around beaches frequented by bathers, boats at the shoreline, and near people in the water and at the water’s edge. In addition, the *Final Environmental Impact Statement* reflects changes to the semiprimitive zoning designation that include designation of these areas as flat-wake zones (see alternative C, “Recreational Opportunity Zoning” section). Because all watercraft would be operating at slow speeds, this would increase safety for all boaters in these areas to a greater extent than implementing a horsepower restriction as originally proposed in the *Draft Environmental Impact Statement*.

Also, alcohol consumption while operating a boat would be prohibited. Coordination with the states of Nevada and Arizona would be required in order to achieve the desired uniformity of the proposed boating regulations discussed above. If implemented, these boating regulations would help create a safer environment for visitors participating in all forms of recreation at Lake Mead National Recreation Area. Consequences of the modified preferred alternative (alternative C) in relation to personal watercraft safety are described in the “Visitor Use, Experience, and Safety” section of the “Environmental Consequences” chapter.

Public Comment:
08095G, 08094 G

Commenter:
American Canoe Association

Affiliation:
Organization

B *Comment:* Jet skis should be confined to one area of the lake (banned from the upper reaches of the Muddy River and the Virgin River of Overton Arm) and rangers on duty in that area should enforce rules because the majority of the accidents seem to be due to jet skis.

Response: Accident data from 1999 showed that personal watercraft made up approximately 35% of the boating fleet and accounted for 33% of the boating accidents at Lake Mead National Recreation Area. Under the modified preferred alternative (alternative C), proposed locations where personal watercraft would be restricted by zoning designations have been expanded. In the Overton Arm area, specifically, the semiprimitive zoning designation in the Virgin and Muddy Rivers inflow areas has been extended, and personal watercraft would be prohibited in those areas. These changes are reflected in the description of the modified preferred alternative (alternative C) in the “Alternatives Selected for Analysis” chapter.

Public Comment:
00152B, 00153 B

Commenter:

Affiliation:
Individual

- C** *Comment:* Personal watercraft diminish the possibilities for the public to enjoy more contemplative forms of recreation. National Park Service permits jet skis in 98% of park waters although their users represent roughly 24% of all boaters.

Response: Lake Mead National Recreation Area provides a variety of recreational opportunities. Certain areas, such as Boulder Basin, are heavy-use areas for all types of watercraft. Restricting personal watercraft use in these types of areas would not result in a serene environment due to the amount of other watercraft activity. Under the modified preferred alternative (alternative C), other areas such as the Black Canyon and Gypsum Beds would be zoned to provide a more enjoyable experience to those who want a nonmotorized recreation experience. The *Final Environmental Impact Statement* reflects the revisions under the modified preferred alternative (alternative C), including increased primitive and semiprimitive zones where personal watercraft access would be restricted and other watercraft would only be allowed at flat-wake speeds. On Lake Mohave, Black Canyon would be managed for a primitive setting two days per week year-round. Black Canyon would be managed for a semiprimitive setting (65 horsepower or less) five days per week between Labor Day and Memorial Day weekends. During the summer months between Memorial Day and Labor Day, Black Canyon would be managed as rural natural five days per week, only prohibiting houseboats, waterskiing, and wakeboarding.

Public Comment:
FORM E1B

Commenter:

Affiliation:
Individual

- D** *Comment:* The beaches are torn up when “wave runners” are driven onto the sand.

Response: It is acknowledged that personal watercraft can cause erosion when they are driven onto sandy beaches. Shoreline areas with high-activity levels would be protected by the 200-foot flat-wake zone proposed around beaches frequented by bathers, boats at the shoreline, and near people in the water and at the water’s edge (see the modified preferred alternative [alternative C] description in the “Alternatives Selected for Analysis” chapter). Personal watercraft, other watercraft, and heavy use by people are not the only causes of disturbance to the shoreline beaches of Lake Mead. The beaches are subjected to large fluctuations in water levels and heavy natural wave action. The wave action has much more impact on erosion than the current level of recreational use of the lakes. The water level fluctuation coupled with the wave action also result in a lack of dominant native shoreline vegetation at Lake Mead. Areas where sensitive shoreline vegetation and/or high-quality wildlife habitat do exist would be protected from motorized watercraft impacts by zoning designations described in the “Purpose of and Need for the Plan” chapter and in the description of the modified preferred alternative (alternative C) in the “Alternatives Selected for Analysis” chapter.

Public Comment:
05249B

Commenter:

Affiliation:
Individual

Other Recreational Conflicts

Issue 1: Plan Does Not Address Other Recreational Conflicts

A Comment: It is reasonable to anticipate that the water surface elevation on Lake Mead will continue to decline for the foreseeable future, thus limiting user access points and concentrating visitor use. There is potential to create more conflicts in restricted areas, particularly in the Boulder Basin and upper Overton Arm where the majority of visitors use days are expended. The Boulder Basin supports 77% of all angler user days on the reservoir (State of Nevada 2001). Substantive shifts in angler use patterns away from the Boulder Basin have been observed in the past several years, combined with a decrease in total angler use days, possibly in response to the quality of the angling experience as conflicts have increased. Currently those impacts on Lake Mead will likely shift increased levels of recreational activity to lower Lake Mohave, including the Katherines Landing and Cottonwood Cove areas, and increase conflicts between recreational user groups on that reservoir.

Response: Shoreline fishing is an important recreation activity throughout the recreation area. The National Park Service recognizes this, has specifically zoned for this activity, and allows for stocking by the state to support shoreline fishing. As lake levels continue to decrease, access to shoreline fishing areas might have to be adjusted in order to support the continuance of shoreline fishing and other recreational activities (see the description of the modified preferred alternative [alternative C] in the “Alternatives Selected for Analysis” chapter). While this *Lake Management Plan* illustrates what activities are occurring and how the zoning would be implemented at a lake elevation of 1,180 feet, the National Park Service can make adjustments if the physical conditions significantly change. The National Park Service acknowledges that there may be some displacement from Lake Mead due to the lower lake levels, and increased use levels on Lake Mohave have been observed. Funding has been secured to address these issues.

Public Comment:
08205B

Commenter:
Nevada Division of Wildlife

Affiliation:
Public Agency

B Comment: Shoreline fishing concerns on Boulder Basin, as described in this section (“Visitor Conflicts”), will be addressed by preclusion of conflicting activities in selected, designated zones, including SCUBA diving, waterskiing, and personal watercraft use. We are supportive of these designations in selected high-use areas where there is a high potential for conflict. Specific areas designated for angling would afford the opportunity to develop specific enhancements, such as *Americans with Disabilities Act* compliant access and aquatic habitat development. However, nothing in such designations should preclude the allowance of shoreline angler access and use in other areas of Boulder Basin or lakewide except for existing closure areas and zoned shoreline reaches for specific recreational activities, which would be in conflict with angling. As mentioned in the previous comment, figure 10 on page 73 appears to show a conflict between the existing SCUBA park and potential fish stocking areas south of Lake Mead Marina dike. This should be clarified. We are concerned that figure 10 does NOT seem to identify, for angler use, the area south of the Hemingway Launch Ramp, which has historically been used for recreational angling and for winter stocking of catchable rainbow trout. Under certain lake elevation conditions this is one of the better locations for trout stocking and angler success and its apparent future designation for personal watercraft use would substantially conflict with this existing use.

Response: The opportunity for shoreline fishing and stocking is currently available in the Horsepower Cove area, but commercial facilities have been temporarily relocated to this area because of its natural protection and proximity to utilities. This means that shoreline fishermen will be displaced. Alternative sites are being investigated and established. The *Draft* and *Final Environmental Impact Statements* both stated that additional shoreline fishing access beyond what currently exists might be developed in the future in cooperation with Nevada Division of Wildlife and the Arizona Game and Fish Department. The personal watercraft use area will be located at the Special Events Beach.

Public Comment:
08205P

Commenter:
Nevada Division of Wildlife

Affiliation:
Public Agency

- C** *Comment:* Although specific data is lacking, Nevada Division of Wildlife receives a large volume of complaints annually from recreational anglers specific to conflicts with motorized boat use, particularly personal watercraft. Anecdotally, anglers have indicated changes in areas of use or even limiting their angling activity in response to conflicts with other recreational users.

Response: The shoreline zoning depicted on figure 10 in the *Final Environmental Impact Statement* is designed to specifically address complaints between the different user groups in the Boulder Basin. In addition, a 200-foot flat-wake zone would be established around fishermen at the shoreline.

Public Comment:
08205A

Commenter:
Nevada Department of Wildlife

Affiliation:
Public Agency

- D** *Comment:* Why are only paddlecraft seemingly favored by the effects of the new proposed regulations? Do paddlecraft owners pay a vessel use fee to Lake Mead like all other powerboat users? If not, why not? Don't they utilize the same facilities and services (i.e., roads, launch ramps, sanitation facilities, garbage disposal) and benefit from all emergency services? Why are they treated any differently than other watercraft users? Even some boat fuel tax money comes back to the park to develop facilities that are utilized by paddlecrafters. Seems like all watercraft users should contribute equally.

Response: Paddlecraft are not registered boats in either Nevada or Arizona. The National Park Service does not require the payment of lake use fees, but does require that Paddlecraft owners pay park entrance fees.

Public Comment:
00353E

Commenter:

Affiliation:
Individual

- E** *Comment:* Commenter stated that it is important to consider the impact of exterior lighting in the Lake Mead Recreational Area as mentioned in <http://www.nps.gov/lame/Impdraft/tables/tab-01.htm> with regards to visitor impact. Exterior lighting increases the level of light pollution in areas well away from the source of the lights. While exterior lighting is necessary for safety and security, it is possible to light areas like boat landing parking lots effectively without producing wasted light, while at the same time saving money and energy.

Some visitors use the Lake Mead Recreation Area for nighttime astronomical viewing and believe that the impact of the increase in services (and hence lighting) can be minimized by evaluating the use of fully shielded or full cut-off lighting at appropriate intensities as defined by the Illuminating Engineering Society of North America and the International Dark-Sky Association.

Response: Lake Mead National Recreation Area uses shielded lights where possible to direct lights downward and protect the night sky. Whenever the Park Service replaces or adds lighting to developed areas within the recreation area, shielded lights are used. In addition, to further protect the night sky, all future concession contracts will be written to include stipulations for the minimum lighting necessary for safety and security, including the use of directed light and shielded lights.

Public Comment:
00269A

Commenter:

Affiliation:
Individual

F *Comment:* Is the recreational value to one type of watercraft user any greater than any other type of watercraft user? If the location or area is the attraction, how can you exclude the majority of watercraft operators to favor only a minority?

Response: The objective in zoning the waters of the lakes is to provide a range of recreational settings. The preferred alternative has been revised in the modified preferred alternative (alternative C) to allow greater motorized watercraft access to the primitive and semiprimitive areas while retaining the character of each area. The semiprimitive zone description has been revised in the *Final Environmental Impact Statement* to manage this zone for flat-wake speeds on Lake Mead, as opposed to horsepower limitations. The semiprimitive zone would still prohibit personal watercraft; but they would still have access to the majority of the lakes. The primitive zone description for Lake Mead has been revised to allow for electric trolling motors at flat-wake speed.

Public Comment:
00353K

Commenter:

Affiliation:
Individual

Portable Gas Containers

Issue 1: *Questions the Practicality / Safety of a Ban*

A *Comment:* Many commenters expressed concern regarding a ban or limitation of portable gas containers due to impracticalities and inconveniences of such a ban.

Response: Portable gas containers would not be prohibited, and this is reflected in the *Final Environmental Impact Statement* under the modified preferred alternative (alternative C) description in the “Alternatives Selected for Analysis” chapter.

Public Comment:
00233C, 00252 F, 00948A B, and
00933 D

Commenter:

Affiliation:
Individual

VISITOR USE

Personal Watercraft Use within National Park Service Units

Issue 1: *Personal Watercraft versus All Two-Stroke Outboards*

A *Comment:* The environment of the parks should be protected and preserved to a high standard. That standard is impossible if the National Park Service decides to enforce with respect to only one style of marine craft (i.e., personal watercraft). If the National Park Service determined that carbureted two-cycle personal watercraft are not appropriate, then ALL carbureted two-cycle outboards should also be considered inappropriate. There are 13 million two-cycle outboards in the United States versus 1.1 million two-cycle personal watercraft. The average two-cycle outboard has an average engine displacement three times larger than the average two-cycle personal watercraft. Claims that these two-cycle outboards produce lower emissions than personal watercraft are not supported by any scientific data gathered within the last 10 years (specific to current use personal watercraft and outboards).

Response: The modified preferred alternative (alternative C) states that all carbureted two-stroke engines, both outboard and personal watercraft, will be phased out after 2012. Only newer, more fuel-efficient engines that meet the EPA 2006 standards will be allowed in Lake Mead National Recreation Area. This applies to all marine watercraft, not just personal watercraft. Outboard engines are cleaner than carbureted two-stroke personal watercraft engines only if they are direct-injection two-stroke or four-stroke technology (CARB 2001). This would result in a 299-ton reduction in hydrocarbon emissions in the first year the prohibition would be in effect compared to alternative D (the baseline).

Public Comment:
08086B, 00023 B

Commenter:

Affiliation:
Individual

Personal Watercraft Use within Lake Mead

Issue 1: Personal Watercraft Use Related to the Current Lake Management Plan

- A** Comment: The new plan does not serve the general public. The best approach is to continue to implement the current *Lake Mead National Recreation Area General Management Plan* (NPS 1986) as written. This means continuing to allow jet skis on the lake.

Response: Since the 1986 *General Management Plan* for Lake Mead National Recreation Area was implemented, management issues have surfaced that have not been adequately addressed or resolved in prior planning efforts. These issues relate to the increase in recreational use of the lakes, visitor conflicts and safety, potential impacts on park resources from water-related activities, and personal watercraft use (refer to the “Purpose of and Need for the Plan” chapter). As part of the evaluation process associated with this *Lake Management Plan*, personal watercraft use in Lake Mead National Recreation Area is given special analysis under each alternative. Due to the revised settlement agreement between National Park Service and Bluewater Network, the use of personal watercraft in Lake Mead National Recreation Area will be continued with some restrictions until December 31, 2002. A description of personal watercraft regulatory background for the National Park Service and for Lake Mead National Recreation Area is described in the “Background” section of the “Purpose of and Need for the Plan” chapter. The modified preferred alternative (alternative C), proposes the continuance of personal watercraft use, but with certain restrictions. The conditions for personal watercraft use can be found in the description of the modified preferred alternative (alternative C) in the “Alternatives Selected for Analysis” chapter.

Public Comment:
02290B

Commenter:

Affiliation:
Individual

- B** Comment: Commenters asked how they could prevent the ban on personal watercraft at Lake Mead beginning September 15, 2002 from occurring.

Response: The National Park Service and Bluewater Network filed an agreement on September 5, 2002 with the U.S. District Court in Washington, DC, to extend the date when personal watercraft use would be banned from selected units of the national park system (previously September 15, 2002). This extension will allow unrestricted use of personal watercraft at Lake Mead National Recreation Area until November 6, 2002, and from November 7, 2002 to December 31, 2003, personal watercraft use will be subject to interim restrictions in specified areas. The National Park Service, under the modified preferred alternative (alternative C), is proposing to continue personal watercraft use over the long-term. The National Park Service is making every effort to expedite the rulemaking process. The legal history of the lawsuit and settlement agreement is included in the “Personal Watercraft Use Regulatory Background” section of the “Purpose of and Need for the Plan” chapter.

Public Comment:
05901AB, 05112B B, 05112A B

Commenter:

Affiliation:
Individual

- C** Comment: What is the difference between a launch boat and a personal watercraft? Why would they need to have separate facilities?

Response: Personal watercraft are defined in a footnote in the “Background” section of the “Purpose of and Need for the Plan” chapter under “Personal Watercraft Regulatory Background.” The NPS definition of personal watercraft is a vessel, usually less than 16 feet in length, that 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. Separate launch facilities are not required for personal watercraft at Lake Mead National Recreation Area.

Public Comment:
0808D

Commenter:

Affiliation:
Individual

SANITATION AND LITTER

Overnight/Boater Portable Toilet Requirement

Issue 1: Enforcement and Inconsistencies

- A Comment: Portable toilets on boats are a good idea, but how will it be enforced? People are unlikely to want to clean a portable toilet.

Response: Through the public scoping process for the *Draft Environmental Impact Statement*, the National Park Service found strong public support for clean water and shorelines and a general willingness to comply with the additional sanitation measures. In response to public input, the National Park Service has proposed that all people camping on the lake and at undeveloped lakeshore areas must have a portable toilet. This requirement has been adopted elsewhere in the National Park Service with positive results, including the Glen Canyon National Recreation Area. The Park Service would initiate an education program to address the importance of proper lakeside sanitation (see the description of the modified preferred alternative (alternative C) in the “Alternatives Selected for Analysis” chapter under “Sanitation and Litter”).

At Glen Canyon National Recreation Area, where this regulation was implemented in 1996, the National Park Service invested two years in an on-the-water information and education program. As part of this program, rangers contacted boaters on the lake and at the shoreline to discuss the park’s sanitation objectives. Following this two-year education program, the park initiated an enforcement program. A similar approach is proposed for implementation at Lake Mead National Recreation Area.

Public Comment:
00099D, 01680 E

Commenter:

Affiliation:
Individual

- B Comment: The sewage from Las Vegas is a bigger problem than portable toilet issues.

Response: The issues involved with discharge of treated effluent and urban runoff in the Las Vegas Wash are outside the scope of this planning effort as noted in the “Issues and Impacts” section of the “Purpose of and Need for the Plan” chapter. Several coordination committees around the Las Vegas area, including the Lake Mead Water Quality Forum, the Las Vegas Wash Coordination Committee, the Clean Water Coalition, and the Systems Conveyance and Operation Program planning team are working to maintain the quality and integrity of the treated wastewater as it increases through time, to reduce erosion within Las Vegas Wash, and to reduce the impacts to Lake Mead.

As noted in “Other Plans, Policies, and Actions Considered” section of the “Purpose of and Need for the Plan” chapter, the National Park Service is working with the Bureau of Reclamation and the Clean Water Coalition to address the issues related to the discharge of treated effluent from Las Vegas Wash into Lake Mead. The National Park Service has recently started preparing an *Environmental Impact Statement* to address issues and analyze alternatives and potential impacts associated with the construction, operation, and maintenance of a Systems Conveyance and Operations Program. The goal of this program is to maintain the quality and integrity of the treated wastewater as it increases through time, and to reduce erosion within Las Vegas Wash.

Public Comment:
01680E

Commenter:

Affiliation:
Individual

- C Comment: Requiring persons who stay on the lake at night to have portable toilets, while daytime users are not subject to the same restriction seems fruitless. The requirements may be appropriate for campers, but not for all overnight users, such as anglers who fish throughout the night.

Response: The portable toilet requirement pertains to all people camping on the lake and at undeveloped lakeshore areas. To further mitigate use impacts, the program may be expanded in the future, if necessary, to include noncampers and day-use recreationists.

Public Comment:
08986H

Commenter:
Mojave County
Board of Supervisors

Affiliation:
Public Agency

Issue 2: Bilge Pumping

- A *Comment:* The dumping station feature of floating toilets is a concern. If someone were to pump out bilge water with any gasoline or oil in it, the fumes would be explosive. It would also create problems and increased costs in the treatment of the waste.

Response: The scenario described is possible. The National Park Service has signed the appropriate use for this facility and we believe the boating public would comply with the purpose and operation of these facilities. Such facilities have been in place at Glen Canyon National Recreation Area for two years and have not experienced this problem.

Public Comment:
02215D

Commenter:
Lake Mead
Boat Owners Association

Affiliation:
Organization

Glass/Styrofoam Prohibition

Issue 1: Enforcement and Practicality

- A** Comment: Prohibiting glass and styrofoam is a good idea, but how do you enforce it? Does the Park Service have to inspect every vehicle?

Response: Enforcement for new programs would begin with an extensive information and education campaign. The National Park Service would provide background information in variety of media and work with park visitors to gain understanding and support for this initiative. Once park visitors are adequately informed, a phased enforcement program would begin that would again work with park visitors to support the objectives of this program. Ultimately, new programs would be enforced along with all other park regulations.

Public Comment:
01430C, 08083 E

Commenter:

Affiliation:
Individual

- B** Comment: Glass beverage containers and styrofoam being prohibited is a good thought, however, the only people that it will affect are the concessioners. We will stop selling styrofoam and glass. However, styrofoam is more economical. The reality is that less than one-tenth of the litter found on the beaches is from concession products. Community education and involvement is a better solution.

Response: The National Park Service agrees that a community information and education approach is appropriate. The modified preferred alternative (alternative C) states that an extensive public information and education program would be initiated to address not only proper lakeside sanitation, but to also address the use of appropriate containers and promote proper trash disposal and recycling. The National Park Service has the role of supporting park concessioners in promoting the use of appropriate containers. The prohibition of glass and styrofoam containers in the recreation area would further support this initiative. Although styrofoam may be more economical, substituting containers that are recyclable supports the National Park Service's commitment to environmental leadership and the principles of sustainability.

Public Comment:
08092H

Commenter:
Las Vegas Boat Harbor

Affiliation:
Business

Issue 2: Recycling and Education

- A** Comment: Lake users should be educated to the proper disposal of trash and bottles, and the Park Service should have the necessary receptacles on day-use beaches. A recycling program would be wonderful.

Response: The preferred alternative (alternative C) has been revised in the *Final Environmental Impact Statement* (modified preferred alternative [alternative C]) to state that an extensive public information and education program would be initiated to address the use of appropriate containers and promote proper trash disposal and recycling. Trash receptacles are currently located at access points to popular day-use areas. The National Park Service wholeheartedly agrees with implementation of a recycling program for Lakes Mead and Mohave. To implement this program, it would require partnering with a community or communities where a recycling program is in place.

Public Comment:
00933B, 08083 E

Commenter:

Affiliation:
Individual

RESOURCE PROTECTION

Phasing of Clean Engine Technology

Issue 1: Support for Earlier Phase-Out Date for Carbureted Two-Stroke Engines

A *Comment:* The water quality monitoring program described in the *Draft Environmental Impact Statement* indicates the water quality standards (WQS) could be violated or beneficial uses impaired, National Park Service should consider whether an earlier phase-out date for carbureted two-stroke engines is warranted.

Response: Under the modified preferred alternative (alternative C), the National Park Service proposes implementation of a program to monitor several targeted constituents of gasoline and related degradation products, including some polycyclic aromatic hydrocarbons (PAH), at the Lake Mead National Recreation Area. The monitoring plan would focus on high-use areas on Lake Mead and Mohave. Specific locations might require temporal or seasonal closures if monitoring identifies areas of concern not meeting water quality standards. The development of a monitoring plan would be consistent with the interests of local, state, and federal agencies. The water quality analysis has been revised to show the relative differences in phase-out scenarios. While the benefits of immediate phase-out would be realized, impacts on the economy and visitor use would be substantial. The modified preferred alternative would not result in impairment of park waters. Therefore, the proposed phase-out of carbureted two-stroke engines in 10 years has not been revised.

Public Comment:
08203A

Commenter:
Environmental Protection Agency

Affiliation:
Public Agency

Issue 2: Opposition for Earlier Phase-Out of Carbureted Two-Stroke Engines; Allow Environmental Protection Agency's Emission Reduction Rules to Take Effect

A *Comment:* The Environmental Protection Agency already promulgated regulations, setting strict emission standards that require a 75% reduction in emissions by the year 2006 from all marine engine manufacturers. The National Park Service should not develop additional rules regarding marine engine emissions standards; especially those that were specifically designed to affect the manufacturers of the boat engines, not the owners of those engines. The Lake Mead management plan will directly affect consumers if they ban all carbureted two-stroke engines after 2012. There is no need to accelerate the demise of carbureted two-stroke engines by regulating the use of a product that was legally manufactured by a regulated industry.

Response: As estimated in the March 2002 *Economic Analysis of Personal Watercraft Regulations in Lake Mead National Recreation Area* (NPS 2002b), under alternative C (modified preferred alternative), Lake Mead National Recreation Area is using 2012 as its engine phase-in date where all two-stroke engines would have to be direct-injection in accordance with EPA regulations. This date will cover the current life expectancy for personal watercraft specified by the Personal Watercraft Industry Association (PWIA) of three years for a rental and five to seven years for a privately owned vessel. Under alternative C, National Park Service assumes that as a result of personal watercraft restrictions, businesses would experience a 5% reduction in personal watercraft sales, service, and rentals related to the park. Some of this impact is expected as a result of engine-type restrictions, but there are also geographic restrictions proposed under this alternative that were taken into account. However, even under alternative A, where there would be a 100% reduction in personal watercraft revenues related to the park, the impact on the regional economy would be very small, less than 0.1% of total economic activity.

The National Park Service expects that by 2012, most boat owners would already be in compliance with the 2006 EPA marine engine standards. The impact of the 2012 ban on boat owners is expected to be small. Personal watercraft manufacturers currently offer models that are compliant with the EPA 2006 standards, and new personal watercraft purchased later than 2006 will be compliant. The average

operating life of a personal watercraft is 5 to 10 years, depending upon the source (see the “Overview of Recreational Use and Personal Watercraft Use” section in the “Purpose of and Need for the Plan” chapter). As a result, it is expected that the majority of noncompliant personal watercraft will no longer be in operation when the engine restrictions proposed under alternative C come into effect in 2012.

Public Comment:
00160B, Form F1 D; 00258 C

Commenter:

Affiliation:
Individual

Issue 3: Mitigation of Potential Impacts to Existing Boat and Personal Watercraft Owners from the Engine Phase-Out

- A *Comment:* Phase-out of carbureted two-stroke engines after 2012 would be a hardship for owners of 65 horsepower or less boat engines that are found in many older boats. Some mitigation of the impact of restricting use of these boats should be implemented. Mitigation suggestions could consist of : “grand fathering in” existing engines; creating an exemption to the 2012 phase-out; requiring that only new engines meet emissions standards; and requiring an annual emissions check.

Response: As estimated in the March 2002 *Economic Analysis of Personal Watercraft Regulations in Lake Mead National Recreation Area*, under alternative C (modified preferred alternative), Lake Mead National Recreation Area is using 2012 as the date when all two-stroke engines would have to be direct-injection in accordance with EPA regulations. Under alternative C, the National Park Service assumes that as a result of personal watercraft restrictions, businesses would experience a 5% reduction in personal watercraft sales, service, and rentals related to the park. Some of this impact is expected as a result of engine-type restrictions, but there are also geographic restrictions proposed under alternative C that were taken into account. However, even under alternative A, where there would be a 100% reduction in personal watercraft revenues related the park, the impact on the regional economy would be very small, less than 0.1% of total economic activity.

The formula for determining the operating life of personal watercraft was published in the *Federal Register* on October 4, 1996 (EPA 1996a). Based on this formula, the National Park Service expects that by 2012, most boat owners will already be in compliance with the EPA 2006 marine engine standards. The impact from the engine standard on boat owners is expected to be small. Personal watercraft manufacturers currently offer models that are compliant with the EPA 2006 standards, and all personal watercraft purchased later than 2006 will be made compliant by the manufacturer. The average operating life of a personal watercraft is 5 to 10 years, depending upon the source (see the “Overview of Recreational Use and Personal Watercraft Use” section in the “Purpose of and Need for the Plan” chapter). As a result, it is expected that the majority of noncompliant personal watercraft will no longer be in operation when the engine restrictions proposed under the modified alternative C come into effect in 2012.

Public Comment:
00184B, 01666 A; 00184 B

Commenter:

Affiliation:
Individual

Issue 4: Implementation and Enforcement of the Engine Phase-Out

- A *Comment:* How will the 65 horsepower restriction be enforced? How does one check an older engine? Is it nonpolluting at low speed or idle, but with increased acceleration, becomes an oil burner? The manpower to enforce such a regulation is onerous. Is the real issue the performance of an individual engine? A poorly maintained engine could pollute more than a well-maintained older two-cycle engine.

Response: Under the modified preferred alternative (alternative C), the only area that would be managed using the 65-horsepower limitation would be Black Canyon. Enforcement would be achieved through signing (placing a buoy) in Black Canyon just north of the Willow Beach Harbor and through information and education efforts. A violation would occur if a boat with an engine larger than 65 horsepower were

operating above the buoy. The management objective in using this limitation is to create a safer, quieter, and more tranquil setting.

The enforcement of the zoning restrictions would be included as part of an implementation plan for this *Lake Management Plan*. The implementation plan would also include information and education as part of the initial program. The information would include signing and printed literature explaining the program and its objectives. Once the National Park Service has adequately completed the education phase of the program, enforcement would be addressed.

Public Comment:
01430E

Commenter:

Affiliation:
Individual

B *Comment:* Should all carbureted two-stroke engines be banned, not just personal watercraft? If you ban personal watercraft at any future date because of pollution, you need to ban all two-cycle engine use.

Response: The EPA regulation requires the marine industry to improve the efficiency of marine engines by the year 2006. To protect the drinking water and the aquatic environment at Lake Mead National Recreation Area after the year 2012, all engines operating on Lakes Mead and Mohave would be required to meet the EPA 2006 emissions standards. If, in 2012, park visitors having an outboard engine or personal watercraft that does not meet these strict emissions standards, would not be able to operate that vessel on Lakes Mead or Mohave. The EPA *Final Rule for New Gasoline Spark-Ignition Marine Engines* discussion is located in the “Background” section of the “Purpose of and Need for the Plan” chapter.

Under the modified preferred alternative (alternative C), all carbureted two-stroke engines would be phased out over the next 10 years. At this time, there is no plan to accelerate the phase-out schedule. This time frame takes into consideration not only the typical lifespan of personal watercraft but also typical outboard engines. The 10-year phase-out period for the carbureted two-stroke engine provides a reasonable time frame for boaters to comply with the management objectives.

Public Comment:
02665A

Commenter:

Affiliation:
Individual

Issue 5: Shoreline Refueling

A *Comment:* A clearer description of the difference between illegal and legal shoreline refueling is needed. Are there any existing laws prohibiting refueling along the shoreline except in harbor areas? What refueling equipment can be used? Will portable fuel tanks be allowed?

Response: Refueling boats on the shoreline is not illegal; fuel spillage is. Polluting or contaminating park waters, including fuel spillage, is a citable offense under 36 CFR 2.14(a)(6), as mentioned in the “Resource Protection” section of the “Alternatives Selected for Analysis” chapter. Fuel spillage during shoreline operations is a concern at Lakes Mead and Mohave. In areas of intense boat and personal watercraft use, fuel sheen has been observed on the lake water. Portable fuel tanks that meet state fuel container standards would be allowed under all the alternatives.

Public Comment:
02215N

Commenter:

Affiliation:
Organization

GENERAL ASSUMPTIONS USED FOR ANALYSIS

Personal Watercraft Use Trends and Assumptions

Issue 1: Disputing Information in Plan Regarding Personal Watercraft Use Patterns and Effects

- A** Comment: Add to text if applicable: “Direct-injection engines have been available in personal watercraft for four years. Three personal watercraft manufacturers introduced four-stroke engines for the 2002 model year. The new technology engines in today’s personal watercraft are 30% more fuel efficient, allowing greater miles per gallon, and have resulted in a 75% reduction in hydrocarbon and nitrous oxide emissions.”

Response: Comment has been noted, and the text has been changed in the *Final Environmental Impact Statement*. The new text states that the 2006-compliant personal watercraft are available locally and comprise a significant percentage of new personal watercraft sales. The EPA 1996 rule to control exhaust emissions from new marine engines, including outboards and personal watercraft, are expected to reduce hydrocarbon emissions by 50% from present levels by 2010 and a 75% reduction by 2030 (EPA 1996a). The modified preferred alternative (alternative C) calls for phasing out old engine technology and implementing requirements for the more efficient direct-injection two-stroke and four-stroke engines after 2012.

Public Comment:
01626D

Commenter:
Personal Watercraft
Industry Association

Affiliation:
Organization

- B** Comment: The typical operating life for a personal watercraft is three years for a rental vessel and five to seven years for a privately-owned vessel, not 10 years as stated in the *Draft Environmental Impact Statement*.

Response: The average operating life of a personal watercraft is 5 to 10 years, depending upon the source. The Personal Watercraft Industry Association believes that the typical operating life of a personal watercraft rental is three years and five to seven years for a privately owned vessel. The formula for determining the operating life of personal watercraft was published in the *Federal Register* on October 4, 1996 (EPA 1996a). Based on the EPA formula, the National Park Service expects that by 2012, most boat owners will already be in compliance with the 2006 EPA marine engine standards. Further discussion is included in the “Background” section of the “Purpose of and Need for the Plan” chapter.

Public Comment:
01626D

Commenter:
Personal Watercraft
Industry Association

Affiliation:
Organization

- C** Comment: Current industry research finds that personal watercraft are used mainly for touring and pulling waterskiers, not performing stunt-like maneuvers. Although a few models are capable of speeds in the low 60 mph range, most personal watercraft perform well below that level, and not at speeds of up to 70 mph stated in the “Executive Summary” in the *Draft Environmental Impact Statement*.

Response: The text has been revised to address this comment.

Public Comment:
01626E, 08086

Commenter:
Personal Watercraft
Industry Association

Affiliation:
Organization

D *Comment:* Personal watercraft are no longer the fastest growing segment of the boating market. Sales and population estimates of personal watercraft have been declining for several years (American Marine Manufacturers Association). Personal watercraft sales have declined from 200,000 in 1995, representing 30% of all boat sales, to 83,000 in 2001 or approximately 15.3% of all boat sales in 2001. In 2001, there were 1.053 million personal watercraft in existence, constituting 6.2% of all boats, down from 6.6% in 1998.

Response: Comment noted. The “Personal Watercraft Use Regulatory Background” section of the “Purpose of and Need for the Plan” chapter has been changed to indicate that personal watercraft were once the fastest growing segment of the boating industry.

<i>Public Comment:</i> 01626E	<i>Commenter:</i> Personal Watercraft Industry Association	<i>Affiliation:</i> Organization
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E *Comment:* The text on page 133 of the *Draft Environmental Impact Statement* that indicates between 1.5 and 3 gallons of fuel is discharged into the water during a two-hour ride on a personal watercraft is incorrect. The exhaust gases exiting a two-cycle engine are between 700°F–1,100°F. At these temperatures, only vapors exist. The scientific tests have repeatedly proven that no liquid fuel or oil is dispensed into the water.

Response: In this *Final Environmental Impact Statement*, surface water quality impacts assumed 3 gallons per hour, as documented in “Appendix G: Approach to Evaluating Surface Water Quality Impacts” and “Appendix H: Results of Surface Water Quality Evaluation.” Even with an approximately 65% evaporation rate at normal temperatures (EPA 1994), some fuel is left behind in the water. The new technology engines can greatly reduce emissions by up to 75% (PWIA comment letter on draft rule, 2002). EPA regulations dictate the use of these reduced emission engines in watercraft by 2006.

<i>Public Comment:</i> 08086A	<i>Commenter:</i>	<i>Affiliation:</i> Individual
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Issue 2: Disputing Information in Plan Regarding Personal Watercraft Use Patterns and Effects

A *Comment:* It is unlikely the National Park Service could estimate the current number of personal watercraft from 1997 Lake Mead National Recreation Area Visitor Use Survey and the Nevada Division of Wildlife study because some of the information is outdated. Since the 1997 visitor use survey, the total number of personal watercraft that have been sold in the United States has increased by 40% from 963,000 to approximately 1.37 million. In addition, the 10-year life span of a two-cycle engine indicates that many of the personal watercraft purchased in the 1990s are still on the water.

Response: The National Park Service is not relying on the 1997 inventory, because Lake Mead conducts boating inventories during the boating season every year. For the last 10 years, boating inventories have been completed for Memorial Day weekend, and there have been other counts on a random basis. The boating inventory is conducted as an aerial boat count. The count is generally conducted during the middle of the day when boating use is at its peak. During the inventory, the specific location of each boat is recorded and whether the boat is at the shoreline or operating on the water. There is also a general classification of boats by boat type. The classification includes houseboats, pontoon boats, runabouts, personal watercraft, and canoe/kayak. The inventory summarizes the number and boat type by zone.

<i>Public Comment:</i> 08595O	<i>Commenter:</i> Bluwater Network	<i>Affiliation:</i> Organization
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Issue 3: *Disputing Information in the Plan Regarding Personal Watercraft Use Patterns and Effects*

A Comment: How can personal watercraft do more environmental damage than other watercraft when the personal watercraft has a smaller engine and is used for a shorter season than most other boats?

Response: The *Lake Management Plan* was designed to evaluate management issues that had not been previously addressed or resolved in previous planning efforts. Issues that needed to be addressed were related to an increase in recreational use of the lakes, visitor conflicts and safety, potential impacts on park resources from water-related activities, and personal watercraft use. The plan was not designed to determine if personal watercraft caused more environmental damage to park resources than other boats, but rather, to determine if personal watercraft use was consistent with the park’s enabling legislation and management goals and objectives. The overall objective of the *Lake Management Plan* is to improve the management of Lakes Mead and Mohave while providing for the long-term protection of park resources and allowing a range of recreational opportunities to support visitor needs. A special analysis was done on the management of personal watercraft in order to meet the terms of the settlement agreement between Bluewater Network and the National Park Service. With completion of this *Final Environmental Impact Statement*, the National Park Service may either take action to adopt special regulations to manage personal watercraft use at Lake Mead, or may choose to discontinue personal watercraft use. Also, see responses to comments under the “Purpose and Need” section under the “Park Legislation/Authority” heading.

Public Comment:
08710AB, 08710B B

Commenter:

Affiliation:
Individual

General Methodology for Establishing Impacts/Effects

Issue 1: *Impacts of Personal Watercraft Versus Other Watercraft*

- A ***Comment:*** Many of the impacts personal watercraft use reportedly has on other waterway users and the environment were not alluded to in the document. Research indicates that personal watercraft use is disproportionately responsible for more on-water accidents, more reports of near accidents, more claims of harassment, and more complaints of disturbance to noise, air, and water pollution than any other vessel type.

Response: In the “Affected Environment” and “Environmental Consequences” chapters, safety citations are discussed, and accident statistics are given. The text states, “In 1999, personal watercraft accounted for approximately 35% of the boating fleet and were involved in 33% of the boating accidents.” Noise from personal watercraft is addressed, among other places, in the “Soundscapes” section in the “Affected Environment” and “Environmental Consequences” chapters. Air and water pollution are discussed throughout the document, including the “Air Quality” and “Water Quality” sections in the “Affected Environment” and “Environmental Consequences” chapters.

Public Comment:
08094E

Commenter:
American Canoe Association

Affiliation:
Organization

Issue 2: *Overcrowded Conditions*

- A ***Comment:*** Commenters stated that the questions in the 1997 visitor survey were misleading. Visitors would rather enjoy the park under crowded conditions than be turned away or forced to make a reservation due to carrying capacity constraints.

Response: It is the responsibility of the National Park Service to manage recreational use at Lake Mead National Recreation Area consistently with the recreation area’s purpose, mission, and management objectives as stated in the “Background” section of the “Purpose of and Need for the Plan” chapter. One of the management objectives is to provide for a range of recreational opportunities while protecting park resources and values. The spectrum of recreational settings and associated carrying capacities are intended to reflect and maintain this range of opportunities. This includes providing areas for visitors who desire to avoid crowds and more frequent encounters with other visitors or boats. The range of opportunities under the modified preferred alternative (alternative C) reflects the public’s desire that the National Park Service provide a mix of recreational settings while maintaining or slightly increasing the overall level of boating activity on the lakes.

Visitor use surveys conducted in 1994 and 1998 included over 3,300 lake users who were asked to evaluate crowding under a variety of recreational-use levels from winter weekdays to summer holiday weekends. Using a nine-point scale, visitors ranked boating conditions, crowding at the shoreline, and crowding on the water. The data were used in the recreational carrying capacity analysis (see appendix B) to establish maximum boating capacities for the variety of recreational settings ranging from primitive to urban. The maximum boating capacities were established for the urban zones at specific boating levels. On high-use days, over 50% of the public said the number of boats on the water decreased their enjoyment.

Public Comment:
07213A, 07151 C, 07179 A

Commenter:

Affiliation:
Individual

Issue 3: *Comparisons to Other Areas*

- A ***Comment:*** I find it very unreasonable to expect to maintain the natural environment of Lakes Mead and Mohave to the extent contemplated by the referenced examples of the Tahoe Regional Planning Agency

and the Everglades. Both of these are naturally occurring lakes/wetlands that cannot be reasonably compared to a manmade lake.

Response: Both the Everglades National Park and the Tahoe Regional Planning Agency are referenced under the “Personal Watercraft Use Regulatory Background” section in the “Purpose of and Need for the Plan” chapter. The references are included to illustrate the history of personal watercraft management on other sensitive bodies of water. The water standards for Lakes Mead and Mohave are specific to those bodies of water and are not comparable to Everglades National Park or Lake Tahoe.

Public Comment:
00160B

Commenter:

Affiliation:
Individual

AIR QUALITY

Regulations, Methodologies, and Assumptions

Issue 1: *The Environmental Impact Statement Should Address Impacts from Toxic Air Pollutants Emitted During Construction*

- A** Comment: A discussion of mitigation to reduce air toxics from construction machinery, specifically construction-related diesel emissions, should be presented in the *Final Environmental Impact Statement* and subsequent “tiered” NEPA documents.

Response: In the “Description of Alternatives” section of the “Alternatives Selected for Analysis” chapter, the following mitigation measures for protecting air quality during construction activities has been added: “Water would be applied to roadway surfaces, as necessary, to minimize the release of dust. Low-sulfur fuel (0.05% by weight) would be used when available, and construction equipment would be properly tuned.” These are the standard mitigation measures required by the National Park Service on all construction projects at Lake Mead National Recreation Area.

Public Comment:
08203K

Commenter:
Environmental Protection Agency

Affiliation:
Public Agency

- B** Comment: The *Final Environmental Impact Statement* should address if lead-based paint and/or asbestos-containing materials are potential issues of concern at any facilities proposed for renovation, modification, or expansion. If so, appropriate commitments to reduce public exposure should be presented, as well as measures to protect worker health and safety.

Response: Lake Mead National Recreation Area complies with federal and state regulations related to the *Clean Air Act* and hazardous materials. Any facility renovation within Lake Mead National Recreation Area first requires a licensed contractor to test the building components to determine if there are asbestos and lead contaminants present. If contaminants are present, contractors are hired to remove the contaminants in accordance with state and federal standards and requirements.

Public Comment:
08203I

Commenter:
Environmental Protection Agency

Affiliation:
Public Agency

Impacts from Personal Watercraft from Airborne Pollutants

Issue 1: General Impacts of Personal Watercraft on Air Quality

A *Comment:* The California Air Resources Board report *Outboard Engine and Personal Watercraft Emissions to Air and Water: A Laboratory Study* states that for all measured air pollutants, two-stroke personal watercraft and outboards were generally and substantially higher than comparable four-stroke engines. In the case of hydrocarbons (THC), two-stroke motors were far more polluting than comparable four-stroke motors.

Response: The comment is correct for hydrocarbons, carbon monoxide (CO), and particulate matter. In the *Final Environmental Impact Statement*, the EPA NONROAD model was used for estimation of watercraft emissions, HC emissions factors for two-stroke carbureted personal watercraft engines are approximately 13 times greater than for four-stroke personal watercraft engines. This is a major factor in the EPA rule (as well as the modified preferred alternative [alternative C] in the *Final Environmental Impact Statement*) requiring the phase-out of carbureted two-stroke engines. A discussion of the emission factors and effects on forecast watercraft emissions are discussed in the “Environmental Consequences” chapter under “Air Quality” in each alternative discussion.

Public Comment:
08595K

Commenter:
Bluewater Network

Affiliation:
Organization

B *Comment:* Direct-injected two-stroke and four-stroke personal watercraft will not solve all problems. California Air Resources Board research found that direct-injected two-stroke engines emit approximately seven times more total hydrocarbons than do four-stroke engines. Hydrocarbons is a key component in the formation of smog. In the case of formaldehyde, a possible human carcinogen, direct-injected engines emitted more than both the carbureted two-stroke and four-stroke engines. In the case of nitrogen oxides (No_x) and carbon monoxide, the four-stroke engine emitted more than the direct-injected engines. Neither the direct-injected nor the four-stroke personal watercraft will do anything to address the impacts of the more than 1.1 million thrillcraft already operating on American waters.

Response: Polycyclic aromatic hydrocarbons (PAH) are addressed in the “Water Resources” section of the “Environmental Consequences” chapter. Text in the *Draft Environmental Impact Statement* impact analysis was changed in the *Final Environmental Impact Statement* to read, “. . . changing from carbureted two-stroke engines to direct-injection two-stroke engines may result in increases of airborne particulate-associated PAH. Further scientific research is needed to identify what impact this would have on PAH concentrations in water.” National Park Service has committed in the *Final Environmental Impact Statement* to monitor for chemical compounds.

Public Comment:
08595L

Commenter:
Bluewater Network

Affiliation:
Organization

C *Comment:* The visible pollution from personal watercraft significantly impact other recreational activities, wildlife, and waterway quality. Although other types of motorized watercraft also emit pollution, the operational characteristics of personal watercraft use, such as staying in one area for long periods of time, and the frequent acceleration and deceleration, increase the impacts of personal watercraft pollution on others. Even when equipped with direct-injected two-stroke or four-stroke engines, the nature of personal watercraft operation will continue to create unacceptable amounts of air pollution.

Response: The modified preferred alternative (alternative C) includes a 200-foot flat-wake zone around beaches frequented by bathers, boats at the shoreline, and near people in the water and at the water’s edge (see the description of the modified preferred alternative [alternative C] in the “Alternatives Selected for Analysis” chapter). This zone would provide a buffer for localized pollution effects. Direct-injection two-stroke and four-stroke personal watercraft engines would reduce hydrocarbon and particulate emissions as

noted in the previous response. A quantitative estimate of exhaust emissions for each alternative has been added to the air quality impact analysis in this *Final Environmental Impact Statement* (see the “Environmental Consequences” chapter).

Public Comment:
08094A

Commenter:
American Canoe Association

Affiliation:
Organization

Issue 2: *The Draft Environmental Impact Statement Fails to Mention the Impact of Personal Watercraft Permeation Losses*

- A *Comment:* Permeation is the process by which individual fuel molecules may penetrate the walls of the various assembly components of a fuel system directly to the outside air. The California Air Resources Board states that evaporative and permeation emissions from nonroad engine/fuel systems and gas tanks are significant. For example, California Air Resources Board research found that a typical nonroad engines (5-gallon fuel tank filled to half its capacity) is likely to emit over 7 grams of hydrocarbon pollution in a 24-hour summer diurnal cycle. According to the Environmental Protection Agency, many of America’s approximately 10 million off-road vehicles, such as all-terrain vehicles, personal watercraft, and snowmobiles, have similar tanks.

Response: Nonexhaust hydrocarbon emissions from watercraft are less than exhaust emissions but are not insignificant. For watercraft, the principal sources of nonexhaust emissions are evaporative emissions from fuel tanks when the engine is not in use and refueling emissions. The quantities of these emissions are related to the number of pieces of equipment, number of trips, and watercraft fuel tank volume. The phase-out of carbureted two-stroke engines would vary by alternative resulting in large variations in exhaust emissions. However, fuel tank volumes would not be anticipated to change significantly. The number of trips per year would vary, at the most, 5% between alternatives. Therefore, nonexhaust emissions would be very similar for all four alternatives. In July 2002, the Environmental Protection Agency proposed new evaporative standards for gasoline-fueled boats and personal watercraft. These proposed standards would require most new boats produced in 2008 or later to be equipped with low-emission fuel tanks or other evaporative emission controls. Nonexhaust emissions are discussed in the “Air Quality Methodology” section of the “Environmental Consequences” chapter.

Public Comment:
08595Q

Commenter:
Bluewater Network

Affiliation:
Organization

Impacts from Other Vessels

Issue 1: General Comment About Impacts from Other Vessels

A Comment: This issue seems to be about emissions. What about all the outboards on the lake?

Response: The EPA rule affecting the manufacture of carbureted two-stroke engines is applicable to outboards as well as personal watercraft. Implementation of alternative B would prohibit all two-stroke engines, including those on outboards, at the Lake Mead National Recreation Area one year after final approval of the *Lake Management Plan*. Implementation of the modified preferred alternative (alternative C) in the *Draft and Final Environmental Impact Statements* would prohibit all two-stroke engines at the Lake Mead National Recreation Area after 2012.

Public Comment:
02242AB, 02242B B

Commenter:

Affiliation:
Individual

Issue 2: Request for Alternate Horsepower Restrictions for Inboard-Outboard Four-Stroke Engines

A Comment: The 65 horsepower and under regulation will inflict hundreds if not thousands of old style outboards into the proposed semiprimitive areas with the resulting pollution of air and water and unacceptable noise levels. As an alternative proposal, consider limiting boats with outboards to 65 horsepower or less and boats with the inboard/outboard four-cycle type engines to 260 horsepower. This way you are not polluting and damaging the environment quite so badly and you are not discriminating against those of us who own inboard/outboard four-cycle type engines.

Response: The modified preferred alternative (alternative C) in this *Final Environmental Impact Statement* would eliminate horsepower restrictions except at Black Canyon from Willow Beach to Hoover Dam five days per week between Labor Day and Memorial Day weekends. Semiprimitive zones on Lake Mead would be accessible to boats at flat-wake speed, and personal watercraft would be prohibited. The implementation of the modified preferred alternative (alternative C) would also prohibit all carbureted two-stroke engines at Lake Mead National Recreation Area after 2012, which would reduce engine emissions to both air and water quality. The effects of all these changes are analyzed in the “Environmental Consequences” chapter under the “Air Quality” sections for each alternative.

Public Comment:
09059A

Commenter:
Fitzgibbons and Anderson
Law Corporation

Affiliation:
Business

WATER QUALITY

Regulations, Methodologies, and Assumptions

Issue 1: Introduce New References to Be Included in the Water Quality Analysis

A Comment: Personal watercraft and other motorized activities negatively affect water quality. Scientifically explain how it can be concluded that the oil and gas mixture dumped by personal watercraft is not damaging park resources. The National Academy of Sciences (NAS) recent report *Oil in the Sea III: Inputs, Fates and Effects* (http://www.nap.edu/catalog/10388.html?se_side) addresses impacts due to oil and gas mixture used in personal watercraft. Pollutants such as PAH can remain suspended in the water column, or be deposited in sediment for years after initial deposition. The National Academy of Sciences reports that NPS reliance upon state water quality standards may not be adequate to protect the recreation area's plants and wildlife. PAH can interfere with biological processes at "concentrations several orders of magnitude lower than concentrations that induce toxic effects."

Response: The protection of water quality within the Lake Mead Recreation Area has been addressed in this *Final Environmental Impact Statement* containing additional evaluations of surface water quality impacts. An estimated minimum threshold volume of water in Lakes Mead and Mohave, below which concentrations of gasoline constituents from personal watercraft or other outboard engines, would be potentially toxic to aquatic organisms or humans was determined. Using the estimated threshold volumes, the surface area of the minimum lake pools, and the chemicals identified, it is possible to identify unacceptable risks to human health or the environment. There are a limited number of EPA criteria for the protection of human health (via ingestion of water and aquatic organisms or ingestion of aquatic organisms only). Chronic ecotoxicological and human health benchmarks for contaminants were acquired from various sources. The evaluation presents the most restrictive thresholds, based on both federal and state water quality standards, for the pollutants. "Table 50: Toxicity Benchmarks," shows the benchmarks used in the evaluation for each pollutant. Results of this evaluation show that the chemical pollutants emitted from recreational boats, including personal watercraft, are negligible to minor; impacts are detectable (as seen in a one-time sampling), but are within water quality standards.

The above referenced National Academy of Sciences report focuses on impacts to the marine environment but acknowledges contribution from land based uses, rivers, and lakes. The "Executive Summary" of *Oil in the Sea III: Inputs, Fates and Effects* (National Academy Press, 2002), concludes that "Federal agencies, especially Environmental Protection Agency, should continue efforts to regulate and encourage the phase-out of older, inefficient carbureted two-stroke engines." The modified preferred alternative (alternative C), not only encourages the phase-out of these older engines, but in fact goes a step further in restricting their use at the park beginning in 2012.

Public Comment:
082040, 08595 E, V (Bluewater
Network)

Commenter:
Wilderness Society and National
Parks Conservation Association

Affiliation:
Organization

B Comment: The purpose of the reference "Outboard Engine and Personal Watercraft Emissions to Air and Water: A Laboratory Study," California Air Resources Board, was to evaluate emissions from marine engines and personal watercraft operated under controlled test conditions. Pollutants concentrations in the water column of two-stroke and direct-injected engines were consistently higher than those of comparable four-stroke engines. This was true for many pollutants including methyl tertbutyl ether (MTBE), xylene (collectively called BTEX), benzene, and acetaldehyde. Moreover, both the carbureted and direct-injected two-strokes were found to emit PAH to the water. Research also found that concentrations of many of these pollutants remained substantially elevated in the test tank one day after testing.

Response: Recognizing that some pollutant concentrations in the water column from two-stroke engines are greater than those of comparable four-stroke engines, the evaluation of surface water quality impacts in the "Water Quality" section of the "Environmental Consequences" chapter addresses the combined

effects of all recreational boats and personal watercraft. A chemical pollutant monitoring program would be instituted (funding is currently being sought) in order to protect the high water quality standards for recreation. If monitoring determines that water quality standards are being violated, specific areas in the recreation area could require temporal or seasonal closures.

Public Comment:
08595K

Commenter:
Bluewater Network

Affiliation:
Organization

Issue 2: Reference Other Water Quality Standards

- A** *Comment:* Applicable Water Quality Standards for Nevada waters appear in appendix C. Because lake management activities also take place in Arizona, thus affecting water quality in that state, we recommend that Arizona’s Water Quality Standards be referenced in the *Final Environmental Impact Statement* in a comparable manner. The *Final Environmental Impact Statement* should also include a reference to section 313 of the *Clean Water Act*.

Response: The *Arizona Water Quality Standards, Title 18, Chapter 11, Department of Environmental Quality Water Quality Standards* (ADEQ 1996) were utilized in the development of the *Lake Management Plan* and *Environmental Impact Statement*. Due to their length, they were incorporated by reference in the *Draft Environmental Impact Statement* and are also contained in this final document. A reference has been added in this *Final Environmental Impact Statement* for section 313 of the *Clean Water Act*.

Public Comment:
08203C

Commenter:
Environmental Protection Agency

Affiliation:
Public Agency

- B** *Comment:* The *Final Environmental Impact Statement* should discuss fuel line and fuel storage facilities at Lake Mead National Recreation Area, including location, size, and condition, as well as environmental restoration efforts for hydrocarbon contamination (e.g., remediating contaminated soils and/or groundwater). Applicable state and federal requirements should also be addressed. Should the action alternatives require the expansion, modification, relocation, or removal of fuel lines or fuel storage tanks, this should be included in the *Final Environmental Impact Statement*. The plan needs to address whether the National Park Service and/or concession operators would be responsible for complying with federal and state requirements on fuel lines and fuel storage tanks, as well as environmental restoration efforts. Subsequent “tiered” NEPA documents should address activities involving fuel lines or fuel storage tanks, including environmental restoration.

Response: Under the terms of the concession contract, all concession operators within Lake Mead National Recreation Area are responsible for complying with all federal and state requirements on fuel lines and fuel storage tanks, as well as environmental restoration efforts. This information has been included in appendix A in this *Final Environmental Impact Statement*.

The NPS Hazardous Waste Management and Pollution Prevention Team have developed a *Spill Prevention Control and Countermeasures Plan* (NPS 1998c) that provides recommendations and requirements to prevent environmental damage resulting from the spills of oil. These plans are required by the Environmental Protection Agency as stated in 40 CFR, Part 112. In addition, the recreation area complies with state requirements, and has developed *Best Management Practices for Watercraft and Marina Operations, Dry Boat Storage, and Boat Repair Services* (NPS 1996a). All marina operators and the National Park Service must comply with these requirements and *Best Management Practices*.

The National Park Service will comply with section 313 of the *Clean Water Act*, Federal Facilities Pollution Control. This information has been added to the “Water Quality” section in the “Environmental Consequences” chapter, under “Laws, Regulations, and Policies” in the *Final Environmental Impact Statement*.

<i>Public Comment:</i> 08203J	<i>Commenter:</i> Environmental Protection Agency	<i>Affiliation:</i> Public Agency
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C *Comment:* The *Final Environmental Impact Statement* should address the potential need for National Discharge Elimination System (NPDES) permits under section 402 of the *Clean Water Act* (for subsequent “tiered” construction projects). Section 402 permits are needed for construction activities disturbing five or more acres. The Nevada Division of Environmental Protection (NDEP) is the permit-issuing entity, while Environmental Protection Agency Region IX is the permit issuing entity for Arizona Department of Environmental Quality. Lastly, the *Final Environmental Impact Statement* should note that mitigation measures are associated with National Park Discharge Elimination System stormwater permits (a stormwater pollution prevention plan), which can parallel the *Best Management Practices* adopted by National Park Service.

Response: The National Park Service will address specific permit requirements in the subsequent project-specific environmental analysis. The NPS *Best Management Practices* (NPS 1996a) are followed for all construction activities at Lake Mead National Recreation Area, and the Park Service will coordinate activities and permitting with the appropriate state agency.

<i>Public Comment:</i> 08203, 08203 F, G	<i>Commenter:</i> Environmental Protection Agency	<i>Affiliation:</i> Public Agency
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Issue 3: Monitoring and Studies at Inflow Areas Are Different, Goals for Such Activities Need to Be Clear

A *Comment:* As stated in the *Draft Environmental Impact Statement*, alternative C on page 78, “Studies would also continue at the Virgin River area and various areas of the lake where water clarity is being monitored.” There is a difference between monitoring and studying. If this plan intends to address inflow from upstream municipalities and/or farming activities, then you should specify your commitment and goals in much greater detail.

Response: Both monitoring and studies at inflow areas are important to protect water quality. Requests have been made to fund a water quality monitoring site in the upper Overton Arm that would monitor the water quality of inflows from the Muddy and Virgin Rivers to make sure water quality standards are being met. A stream gauge will also be installed in the Virgin River, within park boundaries, to measure flow of the Virgin River. The National Park Service will work in cooperation with the Nevada Division of Environmental Protection to ensure water quality standards for Lake Mead are not exceeded.

The National Park Service hopes to work with Lake Mead Water Quality Forum to include the formation of goals for long-term protection of water quality for Lake Mead related to all inflow areas. The National Park Service is currently exploring options with local, state, and federal agencies interested in the development of a Virgin River working group to develop a conservation strategy for the Virgin River. The Clark County Multi-Species Conservation Program is also interested in the development of conservation programs along the Virgin River for vegetation and wildlife species designated for conservation activities under the Clark County Multi-Species Conservation Plan. Lake Mead National Recreation Area is seeking funds to work with U.S. Geological Survey on baseline monitoring of water quality in the Overton Arm.

<i>Public Comment:</i> 08089M	<i>Commenter:</i> Overton Beach Marina	<i>Affiliation:</i> Business
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Impacts to Water Quality from Personal Watercraft Use

Issue 1: Address Impact of PAH and Include PAH in Future Monitoring Activities

A Comment: What are PAHs and how are they related to carbureted two-stroke engines?

Response: PAH stands for polycyclic aromatic hydrocarbons. PAH, including benzo(a)pyrene, naphthalene, and 1-methyl naphthalene, are released during the combustion of fuel, though some PAH are also found in unburned gasoline. PAH, as well as other hydrocarbon emissions, could potentially be reduced as new direct-injection two-stroke and four-stroke engines replace older carbureted two-stroke engines. Very few PAH compounds are discharged into the water as part of the unburned fuel; many more are discharged as part of the exhaust from engine combustion. The phase-out of carbureted two-stroke engines is an important step toward substantially reducing petroleum-related pollutants. The modified preferred alternative (alternative C) goes a step further in restricting the use of carbureted two-stroke engines after 2012. The “Methodology” section in the “Environmental Consequences” chapter provides a detailed discussion of PAH and other water-related contaminants.

Public Comment:
02215Q

Commenter:
Lake Mead
Boat Owners Association

Affiliation:
Organization

B Comment: If monitoring shows that water quality standards are violated or beneficial uses impaired, then National Park Service should consider whether an earlier phase-out date for carbureted two-stroke engines is appropriate. Monitoring emphasis should be directed to areas where water quality standards may be approached, including areas of greatest visitor use, areas having less circulation and flushing, and areas utilized by sensitive species or involving sensitive habitat. The Environmental Protection Agency recommends that the *Final Environmental Impact Statement* address if water quality monitoring at Lake Mead National Recreation Area should be expanded to include monitoring for PAH.

Response: A monitoring plan that will include several targeted constituents of gasoline and related degradation products, including some PAH, will be implemented at the Lake Mead National Recreation Area. The monitoring plan will focus efforts on high-use areas on Lakes Mead and Mohave. Specific locations might require temporal or seasonal closures if monitoring identifies areas of concern not meeting water quality standards. The development of a monitoring plan will be consistent with the interests of local, state, and federal agencies.

Under the modified preferred alternative (alternative C), the carbureted two-stroke engines would be phased out over the next 10 years. At this time there is no plan to accelerate this phase-out schedule. The 10-year time frame for the phase-out takes into consideration not only the typical life of personal watercraft, but also typical outboard engines. The 10-year period for the carbureted two-stroke engine phase-out provides a reasonable time frame for boaters to comply with the management objectives.

Public Comment:
08203E

Commenter:
Environmental Protection Agency

Affiliation:
Public Agency

Issue 2: National Park Service Not Doing Good Enough Water Quality Monitoring Job

A Comment: How can you expect support for the *Lake Management Plan* when the lake is green with algae and the wash has built a delta so large that it could eliminate the Las Vegas Bay area within a year? Ongoing monitoring programs do not save the environment and water quality. What will be done about it?

Response: Water quality is a very important issue at Lake Mead National Recreation Area. Park resource managers are working with the Lake Mead Water Quality Forum to coordinate monitoring, identify issues related to water quality, and seek solutions for reducing threats to water quality at Lake Mead. Park

managers are also working with the Las Vegas Wash Coordination Committee to develop a Las Vegas Wash comprehensive adaptive management plan with the goal of improving the quality of water entering Lake Mead.

The National Park Service, Bureau of Reclamation, and the Clean Water Coalition are working to address the issues related to the discharge of treated effluent from Las Vegas Wash into Lake Mead. The National Park Service and Bureau of Reclamation have recently started working together to prepare an *Environmental Impact Statement* to address issues and analyze alternatives, and potential impacts associated with the construction, operation, and maintenance of a Systems Conveyance and Operations Program. The goal of this program is to maintain the quality and integrity of the treated wastewater as it increases through time and to reduce erosion within Las Vegas Wash.

Managers at Lake Mead National Recreation Area are also working with the managers of Las Vegas Bay Marina to address the water quality and delta issues in the bay. Coordination of the development of issues and alternatives related to the current situation in the bay is ongoing.

In September 2002, the National Park Service released an environmental assessment for the relocation of the Las Vegas Bay Marina due primarily to the low water levels and the emergence of the wash delta. The marina has been temporarily relocated until the amendment for the *General Management Plan* for low-water lake access can be completed.

Public Comment:
08528E

Commenter:
Las Vegas Bay Marina

Affiliation:
Business

Issue 3: Address Possibility of Earlier Phase-Out Date Based on Water Quality Monitoring

- A *Comment:* In light of the significant volume of hydrocarbons discharged by recreational boats and personal watercraft using carbureted two-stroke engines, reported to discharge as much as 30% of their fuel unburned as stated in the *Draft Environmental Impact Statement*, it is recommended that the *Final Environmental Impact Statement* address whether an earlier phase-out date may be reasonable under *National Environmental Policy Act of 1969*, should monitoring show that water quality standards could be exceeded or beneficial uses impaired. Environmental Protection Agency recommends that National Park Service consult with the responsible water quality protection agencies (Nevada Division of Environmental Protection; Arizona Department of Environmental Quality) in formulating this course of action.

Response: A monitoring plan that will include several targeted constituents of gasoline and related degradation products, including some PAH, would be implemented at the Lake Mead National Recreation Area as described under the modified preferred alternative (alternative C). The monitoring plan would focus efforts on high-use areas on Lakes Mead and Mohave. Specific locations might require temporal or seasonal closures if monitoring identifies areas of concern not meeting water quality standards. The development of a monitoring plan will be consistent with the interests of local, state, and federal agencies.

Under the modified preferred alternative (alternative C), carbureted two-stroke engines would be phased out over the next 10 years. At this time there is no plan to accelerate this phase-out schedule. The 10-year time frame for the phase-out takes into consideration not only the typical life of personal watercraft, but also typical outboard engines. The 10-year period for the carbureted two-stroke engine phase-out provides a reasonable time frame for boaters to comply with the management objectives.

Public Comment:
08203D

Commenter:
Environmental Protection Agency

Affiliation:
Public Agency

Impacts from Other Vessels

Issue 1: Implement Regulations to Require Containment Systems if Water Quality Standards Are Not Met

A Comment: The Arizona Game and Fish Department supports effort to monitor water quality and development of human waste facilities (e.g., portable toilets). However, we believe the National Park Service should also identify measures that would be implemented if water quality does not meet acceptable standards. For example, regulations could be developed that require large watercraft to have containment systems for gray and black water.

Response: The release of “black” water discharge into Lakes Mead and Mohave is currently prohibited. Black water containment systems on vessels must be sealed to prevent discharge. Lake Mead National Recreation Area intends to seek funding for monitoring of pathogens and contaminants associated with both gray- and black-water releases. The National Park Service intends to work with the U.S. Geological Survey for further study of the distribution and impact of contaminants associated with personal care products released in gray water. The National Park Service plans to work with the states of Nevada and Arizona for the development of consistent regulations across both states that protect the existing high water quality of Lakes Mead and Mohave. If research and monitoring shows that gray-water discharge from vessels becomes a threat to exceedance of water quality standards, park regulations would be developed to prohibit the activity. Monitoring is discussed in the *Final Environmental Impact Statement* under the mitigation section of the description of the modified preferred alternative (alternative C).

Public Comment:
08985L

Commenter:
Arizona Game and Fish Department

Affiliation:
Public Agency

Cumulative Impacts

Issue 1: Impacts of Municipal Sewage

A *Comment:* Commenters criticized the *Lake Management Plan* for not addressing the algae green slime that covered a huge portion of Lake Mead for five months in 2001, and which is returning in 2002 as of this date. Commenters stated that the algae blooms are not from illegal fueling, personal watercraft/two-stroke engines, or from the overcrowded conditions, but rather from effluent water. Nevada Water Quality standards have already been exceeded, but what did the National Park Service do about it?

Response: Water quality is a very important issue at Lake Mead National Recreation Area. Park resource managers are working with the Lake Mead Water Quality Forum to coordinate monitoring, identify issues related to water quality, and seek solutions to the threats to water quality at Lake Mead. Park managers are also working with the Las Vegas Wash Coordination Committee to develop a Las Vegas Wash comprehensive adaptive management plan with the goal of improving the quality of water entering Lake Mead.

The National Park Service, Bureau of Reclamation, and the Clean Water Coalition are working to address the issues related to the discharge of treated effluent from Las Vegas Wash into Lake Mead. The National Park Service and Bureau of Reclamation have recently begun preparation of an environmental impact statement to address issues and analyze alternatives and potential impacts associated with the construction, operation, and maintenance of a Systems Conveyance and Operations Program. The goal of this program is to maintain the quality and integrity of the treated wastewater as it increases through time, and to reduce erosion within Las Vegas Wash. Managers at Lake Mead National Recreation Area are also working with the managers of Las Vegas Bay Marina to address the water quality and delta issues in the bay. Agency coordination efforts and analysis of issues and alternatives related to the current situation in the bay are ongoing.

The above actions are discussed in the *Final Environmental Impact Statement* under the “Other Plans, Policies, and Actions Considered” section in the “Purpose of and Need for the Plan” chapter.

Public Comment:
01528D, 00371 B, 08092 F
(Las Vegas Boat Harbor, Inc.)

Commenter:
Sierra Club,
Southern Nevada Group

Affiliation:
Organization

WILDLIFE AND WILDLIFE HABITAT

Regulations, Methodologies, and Assumptions

Issue 1: *Fish Stocking Locations Need to Be Dynamic*

A *Comment:* The utility of certain fish stocking locations will change from year to year as lake surface elevations change.

Response: Lake Mead National Recreation Area staff would continue to coordinate stocking activities with the Nevada Division of Wildlife and the U.S. Fish and Wildlife Service, with the understanding that stocking locations can change with the fluctuating water levels as stated under the modified preferred alternative (alternative C) in the *Final Environmental Impact Statement*.

Public Comment:
082050

Commenter:
Nevada Division of Wildlife

Affiliation:
Public Agency

Impacts from all Watercraft

Issue 1: Wildlife Impacts in Black Canyon from All Watercraft Noise

- A** Comment: Noise from all watercraft in Black Canyon disrupts the serenity of the kayaking experience and impacts wildlife.

Response: Under the modified preferred alternative (alternative C), there would be temporal restrictions on personal watercraft use in Black Canyon that would reduce impacts on wildlife and users seeking a serene experience. Impacts would be reduced to a minimal or negligible level. Under the modified preferred alternative (alternative C), the canyon would be managed for a primitive setting two days per week, thus excluding personal watercraft use those two days. Between Labor Day and Memorial Day, five days per week, the canyon would be managed for a semiprimitive setting. During the summer months between Memorial Day and Labor Day, the canyon would be managed for a rural setting, with houseboats, waterskiing, and wakeboarding prohibited. Personal watercraft use would be monitored during this summer period and would be restricted if the safety of lake users becomes an issue. (Refer to table 1 in the “Purpose of and Need for the Plan” chapter for a complete description of the recreational opportunity spectrum.) These temporal and watercraft type restrictions in Black Canyon should reduce the impacts on shoreline wildlife use and primitive watercraft use (such as kayaks).

Public Comment:
01938B

Commenter:

Affiliation:
Individual

- B** Comment: Consider eliminating all motorized watercraft use in Black Canyon or, at the very least, consider limiting their use. By doing so, this could possibly encourage wildlife species to return to Black Canyon for pleasant viewing by all.

Response: The preferred alternative (alternative C) in the *Draft Environmental Impact Statement* was revised and is now the modified preferred alternative (alternative C) in this final document. The modified preferred alternative (alternative C) includes temporal and watercraft restrictions in Black Canyon. During the winter months, Black Canyon does not get much use by any watercraft, and it would be managed for a primitive setting two days per week, and a semiprimitive setting five days per week. During the summer months between Memorial Day and Labor Day, houseboats, waterskiing, and wakeboarding in Black Canyon would be prohibited, and personal watercraft use would be allowed, but monitored and restricted if the safety of lake users becomes an issue (as determined by reported conflict information and boating accident reports).

Public Comment:
01936BB

Commenter:

Affiliation:
Individual

Issue 2: Wildlife Will Not be Seen If Shorelines Are Closed

- A** Comment: By closing some of shoreline to protect wildlife, we will not be able to get there to see them. Why are we saving wildlife if we cannot see them? Make these wakeless zones, instead.

Response: As explained in the “Methodology” section of the “Environmental Consequences” chapter, the federal standard for evaluating wildlife impacts does not base wildlife habitat value solely on the public’s ability to view species. In many cases, areas of important wildlife habitat are more valuable to the preservation and protection of the species if they are secluded from visitor viewing and direct visitor impacts. Protected and secluded areas of important wildlife habitat can function as refuge and breeding areas for wildlife, thus helping to secure the species’ continued existence.

Public Comment:
00136D

Commenter:

Affiliation:
Individual

Issue 3: Impacts to Aquatic Wildlife from Recreational Use

A Comment: We concur with the assessment in the *Draft Environmental Impact Statement* that recreational use has not shown to be an impact to sensitive and protected fish species. We also agree with the concept of restrictive zoning to protect shoreline resources and are not aware of any areas within the National Recreation Area where it is needed at this time.

Response: The National Park Service appreciates the Nevada Division of Wildlife’s concurrence on this issue. NPS staff will work with Nevada Division of Wildlife to identify shoreline areas requiring protective measures, should the need for restrictive zonings arise. As stated under the modified preferred alternative (alternative C) in this *Final Environmental Impact Statement*, the National Park Service would continue to monitor boating use during spawning periods at spawning sites, and if necessary, would implement temporal closures or zoning measures in these areas. In addition, some areas around marinas with known spawning sites for razorback suckers would be closed during the spawning period between December 1 and May 1, while other spawning areas would be protected by flat-wake zoning. It is also believed that the proposed zoning of the sensitive inflow areas of the Virgin and Muddy Rivers will help protect fish and other sensitive species habitat.

Public Comment:
08205Z

Commenter:
Nevada Division of Wildlife

Affiliation:
Public Agency

B Comment: All watercraft impacts, not just personal watercraft, are harmful to aquatic wildlife because of the wakes they generate in shallow water spawning areas.

Response: Comment noted. The modified preferred alternative (alternative C) states that watercraft impacts to shallow water shoreline areas on the Lake Mead National Recreation Area would be mitigated via shoreline closures (as needed), primitive zoning restrictions, and semiprimitive flat-wake-only areas.

Public Comment:
01807A

Commenter:

Affiliation:
Individual

Impacts from Personal Watercraft Use

Issue 1: Lack of Site-Specific Data to Evaluate Personal Watercraft Impacts on Wildlife

A Comment: The *Draft Environmental Impact Statement* lacks site-specific information on personal watercraft impacts upon Lake Mead’s fish and wildlife. Wildlife studies indicate that personal watercraft disproportionately impact wildlife, such as birds and marine mammals.

Response: The National Park Service determined that site-specific studies of personal watercraft impacts on wildlife were not necessary given the limited extent of native shoreline vegetation and its limited value to wildlife. As stated in the “Natural and Cultural Resources” section of the “Affected Environment” chapter, “. . . the majority of the shoreline in the recreation area contains nonnative salt cedar (*Tamarix* spp.), with relatively few areas supporting native vegetation. Fluctuating water levels along the shoreline make restoration of vegetation communities impossible in most situations.” Primitive and semiprimitive zoning would be imposed in those few shoreline areas that contain valuable wildlife habitat, such as the willow scrub inflow areas of the Virgin and Muddy Rivers where neotropical migratory songbirds potentially nest. The primitive and semiprimitive zonings would prohibit personal watercraft use, waterskiing, and wakeboarding and restrict other motorized uses by either imposing flat-wake speed restrictions or allowing only electric trolling motors. The park has identified sensitive vegetation and shoreline habitat deemed valuable for wildlife and has incorporated appropriate mitigation measures under the modified preferred alternative (alternative C) to protect these areas.

Regarding the commenter’s concern for personal watercraft impacts on marine mammals at Lake Mead National Recreational Area, Lakes Mead and Mohave are inland freshwater bodies, so marine mammals such as walrus and sea lions do not occur there. The “Natural and Cultural Resources” section of the “Affected Environment” chapter does note the presence of Arizona river otters in restored shoreline riparian areas, but the semiprimitive zoning of most of these areas would likely prevent impacts to the species (from collision, noise, and wake impacts).

Regarding fisheries of Lake Mead National Recreation Area, the modified preferred alternative (alternative C) proposes to use temporal shoreline zonings to reduce and/or prevent impacts to shallow spawning areas.

<i>Public Comment:</i> 08595R	<i>Commenter:</i> Bluewater Network	<i>Affiliation:</i> Organization
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B Comment: There is little concrete data in the *Draft Environmental Impact Statement* to support continued use of any personal watercraft, including two-stroke or four-stroke models.

Response: The impact of the elimination of personal watercraft was considered in alternative A. Elimination of personal watercraft is not being included under the modified preferred alternative (alternative C) because it was determined in the analysis of the preferred alternative in the *Draft Environmental Impact Statement* that personal watercraft use would not result in impairment to park resources and is consistent with the park’s purpose and management objectives defined by the enabling legislation for Lake Mead National Recreation Area. What constitutes impairment is defined by resource in the “Methodology” section of the “Environmental Consequences” chapter. Extensive air quality and water quality analyses have also been included in the “Environmental Consequences” chapter of this *Final Environmental Impact Statement*. The air and water quality sections address the impacts of personal watercraft and all watercraft.

<i>Public Comment:</i> 08204B	<i>Commenter:</i> Wilderness Society and National Parks Conservation Association	<i>Affiliation:</i> Organization
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Issue 2: State Water Quality Standards May Not Be Adequate for Assessing Personal Watercraft Impacts on Aquatic Wildlife

- A *Comment:* Even though the levels of pollutants in the lake are not in violation of state water quality standards, an NAS report reveals that NPS reliance on state water quality standards may not be adequate to protect Lake Mead's plants and wildlife. We urge the park manager to explain scientifically how it can be concluded that the oil and gas mixture dumped by personal watercraft is not damaging park resources.

Response: The water quality standards selected to evaluate personal watercraft and other watercraft impacts are presented in table 46 in the revised "Methodology" section of the "Environmental Consequences" chapter. State and federal water quality standards, as well as other scientific literature, were evaluated to identify these ecological and/or human health toxicity benchmarks (references for these sources are listed as footnotes to the table). The most protective standards were selected for the water quality analysis as noted in the "Methodology" section. The hydrocarbon pollutants from personal watercraft are expected to be well within ecotoxicological benchmark levels in both Lakes Mead and Mohave under the modified preferred alternative (alternative C) because of the mixing and dilution that occurs in upper levels used by fish and wildlife. Therefore, it is expected that terrestrial wildlife would not be affected by hydrocarbons via ingestion (drinking water and in aquatic prey), and aquatic wildlife and fish should not be affected via ingestion or absorption through mucous membranes.

Public Comment:
082040

Commenter:
Wilderness Society and National
Parks Conservation Association

Affiliation:
Organization

Issue 3: Substantiate Impacts of PAH on Wildlife and Vegetation

- A *Comment:* What is the state of knowledge regarding the effects of PAHs on aquatic wildlife and vegetation?

Response: Results of studies conducted primarily to document physiological responses, including death, of aquatic organisms to PAH, are now being used by Environmental Protection Agency and state water quality agencies to set ecotoxicological benchmarks for measuring the effects of PAH on aquatic organisms. As documented in table 50 in the *Final Environmental Impact Statement*, published benchmarks for the more common hydrocarbons found in personal watercraft fuel spillage and exhaust are (in micrograms per liter) include the following: 0.014 for benzo(a)pyrene; 62 for naphthalene; 34 for 1-methyl naphthalene; 130 for benzene; and 51,000 for MBTE (methyl tertiary butyl ether). As demonstrated in the water quality analysis in the "Environmental Consequences" chapter, it is expected that none of these benchmarks would be reached or exceeded under any of the alternatives for either Lake Mead or Mohave.

Public Comment:
082040

Commenter:
Wilderness Society and National
Parks Conservation Association

Affiliation:
Organization

Issue 4: Personal Watercraft Pollutant Impact on Aquatic Plants and Fish

- A *Comment:* Personal watercraft have been shown to produce pollutants that cause significant damage to aquatic plants and fish.

Response: Personal watercraft and other watercraft are more likely to damage aquatic plants through disturbances other than emission of pollutants. Damage to aquatic plants has been documented as a result of erosion from wakes, increased turbidity and sediment deposition, collision, or mechanical removal (Asplund 2001). In addition, impacts to aquatic vegetation may occur from water level fluctuations and erosion caused by natural wave action. As mentioned in the *Draft Environmental Impact Statement*,

“Impacts of Alternative C: The Preferred Alternative” (now the modified preferred alternative [alternative C] in this final document), sensitive grasses and submerged aquatic vegetation within the Lake Mead National Recreation Area occur primarily in the inflow areas of the Colorado, Virgin, and Muddy Rivers. Under the modified preferred alternative (alternative C), the expanded semiprimitive zoning of the Muddy River inflow and the primitive zoning of the Virgin River inflow would protect the aquatic vegetation and sensitive habitat in these areas by allowing only non-personal watercraft at flat-wake speeds or electric trolling motors.

It has been documented that fish species have been negatively affected by motorized watercraft emissions (Oris, et al 1998). Disturbance to spawning razorback suckers from the use of motorized watercraft has been observed (Marsh 2001). The proposed ban on carbureted two-stroke engines on all watercraft would improve water quality and reduce impacts to aquatic fish species from polluting emissions. However, the present monitoring of sensitive fish species, including the razorback sucker and bonytail chub, in Lake Mead National Recreation Area will continue. The National Park Service will continue to work with the Native Fish Work Group to determine the necessary protective actions such as possible closures for all watercraft during critical times during the life cycle of the species. A chemical pollutant monitoring program would also be instituted in order to protect water quality and aquatic species. If monitoring determines that water quality standards are being violated, specific areas at Lakes Mead and Mohave could require temporal or seasonal closure.

The *U.S. Fish and Wildlife Service Biological Opinion* is included in appendix F of this *Final Environmental Impact Statement*. The biological opinion concurs with the NPS determination that the modified preferred alternative (alternative C) would not likely jeopardize the continued existence of the bonytail chub, razorback sucker, or other listed species, and is not likely to destroy or adversely modify designated critical habitat for either the bonytail chub or razorback sucker.

Public Comment:
085951

Commenter:
Bluewater Network

Affiliation:
Organization

Issue 5: Personal Watercraft Generate Noise That Is More Annoying to Wildlife Than Noise Generated by Conventional Watercraft

A *Comment:* Personal watercraft have a high potential to create noise that is perceived as more annoying to humans and wildlife than the sound generated by conventional watercraft. Also, waterfowl respond “significantly more” to personal watercraft noise than conventional watercraft noise.

Response: It is true that some studies have shown that noise from personal watercraft is more intense and has increased effects on wildlife when compared to other motorized watercraft. A study by Burger (1997) found that personal watercraft made more noise than motorboats when compared in any speed category. Another explanation for increased response by waterfowl is the fact that personal watercraft can access the shoreline environments more readily compared to other watercraft types.

The inflow areas of the Colorado, Virgin and Muddy Rivers contain the highest quality wildlife habitat within the Lake Mead National Recreation Area. Under the modified preferred alternative (alternative C), the elimination of personal watercraft, waterskiing, and wakeboarding from the sensitive inflow locations on the Overton Arm, would benefit waterfowl and other wildlife in these areas. Additionally, the modified preferred alternative (alternative C) reflects increased zoning measures in these areas which will further minimize the effects of personal watercraft and other motorized watercraft noise on waterfowl and other aquatic and shoreline wildlife.

See comments and responses in the “Soundscapes” section for more information on personal watercraft noise impacts.

Public Comment:
08595H, 08595I.

Commenter:
Bluewater Network

Affiliation:
Organization

- B** *Comment:* The noise from personal watercraft can affect terrestrial wildlife, such as bighorn sheep and coyotes.

Response: It is acknowledged that personal watercraft noise may temporarily affect wildlife such as coyotes and bighorn sheep that visit the shoreline primarily for water. Wildlife, in general, move away from disturbance such as approaching motorized vessels. However, the National Park Service has observed unpredictable responses from bighorn sheep near the shoreline. At times, they will move away when a vessel is approaching and return when it moves away. Other times they will ignore the approaching vessel and not move. This indicates that any effects personal watercraft and other motorized watercraft have on bighorn sheep is minimal. Coyotes are very transient animals that have a high tolerance for human activity. Effects of personal watercraft or other motorized watercraft on coyotes is also expected to be minimal. This information is included in the “Environmental Consequences” chapter in the “Wildlife and Wildlife Habitat” and “Threatened and Endangered Species” sections in each of the alternative impact sections.

Public Comment:
05249B

Commenter:

Affiliation:
Individual

Issue 6: New Technology Engines Still Impact Wildlife

- A** *Comment:* The newer engine technology is unlikely to improve the craft’s horrific safety record or reduce its impact on wildlife.

Response: The safety record of personal watercraft at Lake Mead can be improved by measures such as boater safety education. The modified preferred alternative (alternative C) proposes a requirement of boater safety training for all vessel operators born after 1983. States such as California report operator inexperience as the leading cause of personal watercraft-related accidents (NTSB 1998). Boater education programs that incorporate personal watercraft-specific instruction have been shown to reduce personal watercraft accidents in Connecticut and Michigan (NTSB 1998).

The newer engine technology and the proposed zoning under the modified preferred alternative (alternative C) would reduce impacts to wildlife from factors such as noise. Phasing in of the new technology would reduce impacts to aquatic and shoreline species by greatly reducing the discharge of fuel components such as benzene, toluene, ethylbenzene, and acenaphthene into the water as stated in the “Methodology” section of the “Environmental Consequences” chapter.

Public Comment:
02105B

Commenter:

Affiliation:
Individual

Cumulative Impacts

Issue 1: *Fluctuating Water Levels May Impact Fisheries*

- A *Comment:* Spawning fish have no idea where to go because of fluctuating water levels, and personal watercraft make the problem worse by disrupting shoreline vegetative cover.

Response: NPS staff will work with the Nevada Division of Wildlife, Arizona Game and Fish Department, and U.S. Fish and Wildlife Service to identify shoreline areas requiring protective measures, should the need for restrictive zonings arise. As stated under the modified preferred alternative (alternative C), the National Park Service will continue to monitor boating use during spawning periods at spawning sites, and if necessary, will implement temporal closures or zoning measures in these areas. In addition, some areas around marinas with known spawning sites for razorback suckers would be closed during the spawning period between December 1 and May 1, while others would be protected by flat-wake zoning. It is also believed that the proposed zoning of the sensitive inflow areas of the Virgin and Muddy Rivers will help protect fish habitat. In addition, the *U.S. Fish and Wildlife Service Biological Opinion*, included in the *Final Environmental Impact Statement* in appendix F, has concurred with the NPS determination that the preferred alternative (now the modified preferred alternative [alternative C]) would not likely jeopardize the continued existence of any listed species, including razorback sucker or bonytail chub and is not likely to adversely affect designated critical habitat for the species.

Administration of water levels at Lakes Mead and Mohave is the responsibility of the Bureau of Reclamation. Between 1992 to 2002 Lake Mead has operated between water surface elevations 1,173.39 and 1,215.89 feet above mean sea level. Lake Mead may increase or decrease its operating levels due to the adoption of the Colorado River Interim Surplus Criteria by the Bureau of Reclamation and the above or below normal snowpack conditions. The Surplus Criteria will determine the surplus water conditions in the lower Colorado River Basin for the time period 2002 through 2016. The impacts on resources from this action have been addressed in the *Colorado River Interim Surplus Criteria Final Environmental Impact Statement*, December 2000, prepared by Bureau Reclamation (BOR 2000). A summary of the impacts as they relate to the park operation of Lake Mead National Recreation Area is found in appendix C of this *Final Environmental Impact Statement*.

Public Comment:
01441A, 08208 A

Commenter:

Affiliation:
Individual

Issue 2: *Lack of Enforcement May Impact Fisheries*

- A *Comment:* Our fisheries resources are being destroyed by a lack of fishing regulation enforcement.

Response: Lakes Mead and Mohave are considered by many anglers to be excellent fishing locations and are among the top fishing waters in the states of Nevada and Arizona. The fisheries resources are not being destroyed by a lack of fishing regulation enforcement. Fishing regulations are diligently enforced by the Nevada Division of Wildlife, Arizona Game and Fish Department, and the National Park Service.

Public Comment:
01441A

Commenter:

Affiliation:
Individual

Issue 3: *Invasion of New Aquatic Exotics from Lake Use*

- A *Comment:* Has Lake Mead experienced increased numbers of aquatic exotics, such as Zebra mussel or snails?

Response: Lake Mead has not experienced increased numbers of aquatic exotics. The National Park Service plans to initiate a monitoring program for fishing tournaments, which would include inspecting boats and trailers for exotic species.

Public Comment:
09049B

Commenter:

Affiliation:
Individual

THREATENED AND ENDANGERED SPECIES

Regulations, Methodologies, and Assumptions

Issue 1: National Park Service May Be in Violation of Endangered Species Act by Allowing Personal Watercraft Use Under the Preferred Alternative

- A** *Comment:* By allowing continued use of personal watercraft on most of the lake under the preferred alternative, National Park Service may be in violation of section 9 of the federal *Endangered Species Act*. Section 9 prohibits unauthorized take of listed species. Listed species are probably being taken by personal watercraft via life-cycle disturbance and harassment.

Response: The U.S. Fish and Wildlife Service Biological Opinion is included in the *Final Environmental Impact Statement* in appendix F. The biological opinion has concurred with the NPS determination that the preferred alternative (now the modified preferred alternative [alternative C] in this final document) is not likely to jeopardize the continued existence of the Southwestern willow flycatcher, bonytail chub, razorback sucker, or desert tortoise, and is not likely to destroy or adversely modify designated critical habitat for bonytail, razorback, or tortoise. In addition, the U.S. Fish and Wildlife Service agreed with the determination of no effect on the bald eagle and Yuma clapper rail. The mitigation adopted under the modified preferred alternative (alternative C) includes measures to protect spawning and nesting areas.

Public Comment:
08204N, 08595 S (Bluewater
Network)

Commenter:
Wilderness Society and National
Parks Conservation Association

Affiliation:
Organization

- B** *Comment:* Even though the formal Biological Opinion resulting from the section 7 consultation has not yet been issued by U.S. Fish and Wildlife Service, National Park Service seems to be of the opinion that personal watercraft use does not result in a take of listed species, including the razorback sucker, humpback chub, and bald eagle. This NPS position runs counter to the 10-year study that was actually cited in the *Draft Environmental Impact Statement*, a study in which biologists found that personal watercraft use resulted in “significant disturbance” to aquatic species.

Response: This *Final Environmental Impact Statement* clarifies information contained in the draft document to show that there was not a 10-year study on recreation impacts. In fact, the information related to disturbance impacts to endangered fish was based on the personal observations of a fisheries biologist conducting fish research on Lake Mohave. Background information on sensitive species can be found in the “Affected Environment” chapter. The U.S. Fish and Wildlife Service Biological Opinion (included in appendix F) concurs with the NPS determination that the preferred alternative (now the modified preferred alternative [alternative C]) is not likely to jeopardize the continued existence of the Southwestern willow flycatcher, bonytail chub, razorback sucker, or desert tortoise, and is not likely to destroy or adversely modify designated critical habitat for bonytail, razorback, or tortoise. In addition, the U.S. Fish and Wildlife Service agreed with the determination of no effect on the bald eagle and Yuma clapper rail. The mitigation proposed under the modified preferred alternative (alternative C) includes measures to protect spawning and nesting areas. In addition, species in the most sensitive aquatic areas (the inflow areas of the Virgin and Muddy Rivers) would be protected by semiprimitive and primitive zoning.

Under the modified preferred alternative (alternative C), most known spawning areas of razorback suckers on Lakes Mead and Mohave would either be closed to all watercraft use during the spawning season, or the park would be prepared to close them based on a recommendation from the Native Fish Work Group. Only the mooring area of Echo Bay and the Las Vegas Bay area would receive special exemptions during the razorback sucker spawning season. The Echo Bay mooring area would remain open during the sucker spawning season, but it would be clearly marked from adjoining spawning areas via buoys and signage, and the marina will initiate a public awareness campaign. The Las Vegas Bay area would remain open to motorized vessels during the spawning season; however, it would continue to be

designated as a flat-wake zone. These restrictions and closures should prevent impacts to razorback sucker shallow spawning areas during the species' breeding season.

Much less is known about bonytail chub breeding within the Lake Mead National Recreation Area. While the species has been known to historically spawn in lower Lake Mohave, there is no recent evidence to support this. Annual surveys will continue in an attempt to locate the species and its spawning areas. As described under the modified preferred alternative (alternative C), should bonytail chub spawning areas be found, seasonal closures would be implemented or wake restrictions would be considered.

The Southwestern willow flycatcher has been found nesting within Lake Mead National Recreation Area. Annual monitoring would occur in an attempt to locate nesting pairs in suitable habitat within Lakes Mead and Mohave. Should nesting sites be found during these surveys, then the areas will be closed to restrict all recreational use. Closures would occur via appropriate signage and barriers from the shoreline side, and use of buoys and markers from the lake edge side.

By implementing the above mitigation measures as part of the modified preferred alternative (alternative C), personal watercraft and other watercraft impacts on shallow water spawning areas for sensitive fish species and on Southwestern willow flycatcher nesting habitat can be reduced or prevented.

<i>Public Comment:</i> 08204, 08595 S (Bluewater Network)	<i>Commenter:</i> Wilderness Society and National Parks Conservation Association	<i>Affiliation:</i> Organization
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Issue 2: Concur that Recreational Use Is Not Impacting Sensitive and Protected Fish Species

A Comment: The state of Nevada concurs with the *Draft Environmental Impact Statement* assessment in that recreational use at Lake Mead has not shown to be an impact to sensitive and protected fish species. The proposed strategy of future restrictive zoning, should the need arise to prevent impacts to these species, is appropriate. The state of Nevada is not aware of any areas where such zoning is currently needed.

Response: Background information regarding sensitive and protected fish species can be found in the “Affected Environment” chapter. Under the modified preferred alternative (alternative C), most known spawning areas of razorback suckers on Lakes Mead and Mohave would either be closed to all watercraft use during the spawning season, or the park would be prepared to close the areas based on a recommendation from the Native Fish Work Group. Only the mooring area of Echo Bay and the Las Vegas Bay area would receive special exemptions during the razorback sucker spawning season. The Echo Bay mooring area would remain open during the sucker spawning season, but it would be clearly marked from adjoining spawning areas via buoys and signage, and the marina would initiate a public awareness campaign. The Las Vegas Bay Marina has been relocated to Horsepower Cove, away from razorback spawning areas, due to infringement of the delta and low water levels. This relocation, combined with the above restrictions and closures, should prevent impacts to razorback sucker shallow spawning areas during the species breeding season.

Much less is known about bonytail chub breeding within the Lake Mead National Recreation Area. While the species has been known to historically spawn in lower Lake Mohave, there is no recent evidence to support this. Annual surveys will continue in an attempt to locate the species and its spawning areas. As described under the modified preferred alternative (alternative C), should bonytail chub spawning areas be found, seasonal closures would be implemented or wake restrictions would be considered.

As stated in the *Final Environmental Impact Statement*, the National Park Service will continue to work with the Native Fish Work Group, including the state of Nevada, to determine if additional future zoning of spawning areas is necessary.

Public Comment:
08205Z

Commenter:
Nevada Division of Wildlife

Affiliation:
Public Agency

Impacts from All Watercraft

Issue 1: Leopard Frog Populations May Be Impacted from Shoreline Visitors in Black Canyon

- A *Comment:* Suggest monitoring the hot springs in Black Canyon that are inhabited by leopard frogs and used by nonmotorized use visitors. Monitoring should be used to assess visitor impacts, with the understanding that special zoning could be applied in the future to limit impacts.

Response: The National Park Service is currently working with the University of Nevada (Las Vegas and Reno), the Nevada Division of Wildlife, State of Arizona, U.S. Fish and Wildlife Service, and the Environmental Protection Agency to inventory and monitor the relict leopard frog. The Rana Onca Work Group (comprised of local, state, and federal land management and wildlife agencies from Nevada, Arizona, and Utah) is also working on joint monitoring programs and a conservation strategy to protect the relict leopard frog. Conservation measures that are ongoing include reintroducing frogs into suitable habitat and working with area agencies to improve springs to conditions that support the relict leopard frogs, including nonnative plant removal.

Known habitat along Black Canyon would not be designated as camping sites. As discussed under the modified preferred alternative (alternative C), if future monitoring shows an expansion of the relict leopard frogs into additional springs within the Black Canyon, those areas would be protected through temporal closures to camping and other protection measures as necessary and appropriate.

Public Comment:
08205A

Commenter:
Nevada Division of Wildlife

Affiliation:
Public Agency

Issue 2: Ensure Enforcement of Protection Measures for Endangered Species

- A *Comment:* It is critical that we ensure adequate funding for proactive protection of endangered species.

Response: The park is able to fund projects to protect threatened and endangered species through multiple sources, including the *Clark County Multi-Species Habitat Conservation Plan* (Clark County 2002a) as described in the “Other Plans, Policies, and Actions Considered” section in the “Purpose of and Need for the Plan” chapter.

Public Comment:
08204B

Commenter:
Wilderness Society and National
Parks Conservation Association

Affiliation:
Organization

Issue 3: Potential Impacts to Desert Tortoise Have Not Been Addressed

- A *Comment:* The new road to be constructed between Government Wash and Box Car Cove should be evaluated for its impact on desert tortoise and its habitat.

Response: Mitigation, based on past consultations with the U.S. Fish and Wildlife Service, including the Lakeshore and Northshore Road projects, is required for all projects within desert tortoise habitat at Lake Mead National Recreation Area. This mitigation includes tortoise education requirements and measures to minimize adverse effects to the desert tortoise including habitat loss, degradation, and fragmentation; direct mortality from construction activities; and raven predation on tortoises.

The *Final Environmental Impact Statement* considers the effects on desert tortoises on a programmatic level. In addition, the modified preferred alternative (alternative C) proposes that project-specific environmental analysis would occur prior to any construction activity, including further analysis of desert tortoise impacts and avoidance mitigation.

The *U.S. Fish and Wildlife Service Biological Opinion* is included in the *Final Environmental Impact Statement* in appendix F. The biological opinion has concurred with the NPS determination that the preferred alternative (now the modified preferred alternative [alternative C] in this final document) is not likely to jeopardize the continued existence of listed species, including desert tortoise, nor is not likely to destroy or adversely modify designated critical habitat for bonytail, razorback, or tortoise.

Public Comment:
08206L

Commenter:
Bureau of Reclamation

Affiliation:
Public Agency

Impacts from Personal Watercraft Use

Issue 1: Personal Watercraft Use May Impact Bald Eagles and Other Bird Species

- A *Comment:* How can National Park Service conclude that the operation of personal watercraft in Lake Mead will have no impact on nearby bald eagles? This question is asked particularly in light of its own (National Park Service) study completed for the North Cascades National Park, where personal watercraft noise in steep canyon formations was found to attenuate and echo.

Response: Bald eagles occur in the park during the winter, when personal watercraft and other watercraft occur in relatively low numbers. In winter months, bald eagles roost and feed in the park, and these activities are not as susceptible to disruption by personal watercraft in close proximity. The species is most sensitive to watercraft intrusions during the breeding period, when personal watercraft noise could lead to unsuccessful foraging forays and declining health of young birds, as well as in total nest abandonment during critical pre-fledging periods. Because bald eagles do not breed within the Lake Mead National Recreation Area, impacts on the species during the winter, when watercraft use is at its lowest, are considered minor to negligible.

In addition, the *U.S. Fish and Wildlife Service Biological Opinion* included in appendix F, has concurred with the NPS determination that the preferred alternative (now the modified preferred alternative [alternative C] in this final document) would have no effect on bald eagles.

Public Comment:
08204M

Commenter:
Wilderness Society and National
Parks Conservation Association

Affiliation:
Organization

Issue 2: Personal Watercraft Use May Impact Sensitive Species in Aquatic Environments, Particularly in Shallow Spawning Areas

- A *Comment:* Spawning and nesting areas for sensitive species should be identified, well marked, and provide greater protection.

Response: Under the modified preferred alternative (alternative C), most known spawning areas of razorback suckers on Lakes Mead and Mohave would either be closed to all watercraft use during the spawning season, or the park would be prepared to close them based on a recommendation from the Native Fish Work Group. Only the mooring area of Echo Bay and the Las Vegas Bay area would receive special exemptions during the razorback sucker spawning season. The Echo Bay mooring area would remain open during the sucker spawning season, but it would be clearly marked from adjoining spawning areas via buoys and signage, and the marina would initiate a public awareness campaign. The Las Vegas Bay area would remain open to motorized vessels during the spawning season; however, it would continue to be designated as a flat-wake zone. These restrictions and closures should prevent impacts to razorback sucker shallow spawning areas during the species' breeding season.

While bonytail chub has been known to historically spawn in lower Lake Mohave, there is no recent evidence to support this. Annual surveys would continue in an attempt to locate the species and its spawning areas. Should bonytail chub spawning areas be found, seasonal closures would be implemented or wake restrictions will be considered.

The Southwestern willow flycatcher has been found nesting within Lake Mead National Recreation Area. Annual monitoring will occur in an attempt to locate nesting pairs in suitable habitat within Lakes Mead and Mohave. Should nesting sites be found during these surveys, then the areas would be closed to restrict all recreational use. Closures would occur via appropriate signage and barriers from the shoreline side, and use of buoys and markers from the lake edge side.

By implementing the above mitigation measures as part of the modified preferred alternative, personal watercraft and other watercraft impacts on shallow water spawning areas for sensitive fish species and on Southwestern willow flycatcher nesting habitat can be reduced or prevented.

Public Comment:
08204B

Commenter:
Wilderness Society and National
Parks Conservation Association

Affiliation:
Organization

B *Comment:* The *Draft Environmental Impact Statement* offers conflicting conclusions regarding listed fish species impacts from personal watercraft. Please clarify and explain how these species are not affected, when even the *Draft Environmental Impact Statement* identifies a study (p. 173) completed by biologists clearly showing that endangered fish are affected.

Response: It is true that the *Draft Environmental Impact Statement* referenced a 10-year study where biologists studied the impacts of motorized vessels “in and around” the razorback sucker spawning areas on Lake Mohave. This *Final Environmental Impact Statement* clarifies information contained in the draft document to show that there was not a 10-year study on recreation impacts. In fact, the information related to disturbance impacts to endangered fish was based on the personal observations of a fisheries biologist conducting fish research on Lake Mohave. Under the modified preferred alternative (alternative C), most known spawning areas of razorback suckers on Lakes Mead and Mohave would either be closed to all watercraft use during the spawning season or the park would be prepared to close the areas based on a recommendation from the Native Fish Work Group. Only the mooring area of Echo Bay and the Las Vegas Bay area would receive special exemptions during the razorback sucker spawning season. The Echo Bay mooring area would remain open during the sucker spawning season, but it would be clearly marked from adjoining spawning areas via buoys and signage, and the marina would initiate a public awareness campaign. The Las Vegas Bay area would remain open to motorized vessels during the spawning season; however, it would continue to be designated as a flat-wake zone. These restrictions and closures should prevent impacts to razorback sucker shallow spawning areas during the species breeding season.

While bonytail chub has been known to historically spawn in lower Lake Mohave, no recent evidence supports this. Annual surveys will continue in an attempt to locate the species and its spawning areas. Should bonytail chub spawning areas be found, seasonal closures would be implemented or wake restrictions would be considered.

By implementing the above mitigation measures as part of the modified preferred alternative, personal watercraft and other watercraft impacts on shallow water spawning areas for sensitive fish species can be reduced or prevented.

Public Comment:
08204K, 08204L

Commenter:
Wilderness Society and National
Parks Conservation Association

Affiliation:
Organization

Cumulative Impacts

Issue 1: Recommendations for Protection of Sensitive Bird Species

A Comment: Balance protection of Virgin River bird habitat, especially the Southwestern willow flycatcher habitat, and protection of endangered fish is needed. Reduce fishing impacts on bird habitat by considering no wake zones, fishing-only zones with a restriction on boat length (22 feet maximum), four-stroke motor-only zones, and electric trolling motor-only zones in certain areas.

Response: The sensitive inflow area of the Virgin River would be zoned for primitive use only. Only nonmotorized use and boats with electric trolling motors would be permitted in this area. In addition, a monitoring program would be implemented to determine if Southwestern willow flycatchers are nesting in the inflow area. If nest sites are found, or if breeding activity is observed, these particular sites would be closed to all recreational use on a temporal basis to protect the birds.

The *U.S. Fish and Wildlife Service Biological Opinion* is included in appendix F. The biological opinion has concurred with the National Park Service determination that the preferred alternative (now the modified preferred alternative [alternative C] in this final document) is not likely to jeopardize the continued existence of the Southwestern willow flycatcher, bonytail chub, razorback sucker, or desert tortoise, nor is not likely to destroy or adversely modify designated critical habitat for bonytail, razorback, or tortoise. The mitigation adopted under the modified preferred alternative includes measures to protect spawning and nesting areas.

Public Comment:
02255E

Commenter:

Affiliation:
Individual

SOUNDSCAPES

Regulations, Methodologies, and Assumptions

Issue 1: Lack of Site-Specific Noise Data and Characterization of Soundscapes Throughout Lake Mead has Resulted in an Incomplete Assessment of Personal Watercraft Impacts

A Comment: The analysis on personal watercraft noise impacts at Lake Mead was based on a study conducted at Glen Canyon National Recreation Area. The parks' differing geology will likely result in distinct personal watercraft acoustic patterns. Therefore, making assumptions about personal watercraft noise patterns at Lake Mead based on data collected at Lake Powell is highly questionable.

Response: There is no definitive literature describing scientific measurements of personal watercraft noise. To address this lack of scientific data, the National Park Service contracted noise measurements of motorized vessels, including personal watercraft, at Glen Canyon in 2001. The noise source data from this study was used in the *Draft Environmental Impact Statement / Lake Management Plan* soundscape analysis because the results were not dependent upon or influenced by park geology or other environmental factors. At Glen Canyon, sound measurements were made of a number of boats and personal watercraft as they passed by a microphone mounted above the front of an instrumented boat. As stated in the technical report (*Draft Technical Report on Noise: Personal Watercraft and Boating Activities at Glen Canyon National Recreation Area* [HMMH 2002]), controlled pass-by measurements of three personal watercraft and one motorboat were conducted at several different speeds. Many other boats and personal watercraft were also measured as they went about their normal activities in the vicinity of the measurement sites. In all cases, a radar gun was used to determine speed and a laser range finder was used for distance. After normalizing measurements to a common distance, maximum sound levels were computed both for 15 and 25 meters (49 feet and 82 feet, respectively), the distance at which NPS watercraft noise emission regulations apply. There was no quantitative analysis of noise patterns in the *Draft Environmental Impact Statement* (or this final document), and this type of analysis is not necessary for soundscape evaluation of this *Lake Management Plan*.

Personal watercraft and boat noise measurements derived from the Glen Canyon study were applied to the projected numbers of personal watercraft and other boats at Lake Mead, based on estimated boating capacities for each alternative, and the likely location and behavior of these vessels as based on the zoning for each alternative. Conclusions were then drawn regarding the intensity of watercraft noise levels compared to total noise levels in the high-use and developed areas and in the more remote, less-developed areas of the park. Conclusions were also drawn about the soundscape impact of the personal watercraft use. These conclusions are described in the "Soundscape" section of the "Environmental Consequences" chapter of the *Draft and Final Environmental Impact Statements*.

Public Comment:
08595P, 08207 D

Commenter:
Bluewater Network

Affiliation:
Organization

B Comment: Specific soundscapes of Lake Mead National Recreation Area have not been studied or geographically characterized, either overall or as to critical subunits of the National Recreation Area. The National Park Service needs to perform full, quality acoustic data collection throughout the Lake Mead National Recreation Area, sufficient for National Park Service to assess the impacts of current and proposed jet ski and other watercraft usage on the natural soundscapes. The noise indicators and standards found in the *Draft Environmental Impact Statement* are qualitative only; they remain quantifiably vague and therefore, subject to arbitrary interpretation and application. In the *Final Environmental Impact Statement*, these need to be quantifiably established.

Response: The soundscape at Lake Mead ranges from active urban in the developed areas and high-use zones to quiet rural in the outlying areas of the lake where use levels are considerably lower. As noted in the "Environmental Consequences" chapter, at peak times the sounds of boats can be continuous in the urban park and urban natural zones.

The impact indicators, criteria, and methodology (presented under “Soundscapes” in the “Methodology” section) address the noise environment in the “more developed areas,” including the rural natural, urban natural, and urban park zones, and in the “less developed areas,” including the semiprimitive zones. The soundscape assessment is possible using the methodology presented because the differences between alternatives are a result of different zoning schemes or engine phasing actions that occur on a relatively large scale and, at a planning level, are evaluated using a qualitative methodology.

Public Comment:
08207B, 08207 F

Commenter:
Sierra Club

Affiliation:
Organization

Issue 2: Incorporate Additional References into Soundscape Analysis

- A** *Comment:* The National Park Service appears to ignore other relevant personal watercraft noise studies, including *Drowning in Noise: Noise Costs of PWC in America*, a study conducted by the Noise Pollution Clearinghouse. This study found that personal watercraft would impose an estimated \$900 million in noise annoyance costs on beach goers. The report documents that minimum distance rules are only modestly effective, while supposedly quieter new models won’t put much of a dent in the noise burden, and the only way to slash these costs is to ban the craft from as many waters as possible.

Response: One of the initial tasks of the Glen Canyon study that is discussed in this *Final Environmental Impact Statement* and in previous responses was a literature search. *Drowning in Noise: Noise Costs of Jet Skis in America* was one of the many studies reviewed. The reference to that study (Komanoff and Shaw 2000) has been added to this *Final Environmental Impact Statement*.

Public Comment:
08595P, 08595F

Commenter:
Bluewater Network

Affiliation:
Organization

- B** *Comment:* Nowhere in the *Draft Environmental Impact Statement* can one find reference to a recent key report *Drowning in Noise: Noise Costs of Jet Skis in America*, a study conducted by the Noise Pollution Clearinghouse. The *Final Environmental Impact Statement* should specifically apply the key finding of the report. The report finds that the most effective way to reduce noise annoyance and lost enjoyment are (1) Concentrate personal watercraft use in a few designated areas; (2) Restrict operation to at least three quarters of a mile from beaches; and (3) Require all new machines to 5 decibels quieter. Together these strategies would reduce the disamenity [sic] costs of lost enjoyment by 85%.

Response: Reference to the “Drowning in Noise” report (Komanoff and Shaw 2000) has been added to this *Final Environmental Impact Statement*. The alternatives presented in this *Environmental Impact Statement* address the prohibition or limitation of motorized watercraft use in areas that may be considered noise sensitive, and the elimination of carbureted two-stroke engines. The modified preferred alternative (alternative C) proposes a 200-foot flat-wake area around beaches frequented by bathers, boats at the shoreline, and near people in the water and at the water’s edge. Restricting motorized vessel use to at least 0.75 mile from beaches would not be consistent with the park goals for providing the recreational opportunities identified in table 1 of the *Final Environmental Impact Statement*.

Public Comment:
08207G, 08207 J

Commenter:
Sierra Club

Affiliation:
Organization

- C** *Comment:* An exemplary data set for Zion National Park has just become available in the new draft “Wyle report,” *The Soundscapes in Zion National Park*. This report shows a method that can be replicated to measure the soundscapes in other parks. Renewed jet ski usage of Lake Mead National Recreation Area

should be permitted only after a similar in-depth soundscape study has been completed, specifically, on the Lake Mead National Recreation Area.

Response: The National Park Service has been conducting an extensive study of the soundscape in Zion National Park using methods that could be adapted for use in other parks. NPS *Director's Order 47* requires a separate soundscape management plan in cases where the urgency or complexity of a noise issue is such that soundscape preservation and noise management cannot be addressed in general management plans or other park implementation plans.

The Lake Mead management plan soundscape analysis used methods and currently available data, as described in this *Final Environmental Impact Statement*. The data included watercraft sound level measurements recently obtained in another NPS-commissioned study at Glen Canyon National Recreation Area as described in response to Issue 1 A under the "Soundscapes" section, Regulations, Methodologies, and Assumptions. These measurements were combined with projected numbers of boats and personal watercraft and the likely location and behavior of these watercraft (based on the proposed boats at any one time and recreational opportunity zoning scheme) to determine total noise levels in both developed, heavy-use zones, as well as more primitive zones.

At Lake Mead, park management is evaluating the need for a long-term sound management plan that would address a number of issues, including air tour operations. If, in the future, a sound management plan were developed, a study using methods similar to those used at Zion National Park would be considered. It is noted that the Zion study is still in the draft state.

Public Comment:
08207C, 08207 J

Commenter:
Sierra Club

Affiliation:
Organization

Issue 3: Prepare a Soundscape Management Plan for Lake Mead

- A *Comment:* The National Park Service should complete a "soundscape management plan" for the park (as per *Director's Order 47*), as well as the NPS *Reference Manual 47*. The *Final Environmental Impact Statement*, at minimum, should detail the status of the soundscape management planning for the Lake Mead National Recreation Area.

Response: As noted in response to Issue 2 C, the "Soundscapes" section, Regulations, Methodologies, and Assumptions, park management is in initial discussions concerning the development of a long-term sound management plan. This information has been added to the "Soundscapes" section in the "Affected Environment" chapter.

Public Comment:
08207H

Commenter:
Sierra Club

Affiliation:
Organization

Impacts from Personal Watercraft Use

Issue 1: *Personal Watercraft Noise Impacts May Violate Management Policies*

A *Comment:* The noise created by personal watercraft is uniquely disturbing, as described in the *Draft Environmental Impact Statement*. The noise generated from personal watercraft contradicts the NPS *Management Policies* that protect visitors' peaceful and tranquil experience from being "[u]nreasonably interfere(d) with."

Response: NPS *Management Policies* for soundscapes, as stated in *Management Policies* (NPS 2001c) (section 4.9), require superintendents to "identify what levels of human-caused sound can be accepted within the management purposes of parks. The . . . sound considered acceptable will vary throughout the park, being generally greater in developed areas and generally lesser in undeveloped areas . . . The service will take action to prevent or minimize all noise that . . . exceeds levels that have been identified as being acceptable to, or appropriate for, visitor uses at the sites being monitored." *Management Policies* for Visitor Use (section 8.2) indicate that unless mandated by statute, the National Park Service will not allow visitors to conduct activities that would unreasonably interfere with the atmosphere of peace and tranquility, or the natural soundscape maintained in wilderness and natural, historic, or commemorative locations within the park.

As written in the enabling legislation, the management purpose of Lake Mead is to provide public recreation, benefit, and use in a manner that will preserve, develop, and enhance, so far as practicable, the recreation potential and preserve the scenic, historic, scientific, and important features of the area. Recreational uses specifically listed in the act include bathing, boating, camping, and picnicking. Various levels of sound are associated with some of those uses, such as boating and personal watercraft, and are consistent with the park's purpose as defined by the legislation.

To provide a "peaceful and tranquil" experience in some locations, personal watercraft use would be prohibited within the primitive and semiprimitive recreational opportunity zones. These zones also place restrictions on wake and speed and identify acceptable motor types, such as electric trolling motors in primitive zones. These prohibitions or restrictions in alternative B and the modified preferred alternative (alternative C) would provide for a peaceful and tranquil visitor experience. In areas such as Black Canyon, where a diverse range of visitors use a variety of nonmotorized and motorized watercraft, the National Park Service would temporally zone this unique area to accommodate all users and provide experiences that range from tranquil to more rural and mechanized. All alternatives include plans and policies for enforcement of noise regulations. These elements of this *Environmental Impact Statement* are consistent with NPS *Management Policies* for soundscapes.

Public Comment:
08204Q

Commenter:
Wilderness Society and National
Parks Conservation Association

Affiliation:
Organization

Issue 2: *Set Temporal Limits on Personal Watercraft to Protect Soundscape*

A *Comment:* Temporal, not just spatial limits for personal watercraft should be set. For example, morning and sunset/evening curfews, analogous to those currently imposed on air tours over the Grand Canyon, should be specified for a substantial portion of the park's water acreage. This would afford a genuine sense of choice and "respite" for all park users. It would also reflect a Park Service quality standard that respects the enhanced, particular "power of place" that one obtains at dawn and sunrise, sunset and twilight.

Response: Temporal limits, other than those proposed in the modified preferred alternative (alternative C) for the use of motorized vessels in the Black Canyon area, were not incorporated into the zones applied to Lake Mead. It is noted that operation of vessels on the lakes at night is not allowed if the vessels are not equipped with proper lighting in accordance with U.S. Coast Guard regulations. Personal watercraft are

not normally fitted with running lights; and because they typically operate at higher speeds than other watercraft, operation at night is not normally conducted or observed. If, in the future, personal watercraft or any watercraft with lights operate at night and that operation produces noise that adversely affects the soundscape and impairs park use, the park would evaluate the new impacts and, if warranted, impose additional limits on night operations.

Public Comment:
082071

Commenter:
Sierra Club

Affiliation:
Organization

Impact from Other Vessels

Issue 1: A Flat-Wake Zone Is Not an Adequate Noise Abatement Measure

- A Comment: The idea of a wakeless zone would not be adequate as some engines are as noisy at a lower speed as they are at a higher speed.

Response: Although some engines are noisy at low speed, noise level testing of typical personal watercraft and motorboats shows increasing noise with increasing speed. More importantly, the higher speed “playing” maneuvers of personal watercraft and smaller motorboats that cause higher noise levels would occur outside of the semiprimitive and primitive zones where flat-wake speeds must be maintained. The modified preferred alternative (alternative C) would increase the width of the proposed flat-wake zone from 100 to 200 feet around beaches frequented by bathers, boats at the shoreline, and near people in the water and at the water’s edge. This increase of 100 feet would be anticipated to reduce noise to persons on the other side of the zone from 6 to 4 decibels, compared with the 100-foot zone.

Public Comment:
00138C, 00138 A

Commenter:

Affiliation:
Individual

Issue 2: Personal Watercraft Are Quieter Than Other Marine Watercraft

- A Comment: Personal watercraft manufactured after 1997 are consistently the quietest of all motorized recreational marine crafts. The greatest sound levels come from monohulled crafts of 25 feet and larger.

Response: Noise level testing of personal watercraft, outboards, and inboards was conducted in the Glen Canyon National Recreation Area in August 2001. One of the conclusions from the measurements was that except for the boats with large V-8 engines, which were louder, no significant differences were found in the sound levels produced by personal watercraft and the other boats in the study.

Public Comment:
08086

Commenter:

Affiliation:
Individual

Issue 3: Proposed Noise Limitations

- A Comment: If the National Park Service truly wishes to reduce sound levels at the national parks, it must enforce with respect to “all” marine craft, not just personal watercraft. The 75-decibel level recently adopted, without a distance or “shoreline” testing protocol, is meaningless. The following limits are recommended:

1. Absolutely prohibit the launching or use of “any” craft whose exhaust exit is above the waterline in an engine-off floating status.
2. Issue “no bail” citations to any craft that exceeds 100 decibels within 200 feet or more. This is such a flagrant excess of sound, and is virtually undefendable in court.

Response: The Nevada 75-decibel limit must be measured in accordance with Society of Automotive Engineers (SAE) standard SAE J1970, *Shoreline Sound Level Measurement Procedure*. The shoreline criterion was not identified in the *Draft Environmental Impact Statement*. This omission has been rectified in the *Final Environmental Impact Statement* under the “Soundscapes” section of the “Affected Environment” chapter and the “Soundscapes” section in the “Environmental Consequences” chapter for each of the four alternatives.

Any motorized vessel with a noise level that exceeds 100 decibels at 200 feet would be in violation of the NPS rules that prohibit operation greater than 82 decibels at 82 feet, and the Nevada and Arizona rules that prohibit operation at greater than 86 decibels at 50 feet or more.

Public Comment:
08086C

Commenter:

Affiliation:
Individual

Issue 4: Questions Means of Enforcement of Noise Regulations

- A *Comment:* Will you be enforcing the noise level on the big multiengine boats as described in the *Draft Environmental Impact Statement*? How about boom boxes on the beaches and on boats? Who will enforce the noise regulations? Under alternative A and C, National Park Service would enforce the regulation. At the presentation in Boulder City, the National Park Service stated that Nevada Division of Wildlife would enforce it, not the National Park Service.

Response: The state of Nevada boating noise regulations that prohibit noise greater than 75 decibels, when measured at the shoreline, independent of speed or distance, will be enforced for all motorized vessels. The National Park Service at Lake Mead National Recreation Area enforces noise in accordance with 36 CFR 2.12. Unreasonable noise that is contradictory to the designated use in an area is prohibited. Regulations prohibit noise greater than 60 decibels at 50 feet.

Public Comment:
08682E, 02215 M

Commenter:

Affiliation:
Individual

Cumulative Impacts

Issue 1: Soundscape Cumulative Impact Analysis is Inadequate

A *Comment:* The cumulative impacts analysis of noise, required under the *National Environmental Policy Act of 1969*, is grossly insufficient. According to the May 2002 decision for the U.S. Court of Appeals, DC Circuit Case No. 01-1154, *Grand Canyon Trust v Federal Aviation Administration*, the following elements must be covered: (1) The area in which the noise effects of the proposed project will be felt; (2) The noise impacts that are expected in that area for the proposed project; (3) Other actions, past, present, and proposed, and reasonably foreseeable, that have had or are expected to have noise impacts in the same area; (4) The noise impacts or expected noise impacts from these and other actions; and (5) The overall noise impacts that can be expedited if the individual noise impacts are allowed to accumulate. The *Draft Environmental Impact Statement* does not quantify the noise impacts, much less quantify cumulative impacts, of noise in the park as a result of various human-made noise sources.

Response: Cumulative impacts were assessed by considering the combined impact of the proposed alternatives and other past, present, and reasonably foreseeable future actions. The park has followed the guidance of the Council on Environmental Quality for cumulative impact assessment.

The direct and indirect analysis of soundscape impacts considers the noise of all motorized watercraft that operate within the park. As described in the *Draft and Final Environmental Impact Statements*, most of the past, present, and foreseeable future actions occur outside the park. The location of these actions, with the exception of aircraft overflights, provides a distance buffer that results in the noise of these actions not being cumulative with the noise of watercraft at Lake Mead National Recreation Area.

Public Comment:
08207E

Commenter:
Sierra Club

Affiliation:
Organization

Issue 2: Cumulative Impacts from Other Sources

A *Comment:* If the sound is so detrimental to the Las Vegas Boat Harbor, why is the Henderson police, Nevada Division of Wildlife, and National Park Service allowed to use the settling pond above us for target practice? Some days, the noise from there sounds like all out warfare.

Response: This issue is beyond the scope of this *Lake Management Plan*.

Public Comment:
07151H

Commenter:
Las Vegas Boat Harbor

Affiliation:
Business

CULTURAL RESOURCES

Impacts from Visitor Access and Other Watercraft

Issue 1: *Impacts from Motor Access*

- A** Comment: Are boaters currently affecting historic properties on the shores of Lakes Mead and Mohave? The documents assert that National Park Service monitors sites on a regular basis but do not cite the results of this monitoring. If monitoring were to demonstrate that sites along the shores of these lakes were being vandalized or looted, the State Historic Preservation Office would like to know how increased numbers of boaters might impact sites.

Response: Lake Mead National Recreation Area's Protection Division Rangers monitor boater activity along the shoreline of the Lakes Mead and Mohave in the vicinity of archeological sites. Prior to this year there was no standard operating procedure for reporting the monitoring activity and information about the damage caused to cultural resources by boater activity was anecdotal. Because of this, the Protection Division has worked closely with resources management to develop a standard operating procedure for reporting the results of archeological site monitoring. Under the new procedure, the Cultural Resources Office has not received any reports to date of sites being vandalized by boaters.

Two recent projects have inventoried extensive areas of shoreline. The Hualapai Bay survey (Huber 1999) inventoried over 5 miles of shoreline on the Arizona side of Lake Mead and recorded six sites along the shoreline. Huber indicated that boaters had left trash and fire rings at some of the sites but did not indicate that the sites were adversely affected by the boaters. In 1999 and 2000, the Western Archeological and Conservation Center inventoried over 4 miles of shoreline in the Overton Beach area of Lake Mead (report in preparation), and did not locate any sites along the shoreline. Based on these projects it appears that there are only a small number of sites along the shoreline and that the boaters are not adversely affecting the sites.

Public Comment:
03666A

Commenter:
State of Nevada,
Historical Preservation Office

Affiliation:
Public Agency

- B** Comment: Two properties of religious and cultural significance are located in Black Canyon. To be treated as semiprimitive or rural natural setting under the preferred alternative, some motorized boating will still occur in Black Canyon. What was the result of consultation with the tribes ascribing value to these two sites? As noted in the *Draft Environmental Impact Statement* tribal consultations took place early in the process. Did tribes express a concern about impacts to these sites?

Response: As stated in the *National Register of Historic Places* nomination form for Gold Strike Canyon / Sugarloaf Mountain Traditional Cultural Property, tribal elders acknowledge impacts related to tourism, natural processes, and the construction and operation of Hoover Dam. They consider the area to be in good-to-excellent condition, “. . . because the impacts . . . while detrimental can be remedied through management and traditional cultural practices. The overall good-to-excellent condition indicates the potential for increased indigenous use that would improve the canyon and hot springs to a condition that could be maintained with prayers, songs, and spiritual healing ceremonies.”

Black Canyon has always been recognized by the park, prior to the formal recognition of the traditional cultural properties in the area as spiritually and traditionally significant to the tribes along the Colorado River. Numerous consultations with affiliated tribes identified the need for continued tribal access to the area and concerns for the number of visitors currently using Black Canyon, along with the impacts that are generated by those numbers. The National Park Service has incorporated tribal concerns into this planning process and has designated the area, with approval by the tribes, from rural natural to semiprimitive in order to limit the boating activities in the Black Canyon area. A cleanup of the graffiti in Goldstrike Canyon, one of the recognized traditional cultural properties, was accomplished this year with tribal approval and participation. The park continues to consult and work with the tribes as other concerns arise.

Public Comment:
03666B

Commenter:
State of Nevada,
Historical Preservation Office

Affiliation:
Public Agency

Impacts from Personal Watercraft Access

Issue 1: *Impacts from Personal Watercraft Access*

A *Comment:* An abundance of valuable cultural and archaeological sites exist within the Lake Mead National Recreation Area. The *Draft Environmental Impact Statement* states that, “[p]ersonal watercraft could impact the integrity of these sites.” Considering the obligation of the National Park Service including Lake Mead National Recreation Area to preserve these special areas, it’s strongly recommended that the National Park Service initiate a comprehensive study to ensure cultural sites receive guaranteed protection.

Response: The “Issues and Impact Topics” section of the “Purpose of and Need for the Plan” chapter addresses potential issues and impact topics that were brought forth during public scoping and through the interdisciplinary planning process. Under *Director’s Order 12*, issues are defined as problems that any of the alternatives may cause, or they may be questions, concerns, problems, or other relationships, including beneficial ones. Issues do not predict the degree of harm or intensity the action might cause, but simply alert the reader as to what the environmental problems might be if an action is taken. Issues are then related to impact topics, which are further evaluated in the “Environmental Consequences” chapter to determine the duration, intensity, and degree of impact.

As discussed in the “Environmental Consequences” chapter under the modified preferred alternative (alternative C), there would be no impacts on cultural resources from the continued use of personal watercraft in the recreation area. Sensitive cultural resources are protected under the modified preferred alternative (alternative C) by the zoning of primitive and semiprimitive settings.

Public Comment:
08204S, 08595 W (Bluewater
Network)

Commenter:
Wilderness Society and National
Parks Conservation Association

Affiliation:
Organization

VISITOR USE, EXPERIENCE, AND SAFETY

Regulations, Methodologies, and Assumptions

Issue 1: *Incorrect Assumptions/Methodologies*

- A** *Comment:* Commenter expressed surprise that the people who use and know the lake the best were not polled or questioned about their concerns and recommendations.

Response: Visitor use surveys are described under the “Recreational Use of the Lakes” section in the “Affected Environment” chapter. The NPS visitor use survey involved over 3,000 visitor interviews (Graefe and Holland 1997). These were conducted in the park at a variety of locations, including the launch ramps and marinas, and in all 24 zones of the lakes. In addition, National Park Service received over 1,500 completed survey booklets providing details from visitors on their experiences while on Lakes Mead and Mohave. These surveys are on file at Lake Mead Recreation Area. A second visitor use survey was conducted by the Nevada Division of Wildlife in 1999. This survey involved approximately 800 visitors to Lake Mead National Recreation Area.

In addition to the visitor use survey, the National Park Service conducted numerous public scoping meetings and met individually with a wide-variety of user organizations as listed in appendix D of the *Final Environmental Impact Statement*.

Public Comment:
00974AA

Commenter:

Affiliation:
Individual

- B** *Comment:* Commenter disagrees with the statement that the sail beach is underutilized. In the summer, there are usually 10 or more Hobie Cats, 20 or more windsurfers, and several kitesailors. During the winter months the sailors are the only people on the beach.

Response: Based on observations by Park Service staff and annual boating inventories, that level of use is not typical. It is the highest use level of the sail beach. Consequently, the National Park Service believes that although the sailing beach would be managed to support sailboard and sailboat use, other boaters could also safely operate out of that area. The modified preferred alternative (alternative C) does note that should sailing use increase and conflict develop between various users, personal watercraft and motorized vessels could be prohibited in the future.

Public Comment:
00030D

Commenter:

Affiliation:
Individual

Visitor Experience and Satisfaction

Issue 1: Crowded Conditions

- A Comment: Commenter stated that there is no logic in limiting access during three-day weekends. Every place that has any recreational value at all is overcrowded at these times and any reasonable person expects crowded conditions.

Response: While it may be true that there is some expectation of crowding during the holiday weekends, it may be enough for some visitors not to visit during that period. The intent of this *Lake Management Plan* is to ensure that visitors have the opportunity to enjoy the recreation area's resources. As evidenced by the results of the NPS visitor survey (Graefe and Holland 1997), as the perceived level of crowding increased, enjoyment level decreased. Consequently, allowing increased numbers of boats on the lakes would compromise the visitors' experiences. Overcrowding is not consistent with the recreation area's purpose, mission, and goals. Thus, boating capacities have been established for each of the recreation settings, even for the highest use areas of the lakes. The carrying capacity for the urban zones is set at the level where 50% of the visitors responded that the number of boats on the water decreased their enjoyment of the lake visit.

Public Comment:
00160C

Commenter:

Affiliation:
Individual

- B Comment: The facts of an increasing recreating public would dictate that it is unfair to restrict use for the majority so that a minority may have an "enhanced visit" with less people around.

Response: It is the responsibility of the National Park Service to manage recreational use at Lake Mead National Recreation Area consistent with the recreation area's purpose, mission, and management objectives. One of the management objectives is to provide for a range of recreational opportunities while protecting park resources and values from impairment. The mission and objectives of the National Park Service are discussed in the "Objectives in Taking Action" section in the "Purpose of and Need for the Plan" chapter. The spectrum of recreational settings and associated carrying capacities are intended to reflect and maintain this range of opportunities. This includes providing areas for visitors who desire to avoid crowds and more frequent encounters with other visitors or boats. The range of opportunities in the modified preferred alternative (alternative C) reflects the public's desire that the National Park Service provide a mix of recreational settings while maintaining or slightly increasing the overall level of boating activity on the lakes.

Public Comment:
01656B

Commenter:

Affiliation:
Individual

Issue 2: Trail Conditions

- A Comment: Trail conditions were not mentioned in the plan. Sooner or later someone will fall and get hurt due to poor trail conditions.

Response: This *Lake Management Plan* addresses water-based recreation. The terrestrial trail system is beyond the scope of this analysis. Land-based trails would be addressed in transportation and circulation plans, development concept plans, or in specific trail proposals.

Public Comment:
01656B

Commenter:

Affiliation:
Individual

Impacts from Personal Watercraft Use

Issue 1: Safety and Personal Watercraft

A *Comment:* Commenters stated that personal watercraft pose an unacceptable safety risk, especially with inadequate enforcement personnel to monitor its use. With no information in the *Draft Environmental Impact Statement* as to how additional enforcement personnel would be funded, we urge a complete personal watercraft ban.

Response: Lakes Mead and Mohave are patrolled by law enforcement officers from the National Park Service, Arizona Game and Fish Department, and the Nevada Division of Wildlife. On busy weekends during the summer months, law enforcement officers from these three agencies can be found patrolling the lakes. In addition, NPS volunteer boat patrols provide visitor education and assist on Lakes Mead and Mohave.

The National Park Service agrees overall that, currently, there are inadequate numbers of enforcement personnel on the waters. Some visitors do engage in unsafe behavior when there is no enforcement presence; however, the primary factors leading to unsafe operations are a combination of lack of experience and lack of education.

Staffing needs are identified in the “Environmental Consequences” chapter under the “Park Operations” section for each alternative’s impact section. Lake Mead National Recreation Area would incorporate the operational needs identified in the draft into the priorities submitted annually under the Operating Formulation System at the national park system. This administrative system is in place for park units to identify operational needs. Over the past 10 years, the operating budget for Lake Mead has experienced a 60% increase. Similar increases would be anticipated in the future.

Public Comment:
08204J

Commenter:
Wilderness Society and National
Parks Conservation Association

Affiliation:
Organization

B *Comment:* Reports indicate that personal watercraft are dangerous. A 2000 American Academy of Pediatrics study states that personal watercraft deaths are mostly due to blunt trauma. With this information, how can the plan propose to continue personal watercraft use within the Lake Mead Recreation Area.

Response: The *Final Environmental Impact Statement* has been revised to acknowledge the reference (AAP 2000).

While the number of personal watercraft users continues to increase, accidents on the watercraft have declined over the past few years. This decline can be correlated to a number of programs initiated by user groups and manufacturers promoting safe operation of personal watercraft. The manufacturers of personal watercraft provide training videos with each watercraft they sell, and to date, 24 states require some type of boater education in order to operate a personal watercraft.

The inclusion of the 200-foot flat-wake area will provide greater protection for swimmers, fishermen, boats at the shoreline, and people in the water and at the shoreline. The adoption of a mandatory education program, the prohibition of alcohol consumption while operating a boat, and improvements in technology will also protect recreationists. Because of these measures under the modified preferred alternative (alternative C), the National Park Service has found personal watercraft use at Lake Mead to be compatible with park management objectives and values under certain regulation.

Public Comment:
08595G, 08595 T, U, 08204 I
(Wilderness Society and National
Parks Conservation Association)

Commenter:
Bluewater Network

Affiliation:
Organization

C *Comment:* The problem with statistics concerning personal watercraft and accidents is that they are not adjusted for rental use of personal watercraft, which dramatically skews the numbers. Regulation of rental companies would be a quick, easy way to reduce the accident and injury rates associated with boats and personal watercraft.

Response: The personal watercraft rental industry in and around Lake Mead National Recreation Area is regulated by the respective states of Arizona and Nevada. The state of Nevada requires all renters to view a state-approved video on boating safety prior to operating a rental watercraft. The Arizona Game and Fish Department also has a safety video on personal watercraft operation that is approved by the National Association of Boating Law Administrators, plus other boating safety information available to all personal watercraft rental outlets. The state of Arizona does not have a regulation in place that makes it mandatory for personal watercraft renters to view the video prior to renting a personal watercraft. Many outlets voluntarily furnish the state-provided safety information and video to personal watercraft renters.

Public Comment:
08228C

Commenter:

Affiliation:
Individual

D *Comment:* Bluewater Network found that roughly 24% of the personal watercraft manufactured during the last 10 years have been recalled due to production and/or design problems that could lead to fires and/or explosions. Injuries associated with these fires have increased every year. Bluewater Network's *Freedom of Information Act* request also revealed that the production and design problems in tens of thousands of machines have not been corrected.

Response: According to the National Marine Manufacturers Association, personal watercraft manufacturers have sold roughly 1.2 million watercraft during the last 10 years. Of the 1.2 million personal watercraft sold, the U.S. Coast Guard had only 90 reports of fires/explosions from 1995 through 1999. This is less than 1% of personal watercraft boats reporting problems associated with fires/explosions. As far as the recall campaigns conducted by Kawasaki and Bombardier, the problems that were associated with fuel tanks were fixed. Kawasaki conducted a recall for potentially defective fuel filler necks and fuel tank outlet gaskets on 23,579 personal watercraft between 1989 and 1990. The fuel tank problems were eliminated in Kawasaki's newer models, and the 1989 and 1990 models are most likely not in use anymore, since life expectancy of a personal watercraft is only five to seven years according to the Personal Watercraft Industry Association. Bombardier also did a recall for its 1993, 1994, and 1995 models to reassess possible fuel tank design flaws. However, the number of fuel tanks that had to be recalled was a very small percent of the 1993, 1994, and 1995 fleets because fuel tank sales only amounted to 2.16% of the total fleet during this period (USCG n.d.). The replacement fuel tanks differed from those installed in the watercraft subject to the recall in that the replacement tanks had revised filler neck radiuses. Also, the installation procedure now requires revised torque specifications, and the fuel system must successfully complete a pressure leak test. Bombardier found that the major factor contributing to personal watercraft fires/explosions was over-torquing of the gear clamp. Bombardier was legally required by the Coast Guard to fix 9.72% of the recalled models. Out of 125,349 recalls, the company repaired 48,370 units, which was approximately 38% of the total recall.

Fuel tank and engine problems that could be associated with personal watercraft fires have been reduced since the National Marine Manufacturers Association set requirements for meeting manufacturing regulations established by the Coast Guard. Many companies even choose to participate in the more stringent Certification Program administered by the Association. The Association verifies annually, or whenever a new product is put on the market, boat model lines to ensure that they satisfy not only Coast

Guard regulations but also the more rigorous standards based on those established by the American Boat and Yacht Council.

Accident data specific to Lake Mead shows no incidents of personal watercraft catching on fire or exploding at the park. Based on regulations imposed upon personal watercraft manufacturers by the U.S. Coast Guard and manufacturing associations, and the continued cooperation of manufacturers to fix and assess any potential design flaws, the National Park Service deems personal watercraft use appropriate at Lake Mead National Recreation Area under park regulations.

Public Comment:
08595T

Commenter:
Bluewater Network

Affiliation:
Organization

Issue 2: Visitor Experience and Personal Watercraft

- A *Comment:* While the proposal to ban carbureted two-cycle engines by 2012 will disproportionately affect the owners of “conventional” boats and outboard engines because of the longer estimated use of those engines (according to the Environmental Protection Agency), some personal watercraft owners could be barred from accessing Lake Mead and would be forced to use their craft on other lakes. For some, barring access to the Lake Mead National Recreation Area would force them to travel up to four hours to access the nearest body of water.

Response: As noted in the modified preferred alternative (alternative C), two-stroke personal watercraft and outboard vessels would be prohibited from Lake Mead National Recreation Area after 2012 as a result of the ban on carbureted two-stroke engines. However, due to the increasing availability of new technology four-stroke and direct injection two-stroke engines, it is anticipated that by 2012, the majority of personal watercraft in use at that time would be allowed at Lake Mead National Recreation Area. According to the Personal Watercraft Industry Association, the personal watercraft models on the market today are the new technology reduced-emissions vessels (http://www.pwia.org facts_release.htm#qa). This fact, combined with the relatively short operating life of personal watercraft, which range from 5 to 10 years (depending on the source), would result in only a small number of personal watercraft users who would be required to travel to other locations when the ban goes into effect. Personal watercraft engine life is addressed in the “Purpose of and Need for the Plan” chapter under the “Introduction, Overview of Recreational Use” and “Personal Watercraft Use” sections.

Public Comment:
FORM FID

Commenter:

Affiliation:
Individual

Enforcement

Issue 1: Lake Mead Staff

- A** *Comment:* Based on the amount of additional staff that would be required to effectively implement the various alternatives, how does the National Park Service hope to enforce the new alternatives?

Response: The goals and objectives of the modified preferred alternative (alternative C), including the desired recreational settings, personal watercraft-use areas, 200-foot flat-wake areas, sanitation regulations, and boater education, would best be achieved through an active information and education program. This approach is emphasized under the modified preferred alternative (alternative C) to further support such programs. The National Park Service believes that the more time and effort invested in information and education, the less actual enforcement actions would be required.

Staffing needs for each of the alternatives are presented under the “Park Operations” section in the “Environmental Consequences” chapter. Lake Mead National Recreation Area would incorporate the identified operational needs into the priorities submitted annually under the Operating Formulation System at the National Park System. This administrative system is in place for park units to identify operational needs. Over the past 10 years, the operating budget for Lake Mead has experienced a 60% increase. Similar increases would be anticipated in the future.

Public Comment:
02215S

Commenter:
Lake Mead
Boat Owners Association

Affiliation:
Organization

- B** *Comment:* The Park Service said during a meeting in Meadview, Arizona, on April 5, 2002, that they “lack the manpower to enforce speed limits on this large lake.” This is a poor answer since the Highway Patrol enforces speed limits on the highways and they can’t be everywhere at one time.

Response: The National Park Service enforces existing regulations governing unsafe operation. Operating at a speed that results in a threat to persons or property is prohibited. Every operator of a vessel is required to control the speed of their vessel so as not to endanger the lives or property of other persons. In addition, the National Park Service has designated low-speed (“flat-wake”) areas where increased safety is warranted.

Public Comment:
00006F

Commenter:
Lake Mead
Boat Owners Association

Affiliation:
Individual

- C** *Comment:* From 1975 to present, how have the numbers of field rangers and other Lake Mead staff changed? How does this compare to visitation numbers over the same time period? How have visitor education and law enforcement programs developed to meet these demands?

Response: Over the last 20 years, visitation to the park has increased by approximately 30%, and seasonal distribution has changed so that it is no longer concentrated in just the summer months. In that same time frame, the capability of the ranger and interpretation division has not changed significantly. There has been a conversion of seasonal to permanent staffing that allows for a better ranger and interpretive presence year-round in support of changing visitation, instead of concentrating ranger presence during the summer period.

Lake Mead National Recreation Area would incorporate the operational needs, including staffing needs, identified in the *Final Environmental Impact Statement* into the priorities submitted annually under the Operating Formulation System at the National Park System. This administrative system is in place for park units to identify operational needs.

Public Comment:
00353J

Commenter:

Affiliation:
Individual

Park Operations

Issue 1: Manning of Entry Gates and Launch Facilities

- A Comment: More ranger presence is needed, especially on weekends at launch facilities and entry gates. At least one or two entry gates should be manned 24 hours a day, and those not manned at night need to be closed to prevent vandalism and other problems. Increasing weekend enforcement at gates would produce more funds for facilities.

Response: Park operations, including staffing, are discussed in the description of the modified preferred alternative (alternative C) in the “Alternatives Selected for Analysis” chapter. The staffing and scheduling at the entrance stations are designed to contact as many visitors as possible, while keeping the cost of collection in mind. So, the schedule, while varied, is designed to operate efficiently from an operations perspective in order to minimize the cost of collection. This strategy allows more funds to go toward capital improvements and less for the operation of the entrance station.

NPS staff are supplemented by volunteers who assist with directing weekend traffic at the public launch ramps. The National Park Service recognizes the value of this service and will continue to keep it as a priority.

Public Comment:
00161A, 00164 D

Commenter:

Affiliation:
Individual

Issue 2: Slip Rentals

- A Comment: When staying at the hotel at Katherine Landing you are guaranteed a slip, but staying in Laughlin and reserving a slip cannot be done. Many times on holiday weekends I have seen slips empty because they were being held for hotel guests. A reservation system for launching (especially on holiday weekends), with a 24-hour cancellation policy, should be implemented.

Response: Slip rental is on a first-come, first-served basis. If a different practice is occurring at Lake Mohave Resort, it is suggested a formal complaint be filed with the Lake Mead National Recreation Area Concessions Management Office at Lake Mead National Recreation Area, 601 Nevada Way, Boulder City, NV 89005.

As discussed in the description of the modified preferred alternative (alternative C) (see the “Alternatives Selected for Analysis” chapter), the concept of a reservation system has been proposed by the Laughlin Chamber of Commerce, and the National Park Service would continue to investigate the support for implementation of such a system for Katherine Landing. This area experiences the highest degree of crowding of all lake access areas within Lake Mead National Recreation Area. Reservation systems are used at other reservoirs to address crowding problems like those experienced at Katherine Landing. Additional public involvement would be necessary to develop and implement such a program. If implemented, it would serve as an experimental pilot project for Lake Mead National Recreation Area.

Public Comment:
01816E

Commenter:

Affiliation:
Individual

Issue 3: Water Levels

- A Comment: One of the main issues with the launch facilities is the constantly fluctuating water levels. There should be a 90-day notice to the marina and facility operators as to what the water levels are going to be, so the marinas can plan in advance and move the docks accordingly.

Response: Lake Mead National Recreation Area is issuing monthly press releases to inform the public about the current status of water levels and launching facilities at Lake Mead. In addition, information on water levels can be found on the park's web site at <http://www.nps.gov/lame>. Water-level projections can also be found on the Bureau of Reclamation web site at <http://www.lc.usbr.gov>. These sites provide water level projections two years in advance.

Lake Mead National Recreation Area is working on improving and upgrading the existing launch ramps at Lake Mead, including replacing the asphalt ramps with concrete and extending the ramps as the lake level drops.

Public Comment:
01667G

Commenter:

Affiliation:
Individual

Issue 4: Lighting

- A *Comment:* It is important to consider the impact of exterior lighting in the Lake Mead Recreational Area, as mentioned in the *Draft Environmental Impact Statement* with regard to visitor impact. Increases in exterior lighting increase the level of light pollution in areas well away from the source of the lights. While exterior lighting is necessary for safety and security, it is possible to light areas like boat landing parking lots effectively without producing wasted light, while at the same time saving money and energy. A suggestion was made to evaluate the use of fully shielded or full cut-off lighting at appropriate intensities as defined by the Illuminating Engineering Society of North America and the International Dark Sky Association.

Response: Lake Mead National Recreation Area uses shielded lights, where possible, to direct lights downward and to protect the night sky. As lighting is replaced in developed areas within the recreation area, shielded lights are used. In addition, to further protect the night sky, all future concession contracts would be written to include stipulations for the minimum lighting necessary for safety and security reasons, including the use of directed light and shielded lights.

Public Comment:
00269A

Commenter:

Affiliation:
Individual

SOCIOECONOMICS

Regulations, Methodologies, and Assumptions

Issue 1: *Extend Clean Engine Phase-In Date to Correlate with Engine Life Expectancy*

A *Comment:* The economic impact to boat owners in southern Nevada would be reduced if the EPA 2006 engine phase-in date was extended to 2017 to meet the life expectancy of current technology for Mercury motors. Engine life expectancy is 12 years for 300 horsepower, 14 years for 150 horsepower, and 17 years for 50 horsepower. Personal watercraft life expectancy is currently five to seven years.

Response: The estimates (under alternative C) presented in the *Economic Analysis of Personal Watercraft Regulations in Lake Mead National Recreation Area* (NPS 2002b), use 2012 as engine phase-in date when all two-stroke engines would have to become fuel injected, in accordance with EPA regulations. This date would cover the current life expectancy specified by the Personal Watercraft Industry Association of 5 to 7 years and the EPA life expectancy of up to 10 years. Under alternative C (the modified preferred), the National Park Service assumes that, as a result of personal watercraft restrictions, businesses could experience a 5% reduction in personal watercraft sales, service, and rentals related to the park. Some of this impact could occur as a result of engine-type restrictions, but there are also geographic restrictions proposed under this alternative that were taken into account. However, even under alternative A, as detailed in the *Final Environmental Impact Statement*, where there would be a 100% reduction in personal watercraft revenues related the park, the impact on the regional economy would be very small, less than 0.1% of total economic activity.

The National Park Service expects that by 2012, most boat owners would already be in compliance with the 2006 EPA marine engine standards. The impact from the engine standards on boat owners is expected to be small. Personal watercraft manufacturers currently offer some models that are compliant with EPA 2006 standards, and personal watercraft purchased later than 2006 would be made compliant. Because the life of a personal watercraft is estimated at 5 to 10 years (see the "Introduction" section in the "Purpose of and Need for the Plan" chapter), it is expected that the majority of noncompliant personal watercraft would no longer be in operation when the engine restrictions proposed under alternative C come into effect in 2012.

It could be assumed that people shopping for new watercraft would only consider purchasing those models with compliant engines; this in response to the public announcement that only 2006-compliant engines would be allowed at Lake Mead National Recreation Area after 2012. The 10-year advance notice provides ample opportunity for people to consider the compliancy of an engine when making a purchase.

The modified preferred alternative (alternative C) details the impact of requiring all boats to meet the EPA 2006 emission standards. The Nevada Division of Wildlife, in their 1999 survey, reported that 9% of the boats have two-stroke engines. As a result, it is expected that the majority of carbureted two-stroke engines will no longer be in operation when the engine restrictions proposed under the modified preferred alternative (alternative C) come into effect in 2012.

Public Comment:
08205D

Commenter:
Nevada Division of Wildlife

Affiliation:
Public Agency

Issue 2: *Tourism Industry Not Represented in Visitor Use Surveys*

A *Comment:* The accuracy of the visitor use surveys conducted by National Park Service and Nevada Division of Wildlife is questionable, because no input was sought from the local tourism industry, particularly in the Laughlin-Bullhead City area.

Response: The NPS visitor use survey was developed in consultation with Dr. Alan Graefe of Pennsylvania State University. The initial survey was reviewed by a technical advisory committee

comprised of Jerry Vaske of Colorado State University, Dick Crysdale with the Bureau of Reclamation, Ray Murray with the National Park Service, and Laura Loomis with the National Parks and Conservation Association. It involved over 3,000 visitor interviews that were conducted in the park at variety of locations, including the launch ramps and marinas, and in all 24 zones of the lakes. In addition, the National Park Service received over 1,500 completed survey booklets providing visitor comments detailing their experiences on Lakes Mead and Mohave.

A second visitor use survey was conducted by the Nevada Division of Wildlife in 1998 and involved approximately 800 visitors to Lake Mead National Recreation Area.

The surveys were primarily designed to identify issues to be addressed in this planning process and to help set the social carrying capacity for the different recreational opportunity settings. The design was developed under contract with Pennsylvania State University using a scientifically valid methodology that is explained in a 1997 report titled, *An Analysis of Recreation Use and Associated Impacts at Lake Mead National Recreation Area* (Graefe and Holland 1997).

<i>Public Comment:</i> 05387B	<i>Commenter:</i> Department of Administration Services - Laughlin	<i>Affiliation:</i> Public Agency
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Issue 3: *Impact of Recreational Carrying Capacity Methodology on Local Communities*

A *Comment:* The plan’s methodology for managing perceived crowding (recreational carrying capacity) will limit visitor use improvements and affect economies of local towns.

Response: The recreational carrying capacity proposed in the *Final Environmental Impact Statement* does not reduce the current number of boats on the water; in fact, it allows for some expansion of recreational use. The visitor use improvement for each of the development areas is established in the *General Management Plan*. The *Final Environmental Impact Statement* allows all development areas to operate at existing levels or to expand and does not eliminate any of the facilities included in the plan. Therefore, no impacts on the local economies are anticipated.

<i>Public Comment:</i> 01953AG, 01665 F, 01679D	<i>Commenter:</i> Laughlin Chamber of Commerce	<i>Affiliation:</i> Organization
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Economic Impact Analysis

Issue 1: Economic Impacts on Watercraft Owners Related to 2012 Engine Restriction

A *Comment:* A commenter stated that he has three motors in good-working order that will collectively cost \$14,000 to replace with engines that are compliant with EPA's 2006 standards (\$10,000 for 120 horsepower; \$3,000 for 15 horsepower, and \$1,500 for 3 horsepower). The *Lake Management Plan* does not clearly state the economic impact of these standards on registered boat owners who must replace engines to meet the plan's 2012 engine restriction.

Response: The estimates (under alternative C) presented in the *Economic Analysis of Personal Watercraft Regulations in Lake Mead National Recreation Area* (NPS 2002b), use 2012 as the engine phase-in date when all marine engines would have to be direct-injection two-stroke and four-stroke engines, in accordance with EPA regulations. This date would cover the current life expectancy specified by the Personal Watercraft Industry Association of 5 to 7 years and the EPA life expectancy of up to 10 years. Under alternative C (the modified preferred alternative), the National Park Service assumes that, as a result of personal watercraft restrictions, businesses could experience a 5% reduction in personal watercraft sales, service, and rentals related to the park. Some of this impact could occur as a result of engine-type restrictions, but there are also geographic restrictions proposed under this alternative that were taken into account. However, even under alternative A, where there would be a 100% reduction in personal watercraft revenues related to the park, the impact on the regional economy would be very small, less than 0.1% of total economic activity.

National Park Service expects that by 2012, most boat owners would already be in compliance with the 2006 EPA marine engine standards. The impact from the engine standards on boat owners is expected to be small. Personal watercraft manufacturers currently offer some models that are compliant with EPA 2006 standards, and personal watercraft purchased later than 2006 would be made compliant. Because the life of a personal watercraft is estimated at 5 to 10 years (see the "Introduction" section in the "Purpose of and Need for the Plan" chapter), it is expected that the majority of noncompliant personal watercraft would no longer be in operation when the engine restrictions proposed under alternative C come into effect in 2012.

According to the Personal Watercraft Industry Association (PWIA 2002), sales of newer model personal watercraft have overtaken the older, less efficient models. This could be in response to the public announcement that only 2006-compliant engines would be allowed at Lake Mead National Recreation Area after 2012. The 10-year advance notice provides ample opportunity for people to consider engine compliant when making a purchase.

The modified preferred alternative (alternative C) details the impact of requiring all boats to meet the EPA 2006 emission standards. The Nevada Division of Wildlife, in their 1999 survey, reported that 9% of the boats have two-stroke engines. As a result, it is expected that the majority of carbureted two-stroke engines will no longer be in operation when the engine restrictions proposed under the modified preferred alternative (alternative C) come into effect after 2012.

Public Comment:
00382C

Commenter:

Affiliation:
Individual

B *Comment:* Identify the impact of the EPA 2006 engine standard on local employment and business because of the public's fear of buying or maintaining a boat that will be banned at Lake Mead National Recreation Area in the near future.

Response: The impact from the EPA 2006 engine standard on local businesses and employment is estimated to be very small. Personal watercraft manufacturers currently offer models that are compliant with the EPA 2006 standard. Personal watercraft purchased later than 2006 will be made compliant by the manufacturer. The Personal Watercraft Industry Association correspondence estimates that the current life

expectancy of a personal watercraft is 5 to 7 years and the EPA life expectancy is up to 10 years. As a result, it is expected that the majority of noncompliant personal watercraft would no longer be in operation when the engine restrictions proposed under the modified preferred alternative (alternative C) come into effect after 2012.

The economic impact and the implementation of the EPA 2006 emissions requirements on all engines by 2012 could stimulate sales over the next 10 years, as boaters convert to the new technology. The Nevada Division of Wildlife, in their 1999 survey, reported that 9% of boats have two-stroke engines. As a result, it is expected that the majority of carbureted two-stroke engines would no longer be in operation when the engine restrictions proposed under the modified preferred alternative (alternative C) come into effect after 2012.

Public Comment:
00382C

Commenter:

Affiliation:
Individual

Issue 2: Economic Impacts Related to Recreational Opportunity Zoning

A *Comment:* Commenters state that tourism and related recreational purchases in local communities (such as Temple Bar) would be adversely impacted by any zoning restriction that limited boater access for recreational activities such as fishing tournaments.

Response: Fishing tournaments should not be affected by the recreational opportunity zoning, because the semiprimitive zone has been revised to allow flat-wake operations and the primitive areas zone now allows electric trolling motors. Fishermen have access to all waters on Lakes Mead and Mohave. Temple Bar is authorized under the modified preferred alternative (alternative C) to add 300 slips to the marina. Temple Bar would not be adversely affected; in fact, there is opportunity for economic growth.

Public Comment:
01811C, 01665 F, 00949 A, 02220
B, 00117 A, 09058 B

Commenter:

Affiliation:
Individual

B *Comment:* Restrictions on vessel operations in the inflow areas of the Muddy and Virgin Rivers would adversely impact hunters who spent money in preparation for hunting from lake blinds in the Overton Wildlife Management Area.

Response: As described in the *Final Environmental Impact Statement*, the modified preferred alternative (alternative C) would designate the Overton Wildlife Management Area as a semiprimitive zone and would continue to allow hunters to access the Overton Wildlife Management Area by vessels traveling at a flat-wake speed.

Public Comment:
08205Y

Commenter:
Nevada Division of Wildlife

Affiliation:
Public Agency

Issue 3: Economic Impacts of Boating Capacity (Boats at Any One Time) and Associated Restrictions

A *Comment:* Visitor use restrictions related to boating capacity will result in fewer visitors at Lake Mead National Recreation Area at one time and, thus, fewer revenues from entrance fees and annual passes.

Response: The recreational carrying capacity proposed for Lakes Mead and Mohave under the modified preferred alternative (alternative C) does not reduce the number of boats on the water, but allows for expansion from the current 4,437 to over 5,055 boats at any one time. The visitor use improvement for each of the development areas is established in the *General Management Plan*. The *Final Environmental Impact Statement* allows all development areas to operate at existing levels or to expand, and does not

eliminate any of the facilities included in the plan. Therefore, no impacts on the local economies are anticipated.

Public Comment:
00219A

Commenter:

Affiliation:
Individual

Issue 4: Economic Impact Analysis Lacks Substantiating Documentation

- A *Comment:* The *Draft Environmental Impact Statement / Lake Management Plan* recommends a plan of action without thoroughly examining the impacts to the local economies and without providing substantiating documentation.

Response: The March 2002 *Economic Analysis of Personal Watercraft Regulations in Lake Mead National Recreation Area* (NPS 2002b) estimates that under the modified preferred alternative (alternative C), the economic impact would be approximately a 5% reduction in personal watercraft sales, service, and rentals related to the park. Under alternative B, there would be a 10% reduction in revenues, and alternative D would produce no change in revenues. Under alternative A where there would be a 100% reduction in personal watercraft sales relating the park, the impact on the regional economy would be very small, less than 0.1% reduction in total economic activity. Personal watercraft users account for less than 10% of annual visitation to Lake Mead, and most are local residents. Because personal watercraft use contributes such a small fraction of regional visitation and expenditures, lodging establishments, restaurants, gas stations, and other businesses that serve personal watercraft users are not likely to experience a measurable decline in business under any of the alternatives. It is possible, however, that localized impacts on tourism-related businesses located near Lake Mead could occur if personal watercraft restrictions result in reduced visitation to the recreation area. If restrictions on personal watercraft use are implemented, some nonpersonal watercraft businesses could experience an increase in revenues due to increased visitation from those engaged in activities other than personal water use.

The impact analysis for each alternative addresses socioeconomic impacts. The socioeconomic impacts under the modified preferred alternative (alternative C) are presented in the “Environmental Consequences” chapter, and discussion of impacts can also be found in the “Visitor Use, Experience, and Safety” section in that same chapter). The conversion to the newer engine technology is estimated to have only minor impact on the economy, as the majority of noncompliant engines would have outlived their estimated operational life expectancy.

Public Comment:
01953AF, 01953B F, 02303A, B-F

Commenter:
Laughlin Chamber of Commerce

Affiliation:
Organization

Issue 5: Impact of Infrastructure Limitations on Concessioners

- A *Comment:* The proposed plan limits infrastructure such as parking at concession-operated sites and limits the concessions’ ability to expand and be profitable.

Response: The marina, launch ramp, and parking capacities are based on the operation of the facility at peak use as described in tables 21 through 24 and in the *Final Environmental Impact Statement*. No marina slips, launch lanes, or parking spaces are proposed for removal. Expansion is included within the proposed recreational opportunity zoning for areas where capacities are not being achieved. The facility capacities are included in the concession contract so the potential for future expansion is well understood by each of the concessioners upon entering the contract.

Public Comment:
07151E

Commenter:
Las Vegas Boat Harbor

Affiliation:
Business

B *Comment:* In the existing *General Management Plan*, the Las Vegas Bay Marina is allotted 2,250 parking spaces. The new plan (“Table 20: Commercial Marina Service at Lake Mead under Alternative C”) shows 285 parking spaces at Las Vegas Marina for 635 slips, 388 dry storage, 47 rental boats, and restaurant use. This reduction in facilities limits the concessioner’s growth potential and is in violation of PL 105-391, which ensures reasonable opportunity for concessioners to make a profit.

Response: The parking capacity determinations took into account the size of the marina, the size of the rental fleet, and the size of the dry boat storage area. The National Park Service found that not all the boats from these areas were on the lake at the same time. For the purposes of parking calculations, it was assumed that 20% of the boats from the marina, 10% of the boats from dry boat storage, and 100% of the rental fleet would be on the lake at any one time, as indicated in table 25 in this *Final Environmental Impact Statement*. In addition, the calculation took into account the seating capacity at the restaurant and use at the store.

Pull-through parking spaces for the public launch ramp were calculated separately from the marina operation. Table 23 shows that 222 pull-through parking spaces are needed to support the public launch ramp, and the total for single-space parking for Las Vegas Bay Marina is 285 (table 21). The combined total for single and pull-through parking spaces for Las Vegas Bay Marina is 507.

<i>Public Comment:</i> 08092D	<i>Commenter:</i> Las Vegas Boat Harbor	<i>Affiliation:</i> Business
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C *Comment:* Overton Beach Marina is currently in the final stages of constructing a new fuel dock and boat rental facility as approved by the National Park Service. This investment can only be supported by increased fuel sales and increased boat rentals. However, alternative C does not allow for growth in the other boat rental category. This limitation would cause the marina to lose the opportunity to create a return on this investment and lose any reasonable opportunity for profit.

Response: The Overton Beach Marina rental boat operation would be authorized to operate at the approved level in the concession contract as listed in tables 21 through 24 in the *Final Environmental Impact Statement* under the alternative C description. The *Final Environmental Impact Statement* does not reduce the number of rental boats in the contract.

<i>Public Comment:</i> 08089H	<i>Commenter:</i> Overton Beach Marina	<i>Affiliation:</i> Business
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D *Comment:* Available parking at some concession-operated marinas, such as Overton Beach, is exhausted on summer days, not just the peak-use summer holidays (contrary to what is stated in the plan on page 65). If parking is directed to other lake access facilities when existing parking is exhausted at Overton Beach Marina, then the concessioner would lose any opportunity for profit even though there would be ample parking available for visitors throughout the Lake Mead National Recreation Area.

Response: Parking capacities were monitored during peak-use periods with lake elevations on Lake Mead operating between 1,180 and 1,215 feet above mean sea level. Aerial photographs were taken of the developed areas to document parking area use and determine the breakdown of single vehicles and vehicles with trailers.

Parking was also calculated for each of the developed area facilities. As shown in tables 25 and 26 in the *Final Environmental Impact Statement*, the National Park Service used 20% of the wet slips, 10% of dry boat storage, and 100% of the rental fleet for calculating the number of boats on the water from commercial facilities. Launch ramp capacities were used to determine the number of parking spaces needed to support launch ramp operations.

The photographs showing actual parking area were used in the analyses to determine facility capacity provided the foundation for the parking capacities used in the *Final Environmental Impact Statement*. In the case of Overton Beach, there would be a 45-slip expansion to the marina operation under the modified preferred alternative (alternative C) of the *Final Environmental Impact Statement*.

Public Comment:
08089G

Commenter:
Overton Beach Marina

Affiliation:
Business

Impacts from Glass and Styrofoam Restriction

Issue 1: Alternative Products Are Not Cost-Effective

A *Comment:* Restricting glass beverage containers and styrofoam products will economically impact concessioners because alternative products such as paper cups are more costly.

Response: The proposed restrictions on glass containers and styrofoam described under the modified preferred alternative (alternative C) in the *Final Environmental Impact Statement* are based on safety and environmental concerns. Glass containers are not appropriate at Lakes Mead and Mohave, as the number of injuries related to this type of container continues to be an issue. Styrofoam does not breakdown and can be an issue for wildlife. Based on these concerns, the National Park Service is proposing to eliminate these containers from the park. There is no data to support any potential major economic impacts to concession operations resulting from container restrictions.

Public Comment:
08092H

Commenter:
Las Vegas Boat Harbor

Affiliation:
Business

Impacts from Personal Watercraft Restriction

Issue 1: Impact of Personal Watercraft Ban on Local Communities

- A** *Comment:* Commenters stated that the ban of personal watercraft from lake areas, such as Lake Mead, would be economically devastating to local communities.

Response: The March 2002 *Economic Analysis of Personal Watercraft Regulations in Lake Mead National Recreation Area* estimates that under the modified preferred alternative (alternative C) the economic impact would be approximately a 5% reduction in personal watercraft sales, service, and rentals related to the park. Alternative B would experience a 10% reduction in revenues, and alternative D would produce no change in revenues. Even under alternative A, where there would be a 100% reduction in personal watercraft sales relating the park, the impact on the regional economy would be very small, less than a 0.1% reduction in total economic activity. Personal watercraft users account for less than 10% of annual visitation to Lake Mead Recreation Area, and most are local residents. Because personal watercraft use contributes such a small fraction of regional visitation and expenditures, lodging establishments, restaurants, gas stations, and other businesses that serve personal watercraft users are not likely to experience a measurable decline in business under any of the alternatives. It is possible, however, that localized impacts on tourism-related businesses located near Lake Mead Recreation Area could occur if personal watercraft restrictions result in reduced visitation to the recreation area. Even if localized impacts occur for some businesses that cater to personal watercraft users, some businesses that offer services to nonpersonal watercraft users could experience an increase in revenues due to increased visitation from those engaged in nonpersonal watercraft activities. See the “Socioeconomics” section in the “Environmental Consequences” chapter for a discussion of economic impacts.

Public Comment:
08710AA, 08710B A

Commenter:

Affiliation:
Individual

- B** *Comment:* Other commenters stated that a personal watercraft ban on Lake Mohave would result in additional personal watercraft-related congestion and accidents on the nearby Colorado River. Such increased personal watercraft use would result in decreased visitor use over time and, as a result, declining tourism that would adversely impact the Laughlin / Bullhead area.

Response: As discussed in the March 2002 *Economic Analysis of Personal Watercraft Regulations in Lake Mead National Recreation Area*, the National Park Service acknowledges that under alternative A (the no-action alternative), congestion might increase in non-NPS waters, and the overall potential for accidents could increase. Alternative B might also result in an increase in personal watercraft use in areas where personal watercraft would still be allowed and in non-NPS waters (i.e., the Colorado River south of Davis Dam and Lake Havasu), increasing congestion and the chance for safety risks in these areas. However, these effects are expected to be minor since the area being restricted from personal watercraft use under alternative B only accounts for 10% of the waters of Lake Mead. Under the modified preferred alternative (alternative C) in the *Final Environmental Impact Statement*, personal watercraft use would only be restricted in 5% of Lake Mead waters; therefore, any increase in congestion and safety risks in areas outside Lake Mead would be very small and would not have an overall impact on the surrounding tourism in the Laughlin / Bullhead area, as presented under the “Cumulative Impacts” section in the “Environmental Consequences” chapter.

Public Comment:
02453A

Commenter:

Affiliation:
Individual

OTHER NEPA ISSUES

General Comments

Issue 1: *Other Federal Acts, Executive Orders, and Policy to Reference*

- A *Comment:* The *Final Environmental Impact Statement* should specifically reference how the proposed lake management plan, and subsequent “tiered” NEPA documents, can meet the intent of guidance issued by the Council on Environmental Quality on integrating pollution prevention opportunities in NEPA planning, documents, and decisions (*Pollution Prevention and the National Environmental Policy Act*, Council on Environmental Quality, January 1993). Council on Environmental Quality instructs federal agencies to include pollution prevention to the extent practicable in the proposed action and in the reasonable alternatives.

The *Draft Environmental Impact Statement* identifies applicable requirements for carrying out this project. The *Final Environmental Impact Statement* addresses the following: the *Resource Conservation and Recovery Act*; the *Federal Insecticide, Fungicide, and Rodenticide Act* (FIFRA); the *Emergency Planning and Community Right-to-Know Act*; and the *Pollution Prevention Act*. Regarding *Federal Insecticide, Fungicide, and Rodenticide Act*, the *Final Environmental Impact Statement* should address if pesticides, herbicides, fungicides, rodenticides, or other products regulated under *Federal Insecticide, Fungicide, and Rodenticide Act* are used by the National Park Service, concession owners, or other tenants at Lake Mead National Recreation Area.

Page 244 references Executive Order (EO) 12856. The *Final Environmental Impact Statement* notes that EO 12856 was revoked and replaced by EO 13148 (*Greening the Government Through Leadership in Environmental Management*; April 21, 2000). There are other Executive Orders potentially applicable to this project and to the “tiered” NEPA documents for specific developments. These include EO 13101 (*Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition*; September 14, 1998); EO 13123 (*Greening the Government Through Efficient Energy Management*; June 3, 1999); and EO 13149 (*Greening the Government Through Federal Fleet and Transportation*; April 21, 2000).

Response: The NPS Hazardous Waste Management and Pollution Prevention Team has developed a *Spill Prevention Control and Countermeasures Plan* (NPS 1998c) that provides recommendations and requirements to prevent environmental damage resulting from oil spills. These plans are required by the Environmental Protection Agency as stated in 40 CFR, Part 112. In addition, the recreation area complies with state requirements and has developed *Best Management Practices for Watercraft and Marina Operations, Dry Boat Storage, and Boat Repair Services* (NPS 1996a). The National Park Service and all marina operators must comply with these requirements and best management practices.

The use of pesticides, herbicides, fungicides, rodenticides, or other related products are strictly regulated under the NPS Integrated Pest Management Program to reduce risks to the public, park resources, and the environment from pests and pest-related management strategies. This is a separate program that is outside the scope of this *Final Environmental Impact Statement*. Lake Mead National Recreation Area, concessioners and other tenants are required to conduct pest management activities in accordance with the Integrated Pest Management Process prescribed in *Director's Order 77-7: Integrated Pest Management*. These policies take into account the various laws, statutes, regulations, executive orders, guidelines, and policies related to pest management. Pest issues are reviewed on a case-by-case basis, and those with the potential to negatively impact the environment are addressed through established planning procedures, and included in an approved park management or Integrated Pest Management Program.

Under the National Park Service Integrated Pest Management Program, all pesticide use on lands managed or regulated by the National Park Service must be reported annually.

As outlined in the *Final Environmental Impact Statement*, the National Park Service currently complies with the above referenced executive orders. In addition, EO 12856 was replaced with EO 13148 in appendix A as noted, and references to EOs 13101, 13123, and 13149 were added.

<i>Public Comment:</i> 08203M, 08203 N and 08203 O	<i>Commenter:</i> Environmental Protection Agency	<i>Affiliation:</i> Public Agency
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Issue 2: Procedure for Commenting on the Plan and National Park Service Process for Responding Is Unclear

A *Comment:* What process is used to determine what comments are substantive and how does the National Park Service respond to these comments? Also, how are public comments accounted for in the final decision and does Congress vote on the final decision?

Response: The first page of this volume 2 under “Methodology and Purpose” provides a detailed explanation of how public comments were received, reviewed, and ultimately responded to in this document. The criteria for determination of substantive comments is found in CEQ regulations (1503.4 CFR) and amplified in *Director’s Order 12: Conservation Planning, Environmental Impact Analysis, and Decision Making* (section 4.6 (B)). Public comments, as well as other factors, were used by the park to modify the “preferred alternative” that was analyzed in the *Draft Environmental Impact Statement*. A description of the modified preferred alternative (alternative C) is found in the “Alternatives Selected for Analysis” chapter.

The “Consultation and Coordination” chapter, “History of Public Involvement” section, provides a list of recipients of the *Draft Environmental Impact Statement*. The list includes congressional representatives. Congress does not vote on the preferred alternative, but its members, like other citizens, can provide comments at any time during the process.

<i>Public Comment:</i>	<i>Commenter:</i>	<i>Affiliation:</i> Individual
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Issue 3: National Environmental Policy Act of 1969 Process Questions

A *Comment:* I know you have been working on this plan for about 10 years? How many different editions of the plan have there been? Is this the final draft before an alternative is put into place? If so, will the public be able to comment on the final draft?

Response: The *Lake Management Plan* has been evolving for the past nine years. Public scoping has been instrumental in the development of issues and alternatives and the evaluation of alternatives. The plan was updated in the past year based on the criteria of the settlement agreement. Only one version of the *Draft Environmental Impact Statement* was released on April 24, 2002, for 60-day public review. This *Final Environmental Impact Statement* contains a “modified preferred alternative” (alternative C) representing input of public comment, among other factors, received during the public comment period on the *Draft Environmental Impact Statement*. The final decision on the alternative that would be implemented is made no sooner than 30 days after availability of the *Final Environmental Impact Statement* (as published in the *Federal Register* by the Environmental Protection Agency) and as contained in the Record of Decision.

<i>Public Comment:</i> 08682A	<i>Commenter:</i>	<i>Affiliation:</i> Individual
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CONSULTATION AND COORDINATION

General Comments

Issue 1: *Recreational Opportunity Zoning Inconsistent with the Arizona Game and Fish Department Mission*

A *Comment:* The department recognizes the need to develop coordinated management of potential boater conflicts, especially in areas defined in the *Draft Environmental Impact Statement* as “Urban Park Settings.” Our agency should have been more involved in designing the recreational opportunity spectrum (table 1), along with the conditions and terms that define each of the five proposed settings. Certain elements of the proposed recreational zones are inconsistent with our mission and will not meet the needs of current user groups.

Response: The recreational opportunity spectrum was developed over a long period with extensive public and agency involvement, including Arizona Game and Fish Department (see the “Consultation and Coordination” chapter). The topic has been included in each of the annual coordination meetings for the last five years, plus a specific briefing for the Arizona Game and Fish Department was held on December 12, 2001. The National Park Service also met with representatives of the Kingman Field Office on June 21, 2002, during the public comment period. The National Park Service has provided numerous opportunities for the Arizona Game and Fish Department to participate in all aspects of this planning effort.

Public Comment:
08985A

Commenter:
Arizona Game and Fish Department

Affiliation:
Public Agency

Issue 2: *Future Discussions on Planning Should Include the Nevada Division of Wildlife and Arizona Game and Fish Department*

A *Comment:* The *Draft Environmental Impact Statement* indicates the future development specific [to] shoreline zoning on lower Lake Mohave from Stop Sign Cove to Mineshaft Cove, to address conflicts between various recreational users including shoreline anglers. However, the *Draft Environmental Impact Statement* does not provide enough detail to fully understand where those conflicts would be addressed or how conflicting uses would be partitioned. We strongly encourage the National Park Service to incorporate both Nevada Division of Wildlife and Arizona Game and Fish Department in future discussions and planning efforts if and when specific zoning actions are proposed for this area of Lake Mohave.

Response: In the description of the modified preferred alternative (alternative C) and in figure 9 (see the “Alternatives Selected for Analysis” chapter), specific recreational activities are listed that would be authorized at each of the shoreline sites. The *Final Environmental Impact Statement* does not zone the shoreline line, as there is inadequate space at each of these sites to assign a specific area to a specific activity. The *Final Environmental Impact Statement* simply lists the mix of activities that are appropriate at a particular site; it does not list a single recreational activity as the primary recreational activity for any of the sites considered. Additional analysis would be needed to more specifically partition these areas. This zoning effort would be done in cooperation with the state agencies.

Public Comment:
08205R

Commenter:
Nevada Division of Wildlife

Affiliation:
Public Agency

Issue 3: *The Nevada Division of Wildlife Should Be Recognized as a Partner in the Draft Environmental Impact Statement*

- A Comment: Nevada Division of Wildlife is pleased to note the partnership and funding initiatives on page 13 for improvement to facilities at the Lake Mead National Recreation Area, but disappointed that the division was not identified as one of those partners. Considering the huge amount that the division has invested, we believe the division is a significant contributor to financial support and public and resource protection.

Response: The National Park Service agrees and the *Final Environmental Impact Statement* has been revised to reflect the Nevada Division of Wildlife's involvement.

Public Comment:
08205E

Commenter:
Nevada Division of Wildlife

Affiliation:
Public Agency

Issue 4: *Fishing Groups Not Consulted*

- A Comment: Why were fishing groups not consulted during preparation of the plan? I work for Western Outdoor News and operate WON BASS, the largest fishing organization in the West, and have never been consulted, even though I have left my name, address, phone number, and email address several times.

Response: Fishing groups were consulted. Public meetings and workshops were held with the fishing groups on December 10, 1996 and July 17, 1996 and a presentation on the plan was made to Lake Mead Striper Club. Since the publication of the *Draft Environmental Impact Statement*, the National Park Service has met with tournament fishing organizations to receive comments. Although a particular individual may not have been contacted, the local fishing community has participated in the development of the *Draft* and *Final Environmental Impact Statements*. See appendix D for a listing of public meetings and presentations.

Public Comment:
00098B

Commenter:

Affiliation:
Individual

Issue 5: *Committee Should be Formed Involving Boaters/Visitors*

- A Comment: A committee should be formed to get Lake Mead boaters and visitors together with the National Park Service to form a plan that would work for all involved.

Response: It has been and will continue to be NPS policy to meet with any group that is interested in Lake Mead National Recreation Area. Over the years, Lake Mead National Recreation Area has participated in over 200 such meetings, listening to user organizations, local communities, and individuals throughout the planning process for this project. For example, the park has met with local user groups such as boaters, fisherman, skiers, and divers to address their concerns as recreation area users. See appendix D for a listing of public meetings and presentations. Changes have already been made in this *Lake Management Plan* in response to many of the 10,000 comments received during this public involvement process on the *Draft Environmental Impact Statement*.

Public Comment:
00182B

Commenter:

Affiliation:
Individual

Issue 6: *The National Park Service Should Recognize Effects of Bureau of Reclamation Decisions on Lake Mead*

A *Comment:* The Bureau of Reclamation is required by numerous laws, court decisions, and contracts known as the Law of the River, to make decisions and operate facilities, while considering other uses, such as a public recreation, whenever possible. It is appropriate to recognize the full potential range of water operations of Lake Mead in order to properly plan and operate public recreation facilities. Recreation facilities at any water supply reservoir should be designated and built to work within the full range of the reservoir.

Response: This *Final Environmental Impact Statement* corrects the omission and text has been included to describe the Bureau of Reclamation’s responsibility for management of the reservoir. The analysis of significantly lower water levels and the option for the Bureau of Reclamation to operate within the full range of the reservoir will be addressed in a future amendment to the *Lake Mead National Recreation Area General Management Plan*.

Public Comment:
08206E

Commenter:
Bureau of Reclamation

Affiliation:
Public Agency

Issue 7: *Questions About the Public Comment Process*

A *Comment:* Will a vote be taken of all citizens who utilize Lake Mead and pay their dues to enjoy the water, or will the only vote considered be from those citizens who were able to attend one of the public meetings? Will there be any way to get the outcome of all of these public meetings and what the final decision will be, and when it will take effect?

Response: The *National Environmental Policy Act of 1969* does not require a “vote” on selection of a preferred alternative by the public. It does require a federal agency, in this case the National Park Service, to make diligent efforts to involve the interested and affected public in the NEPA process (40 CFR 1506.6). Agencies must also encourage and facilitate public involvement in decisions that affect the quality of the human environment (40 CFR 1500.2). The public participation efforts undertaken by the Park Service over the past nine years are summarized in the “Consultation and Coordination” chapter. Public comments made at meetings, sent to the park in writing, and expressed orally are all taken into consideration in the decision-making process. While public comments may indicate a preference of a majority, the *National Environmental Policy Act* does not require the agency to select any particular alternative based solely on public comment on the *Draft Environmental Impact Statement*. The Park Service is required to notify the public of its final decision no sooner than 30 days after the *Final Environmental Impact Statement* is released to the public. The Record of Decision will be posted in the *Federal Register* and announced in local media to inform the public of the final decision.

Public Comment:
00266A

Commenter:

Affiliation:
Individual

Issue 8: *Concern Over Lake Mead Public Meeting Format*

A *Comment:* I read in the *Review Journal* that a ‘Public Hearing’ was to be at Cashman Field. I was greeted by a representative at the door and, after signing in, I asked if we would be given a chance to speak. I was told that it was not a public hearing, which the paper stated it was, and that I would need to comment in writing.

Response: The *National Environmental Policy Act of 1969* does not require public hearings be held to solicit comments on proposed federal actions, but rather it requires a public session, which can be either a workshop, hearing, or meeting (40 CFR 1506.6). The opportunity to express comments orally at a meeting can be followed in writing to make sure all comments are included in the public participation

record. The National Park Service provided the opportunity to make verbal comments to a court stenographer at all NPS public meetings, and the Park Service also accepted written comments.

Public Comment:
00383A

Commenter:

Affiliation:
Individual

- B** *Comment:* The meetings are structured on purpose to dissipate/minimize any group dissention. The format of the meetings are identical to the Forest Service meetings, where there can be no synergy or sharing of ideas from the public, just a handful of staffers, each talking individually about a particular facet of a proposed plan.

Response: The commenters are correct in noting that there are many ways to solicit public input (see response to Issue 8 A above). Some individuals feel that a public “hearing” format, where speakers are given an opportunity to express themselves for a limited amount of time, is intimidating, and they would rather speak individually to park staff. Other members of the public come to meetings for information and do not necessarily want to speak. Workshops are also an option where, in smaller group sessions, individuals have the opportunity to converse with each other, share ideas, and express opinions. The objectives of the public meetings were to (1) ensure all individuals had an opportunity to express opinions and ask questions of those who prepared the plan; and (2) provide the opportunity to submit comments in writing or verbally to a court stenographer at the meeting or to submit written comments during the public comment period on the *Draft Environmental Impact Statement*. These objectives are in compliance with the requirements of the *National Environmental Policy Act*.

Public Comment:
08255AB

Commenter:

Affiliation:
Individual

- C** *Comment:* Why were the public meetings front-end loaded, with all meetings being scheduled the first 30 days of the 60-day public review period? It is understood that the reason for the public review period is to allow interested and informed parties a reasonable opportunity to respond in person as well as in writing.

Response: The CEQ regulations that implement the *National Environmental Policy Act* require all federal agencies choosing to hold a public input session do so no sooner than 30 days after the *Draft Environmental Impact Statement* is made available to the public (40 CFR 1506.6 and NPS *Director’s Order 12, 4.8 (F)*). This is considered adequate time to review and respond to the proposal. It is also considered fruitful to hold public sessions midway through the public comment period to allow the public the opportunity to review the document, attend a session, gather information, and ask questions of park staff before submitting their written comments to the Park Service before the end of the comment period.

Public Comment:
03665A

Commenter:

Affiliation:
Individual

Issue 9: No Information Taken from People Who Use the Lake

- A** *Comment:* I am surprised that the people who use and know the lake were not polled or questioned about their concerns and recommendations. An entire study was done without quizzing people who use the lake on a regular basis.

Response: The National Park Service visitor use survey (Graefe and Holland 1997) involved over 3,000 visitor interviews, which were conducted in the park at variety of locations including the launch ramps and marinas, and in all of the 24 zones of the lakes. In addition, the National Park Service received over 1,500 completed survey booklets containing visitor comments detailing their experiences on Lakes Mead and Mohave.

A second visitor use survey was conducted by the Nevada Division of Wildlife in 1998 and involved approximately 800 visitors to Lake Mead National Recreation Area.

Appendix B describes the results of visitor surveys as they relate to carrying capacity of the Lakes Mead and Mohave.

<i>Public Comment:</i> 00933A	<i>Commenter:</i>	<i>Affiliation:</i> Individual
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B *Comment:* I recently became aware of an *Environmental Impact Statement* for Lake Mead National Recreation Area being drafted by the National Park Service. I am quite concerned because public hearings were held but none of them here in Searchlight. Why were we not advised or included in any of the hearings?

Response: The community of Searchlight received the same notification as all other communities. The notice was published in the local newspapers announcing that the *Draft Environmental Impact Statement / Lake Management Plan* was available and when and where public sessions would be held. There were additional stories on the availability of the plan presented on local television and radio. The National Park Service held a public meeting in Searchlight (at the community's request) to discuss the lake management plan on June 19, 2002. Appendix D has been updated to include this meeting.

<i>Public Comment:</i> 01431A	<i>Commenter:</i> Searchlight Town Advisory Board	<i>Affiliation:</i> Organization
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Issue 10: Tourism Leaders Were Not Consulted

A *Comment:* Although the National Park Service followed the results of the surveys in developing its [Lake Mead] management plan, the efficacy and accuracy of these surveys have been questioned because they were not necessarily geared toward the Laughlin-Bullhead City area and the type of tourists coming here. No local tourism industry input was provided in developing these surveys.

Response: The National Park Service visitor use survey was developed in consultation with Dr. Alan Graefe of Pennsylvania State University. The initial survey was reviewed by a technical advisory committee comprised of Jerry Vaske of Colorado State University, Dick Crysdale with the Bureau of Reclamation, Ray Murray with the National Park Service, and Laura Loomis with the National Parks and Conservation Association. It involved over 3,000 visitor interviews that were conducted in the park, at variety of locations, including the launch ramps and marinas, and in all of the 24 zones of the lakes. In addition, the National Park Service received over 1,500 completed survey booklets providing visitor comments detailing their experiences on Lakes Mead and Mohave.

A second visitor use survey was conducted by the Nevada Division of Wildlife in 1998 and involved approximately 800 visitors to Lake Mead National Recreation Area.

The surveys were primarily designed to identify issues to be addressed in this planning process and to help set the social carrying capacity for the different recreational opportunity settings. The design was developed under contract with Pennsylvania State University using a scientifically valid methodology that is explained in a 1997 report titled, *An Analysis of Recreation Use and Associated Impacts at Lake Mead National Recreation Area* (Graefe and Holland 1997).

<i>Public Comment:</i> 05387B	<i>Commenter:</i> Laughlin Town Manager	<i>Affiliation:</i> Organization
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Issue 11: Poor Publicity on the Lake Management Plan

A Comment: We feel there has not been adequate media coverage to inform the public about the *Lake Management Plan* and the public hearings. Since this matter affects all visitors and boaters to Lake Mead, this petition is to show our objections to the proposed *Lake Management Plan*.

Response: Lake Mead National Recreation Area has followed the NPS policies and procedures for public notification concerning this planning effort. Notices of availability were published in the *Federal Register* by the National Park Service and the Environmental Protection Agency. Extensive scoping was conducted throughout this entire planning process as detailed in appendix D. Press releases or articles were published in all local regional newspapers in regions surrounding Lake Mead National Recreation Area. These include the *Las Vegas Review Journal*, *Las Vegas Sun*, *Moapa Valley Progress*, *Kingman Miner*, *Meadview News*, *Laughlin Times*, *Mohave Valley Daily News*, and *the Boulder City News*.

Six public meetings were advertised and held in communities surrounding Lakes Mead and Mohave during the 60-day public comment period as listed in appendix D. Over 500 people attended the public meetings.

Representatives of Lake Mead National Recreation Area were interviewed on all the Las Vegas television stations as part of regional newscasts and special interviews, and information was included on the CBS *Face to Face* program in Las Vegas and on the *Morning Show* in Laughlin. Most of these were shown multiple times as part of various news broadcasts. There were also letters to the editor published in many of the newspapers. The National Park Service also provided supplemental press releases announcing the public meetings.

The outcome of the public involvement efforts generated over 10,000 comment letters, the most ever received in a planning effort at Lake Mead National Recreation Area. In summary, the National Park Service feels there was adequate public notification of the availability of the plan.

Public Comment:
08981B

Commenter:
Friends of Lake Mead

Affiliation:
Organization

APPENDIX

Analysis of Recreational Carrying Capacity

Issue 1: Carrying Capacity Analysis is Flawed

- A** *Comment:* Commenters stated that the visitor survey used to determine carrying capacity is outdated and not representative of current visitor conditions and experiences at Lakes Mead and Lake Mohave.

Response: The carrying capacity for Lakes Mead and Mohave is based on physical and social factors. Carrying capacity methodology is discussed in appendix B in this *Final Environmental Impact Statement*. The social portion of the analysis is based on a visitor use survey that was conducted in 1993 and 1994, with a final report prepared in 1997. Additional survey work conducted by the Nevada Division of Wildlife in 1998 produced findings similar to the 1993–1994 survey, reconfirming the earlier work. The physical components of the lakes' carrying capacity are based on miles of usable shoreline and acres of water. These are contemporary measurements and are not affected by time. Therefore, the park feels the carrying capacity is representative of current visitor conditions and experiences on Lakes Mead and Mohave.

Public Comment:
01953A, 01953 G, 07151 B, C,
01665 F

Commenter:

Affiliation:
Individual

- B** *Comment:* The visitor survey referred to in the carrying capacity analysis may not reflect a representative sample of Lake Mead and Lake Mohave visitors. In addition, the survey may only reflect social conditions on the lakes at peak use and/or during extreme temperatures.

Response: The National Park Service visitor use survey was developed in consultation with Dr. Alan Graefe of Pennsylvania State University. The initial survey was reviewed by a technical advisory committee comprised of Jerry Vaske of Colorado State University, Dick Crysedale with the Bureau of Reclamation, Ray Murray with the National Park Service, and Laura Loomis with the National Parks and Conservation Association. It involved over 3,000 visitor interviews that were conducted in the park at variety of locations including the launch ramps and marinas, and in all 24 zones of the lakes. In addition, the National Park Service received over 1,500 completed survey booklets providing detail on their experiences on Lakes Mead and Mohave.

A second visitor use survey was conducted by the Nevada Division of Wildlife in 1998 and involved approximately 800 visitors to Lake Mead National Recreation Area. This survey is discussed in the "Recreational Use of the Lakes" section in the "Affected Environment" chapter.

The visitor use surveys were conducted every month for a 16-month period, beginning in May 1993 and continuing through September 1994. Over this period, the survey examined conditions that included peak periods but also low-use periods. The plan only set capacities for the peak use period as they are not necessary for the remainder of the year. See appendix B in the *Final Environmental Impact Statement*.

The surveys were primarily designed to identify issues to be addressed in this planning process and to help set the social carrying capacity for the different recreational opportunity settings. The design was developed under contract with Pennsylvania State University using a scientifically valid methodology that is explained in a 1997 report titled, *An Analysis of Recreation Use and Associated Impacts at Lake Mead National Recreation Area* (Graefe and Holland 1997).

Public Comment:
01665F, 01680 B, 08528 F

Commenter:

Affiliation:
Individual

Issue 2: Review Facility Numbers in General Management Plan

- A *Comment:* Review the number of slips, boat rentals, and other activities approved in the *General Management Plan* with area stakeholders. Because of new working relationships, the increase in facilities from 1986 through 1994 may have resulted in reduced impacts.

Response: The park has reviewed the number of slips, boat rentals, and other commercial, as well as public lake access facilities that are presented in the *General Management Plan*. The launch capacity was calculated for each facility and presented in tables 21, 22, 23, and 24 under the modified preferred alternative (alternative C). These capacities were compared to the distribution of boats from each of the launch facilities and mapped by zone. The revised capacities are consistent with the boating levels in management zoning included under the modified preferred alternative (alternative C).

Public Comment:
08090B

Commenter:

Affiliation:
Individual

Summary of Operations Under Forecasted Water Elevation

Issue 1: Misleading or Incorrect Information Presented

A *Comment:* The purpose of the “Summary of Operations Under Forecasted Water Elevations” table on page 282 (appendix D in the *Draft Environmental Impact Statement*) is unclear and may be misleading. Hoover Dam and Lake Mead were authorized and constructed for the purpose of controlling floods, improving navigation, and regulating flow of the Colorado River, for the storage and delivery of water for irrigation and domestic uses, and for electrical energy generation. A graph, table, or section on the full range of operations and associated hydrology at Lakes Mead and Mohave would be beneficial.

Response: Information on the operation of fluctuating water levels of Lake Mead are addressed in other planning documents. We cite the Bureau of Reclamation’s *Final Environmental Impact Statement for the Colorado River Interim Surplus Criteria*, December 2000 in the introduction to appendix C in this *Final Environmental Impact Statement*. The predicted future range of operations and associated hydrology at Lake Mead is provided in that document.

The National Park Service is in the initial phase of assessing the impact of future lake fluctuations in a separate environmental analysis. This document is proposed to investigate the impact of the fluctuating reservoir on commercial and public launch facilities and other recreational operations at Lake Mead. Scoping on this analysis may start in 2003 or 2004.

Public Comment:
08206P

Commenter:
Bureau of Reclamation

Affiliation:
Public Agency

B *Comment:* Revise the phrase “mean seal level” to read “mean sea level” in several places in appendix D, page 283, table D-1.

Response: Corrections have been made.

Public Comment:
08206Q

Commenter:
Bureau of Reclamation

Affiliation:
Public Agency

REFERENCES

General Comments

Issue 1: *Studies Used to Develop the Lake Mead Management Plan*

A Comment: Comments were received on the references used to develop the *Lake Management Plan*.

Response: All references that were provided by commenters were reviewed and included in the “References and Index” chapter in the *Final Environmental Impact Statement*.

Public Comment:
08595, 08207, 08204

Commenter:
Bluewater Network

Affiliation:
Organization

MISCELLANEOUS TOPICS

General Comments

Issue 1: Additions of New Text or Corrections to Existing Text

- A** Comment: Appendix B, table B-4 (p. 268) should be referenced on page 35 in the “Alternative A: No Action” section in the “Alternatives Selected for Analysis” chapter, under “Recreational Opportunity Zoning,” third paragraph, second sentence, and in table 2.

Response: Statement has been incorporated.

Public Comment:
08206H

Commenter:
Bureau of Reclamation

Affiliation:
Public Agency

- B** Comment: Insert the following statements under Management History of the Recreation Area on page 99: (1) paragraph 1: “Davis Dam and Lake Mohave were authorized on April 26, 1941, by the Secretary of the Interior and constructed by the Bureau of Reclamation. Davis Dam provides reregulation of the Colorado River below Hoover Dam and facilitates water delivery to Mexico as required by treaty.” (2) paragraph 6, third sentence: insert at the end of the sentence “ and the security areas at and around both Hoover and Davis Dams.”

Response: Statements have been incorporated.

Public Comment:
08206I, 08206 K

Commenter:
Bureau of Reclamation

Affiliation:
Public Agency

- C** Comment: Information in the “Executive Summary” (table ES-6) is inconsistent with the results presented in table 40 on page 119. In table ES-6 under alternative C, “Wildlife and Wildlife Habitat,” “some beneficial effects” is listed under impacts. In table 40, under alternative C, the statement “wildlife would be displaced and the habitat would be removed as a result of construction activities” is inconsistent with the statement “some beneficial results” presented in the “Executive Summary.” See also “Threatened and Endangered Species,” desert tortoise. A negative impact to the tortoise is also summarized as “some beneficial impacts” in table ES-6.

Response: The *Final Environmental Impact Statement* has revised information in the “Executive Summary” and under the modified preferred alternative (alternative C). Table ES-6 and table 42 use the conclusion statement from each alternative described to provide the reader with summary conclusion statements by topic under each alternative. Table 42 describes all the potential impacts from each alternative, whether short-term, long-term, direct, indirect, or cumulative.

Public Comment:
08206F

Commenter:
Bureau of Reclamation

Affiliation:
Public Agency

- D** Comment: Add “mean sea level” after feet in numerous locations such as in the “Executive Summary,” under “Project Location,” first paragraph, last sentence, after 1,126. Additionally, when other information in the document is referenced in text, such as table 2, the page number of the referenced information should be included.

Response: Comment has been incorporated.

<i>Public Comment:</i> 08206C, 08206 D	<i>Commenter:</i> Bureau of Reclamation	<i>Affiliation:</i> Public Agency
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E Comment: The following changes to the “Affected Environment” chapter, “Recreational Uses of the Lakes” section, were suggested: (1) Lake Operating Levels, page 111, first paragraph, first sentence: “This plan addresses park management for Lake Mead between water elevations 1,180 and 1,210 feet above mean sea level.” (2) Page 111, last paragraph, middle of right page, second sentence: Add “boats” after 60,000. (3) Lake Operating Levels, page 112, paragraph at top of page: Replace the two existing paragraphs with the following: “ On Lake Mead, the average daily elevation for the last 10 years (1991 through 2002) was 1,193.9 feet above mean sea level. The elevation of 1,221.4 feet above mean sea level represents the elevation at the top of the spillway gates. On July 12, 1983, a maximum water surface elevation of 1,225.85 feet above mean sea level was reached on Lake Mead. The theoretical minimum elevation required to generate power is 1,083 feet above mean sea level, and the minimum elevation required for the operation of the Southern Nevada Water Authority’s original intake facility is 1,050 feet above mean sea level.”

For the past 10 years (1992 through 2002) Lake Mead has operated between water surface elevations 1,154 and 1,215 feet above mean sea level. Lake Mead may increase or decrease its operating levels due to the adoption of Colorado River Interim Surplus Criteria by the Bureau of Reclamation and the above or below normal snowpack conditions. The Surplus Criteria will determine the surplus water conditions in the lower Colorado River Basin for the time period 2002 through 2016. The impacts on recreational resources from this action have been addressed in the *Colorado River Interim Surplus Final Environmental Impact Statement, December 2000*, prepared by the Bureau of Reclamation (BOR 2000). A summary of the impacts as they relate to the park operation of Lake Mead National Recreation Area is found in the *Draft Environmental Impact Statement*, appendix D.

Response: Comments have been incorporated

<i>Public Comment:</i> 08206D	<i>Commenter:</i> Bureau of Reclamation	<i>Affiliation:</i> Public Agency
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F Comment: Lake Mead National Recreation Area maps in the text should show the security boundary areas around Hoover and Davis Dams and note that these dams are administered by the Bureau of Reclamation.

Response: Where the scale allows, the maps have been revised as suggested.

<i>Public Comment:</i> 08206A	<i>Commenter:</i> Bureau of Reclamation	<i>Affiliation:</i> Public Agency
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G Comment: On pages xiii and 7 under the “Rural Natural Setting” heading, the text indicates that some types of boating and water activities are restricted. To enhance clarity, change the wording to read “At times, some boating and water activities may be restricted due to hazardous, or other conditions” to enhance clarity.

Response: Comment has been incorporated.

<i>Public Comment:</i> 06752A	<i>Commenter:</i>	<i>Affiliation:</i> Individual
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H Comment: Reword statement on page 27 that addresses alcohol-free high-use areas and shorelines to “Some problem areas may be designated alcohol-free if deemed to be in the best interest of the public.”

Response: Comment has been incorporated.

Public Comment:
06752B

Commenter:

Affiliation:
Individual

I Comment: Change and add the following to the “Purpose of and Need for the Plan” chapter, page 13, the “Other Plans, Policies, and Actions Considered” section under “Reclamation Surplus Water Criteria” in the first sentence end the sentence after “Colorado River Basin” and begin the next sentence with “Beginning in calendar year 2002, the interim surplus criteria will begin and would extend through 2016.”

Response: Suggested change has been incorporated.

Public Comment:
08206G

Commenter:
Bureau of Reclamation

Affiliation:
Public Agency

Issue 2: Impact of Regulations or Area Restrictions at Lake Mead National Recreation Area on Users

A Comment: Arizona Game and Fish Department cannot support regulation of public waterways according to watercraft type as proposed in the draft. However, they can support restriction of watercraft use to protect natural resources.

Response: The *Lake Management Plan* does not propose to regulate public waterways by watercraft type. The proposal identifies and manages for five distinct recreational settings as described by a variety of factors presented in table 1 in this *Final Environmental Impact Statement*. To achieve the desired primitive and semiprimitive recreational settings, the size and type of motors is limited as well as speed. The desired recreation settings are more fully described in the “Purpose of and Need for the Plan” chapter.

Public Comment:
08985I

Commenter:
Arizona Game and Fish Department

Affiliation:
Public Agency

B Comment: Commenters indicated concerns about too many regulations or restrictive policies that limit their access and ability to recreate at Lake Mead National Recreation Area.

Response: The regulations proposed under the modified preferred alternative (alternative C) are described in the “Objectives for Taking Action” section of the “Purpose of and Need for the Plan” chapter. The restrictions are designed to achieve specific goals of providing a range of recreational settings and improved visitor safety while protecting park resources and values from impairment. There is also an additional goal of moving toward unified boating regulations for all boaters on Lakes Mead and Mohave. This last goal demands close coordination with the states of Arizona and Nevada who manage state specific boating regulations.

Public Comment:
01685A, 01687 B, 01807 A, 01810
C, 01844 A, 01902 A, 01896 C,
Form D1 A

Commenter:

Affiliation:
Individual

Issue 3: Fluctuating Water Levels at Lake Mead

A Comment: Commenters expressed concern and a lack of understanding as to why water levels continue to decline in Lake Mead.

Response: Lake Mead water levels are administered by the Bureau of Reclamation. On Lake Mead, the average daily elevation for the last 10 years (1991 through 2002) was 1,193.9 feet above mean sea level. The elevation of 1,221.4 feet above mean sea level represents the elevation at the top of the spillway gates. On July 12, 1983, a maximum water surface elevation of 1,225.85 feet above mean sea level was reached on Lake Mead. The theoretical minimum elevation required to generate power is 1,083 feet above mean sea level, and the minimum elevation required for the operation of the Southern Nevada Water Authority's original intake facility is 1,050 feet above mean sea level. Refer to "Lake Operating Levels" section in the "Affected Environment" chapter.

For the past 10 years (1992 through 2002) Lake Mead has operated between water surface elevations 1,154 and 1,215 feet above mean sea level. Lake Mead may increase or decrease its operating levels due to the adoption of Colorado River Interim Surplus Criteria by the Bureau of Reclamation and the above or below normal snowpack conditions. The Surplus Criteria will determine the surplus water conditions in the lower Colorado River Basin for the time period 2002 through 2016. The impacts on recreational resources from this action have been addressed in the *Colorado River Interim Surplus Criteria Final Environmental Impact Statement*, December 2000, prepared by the Bureau of Reclamation (BOR 2000). A summary of the impacts as they relate to the park operation of Lake Mead National Recreation Area is found in appendix C of this *Final Environmental Impact Statement*.

Public Comment:
08979AB

Commenter:

Affiliation:
Individual

Issue 4: Lake Management Plan Proposed Actions and Language Should Represent How Lake Mead National Recreation Area Will Be Managed

- A *Comment:* Commenters stated that future administrators at Lake Mead National Recreation Area may interpret the *Lake Management Plan* differently than the current administration. Therefore, the plan must be articulate and concise on how the National Recreation Area should be managed to prevent future misinterpretation.

Response: The Record of Decision will clearly articulate the final plan as approved by the Pacific West regional director of the National Park Service. The *Final Environmental Impact Statement* has been revised to clarify desired recreational settings (see table 1) and regulations to achieve these settings.

Public Comment:
08535AB

Commenter:

Affiliation:
Individual

Issue 5: Concerns Related to Current Concession Operations

- A *Comment:* Commenters stated the National Park Service should be involved in solving the current problems plaguing the Las Vegas Bay Marina: green algae; growing delta; and lack of facilities.

Response: The National Park Service is actively involved in addressing the issues facing the continued operation of the Las Vegas Bay Marina. A separate environmental assessment was released in September 2002 that addresses the relocation of this marina to a separate location within the Boulder Basin, and the marina was temporarily relocated to Horsepower Cove in October 2002.

Water quality is a very important issue at Lake Mead National Recreation Area. Park resource managers are working with the Lake Mead Water Quality Forum to coordinate monitoring, identify issues related to water quality, and seek solutions to the threats to water quality at Lake Mead. Park managers are also working with the Las Vegas Wash Coordination Committee to develop a Las Vegas Wash comprehensive adaptive management plan with the goal of improving the quality of water entering Lake Mead. The National Park Service tries to have a representative at each meeting, and we keep informed through electronic mail, newsletters, and by phone.

The National Park Service is also working with the Bureau of Reclamation and the Clean Water Coalition to address the issues related to the discharge of treated effluent from Las Vegas Wash into Lake Mead. Recently, the National Park Service started working with these other entities to prepare an *Environmental Impact Statement* to address alternatives, issues, and analyze the potential impacts associated with the construction, operation, and maintenance of a Systems Conveyance and Operations Program. The goal of this program is to maintain the quality and integrity of the treated wastewater as it increases through time, and to reduce erosion within Las Vegas Wash.

The location and capacity of marina and launch ramp facilities are addressed in the *Draft* and *Final Environmental Impact Statements*. The size and location of marinas as well as launch facilities are included in tables 21, 22, 23, and 24 in the *Final Environmental Impact Statement*.

<i>Public Comment:</i> 08528E, 08590 B	<i>Commenter:</i> Las Vegas Bay Marina	<i>Affiliation:</i> Business
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B *Comment:* Concessions are providing most of the services to public because the National Park Service lacks the necessary funds; yet the proposed *Lake Management Plan* restricts the ability of concession operations to grow.

Response: Throughout the National Park Service, concessioners provide commercial services to support needs of both the park and the visitor. At Lake Mead National Recreational Area, the concessioners provide commercial services to support boating operations. These include boat storage, boat rental and maintenance, food service, fuel service, and retail store operations. These services are sized to meet the public demand and to provide a range of recreational settings. In the *Final Environmental Impact Statement*, there are proposed increases in commercial services.

The public facilities are provided and maintained by the National Park Service. These include all launch ramps, courtesy docks, restrooms, picnic areas, campgrounds, and fish cleaning stations. In addition, the National Park Service provides the basic infrastructure for all operations both commercial and public. These include the roads and many of the parking areas as well as the drinking water and wastewater systems.

There is a mix of commercial and public facilities within Lake Mead National Recreation Area. The *Final Environmental Impact Statement* establishes the capacity of each of the facilities and identifies where new facilities are appropriate to meet the needs of both the park and the visitor. Refer to table A-1 in appendix A in the *Final Environmental Impact Statement*.

<i>Public Comment:</i> 08528H	<i>Commenter:</i> Las Vegas Bay Marina	<i>Affiliation:</i> Business
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Issue 6: Relationship of Lake Management Plan to National Park Service Funding Constraints

A *Comment:* As described in the “Operations” section in the “Alternatives Selected for Analysis” chapter in the *Draft Environmental Impact Statement* the National Park Service has proposed a complex set of alternatives that cannot be implemented due to a lack of funding.

Response: Funding is an issue even under the existing conditions. This constraint should not prevent the National Park Service from setting desired recreation goals for recreational use of the waters of Lakes Mead and Mohave. As part of implementation of the modified preferred alternative (alternative C), the National Park Service would pursue alternatives to traditional funding sources to meet the objectives identified in the “Purpose of and Need for the Plan” chapter.

Lake Mead National Recreation Area will incorporate the operational needs identified in the *Final Environmental Impact Statement* into the priorities submitted annually under the Operating Formulation

System at the National Park System. This administrative system is in place for park units to identify operational needs. The Lake Mead National Recreation Area operating budget has increased approximately 60% over the past 10 years; thus, future budget increases are anticipated.

Public Comment:
03665B

Commenter:

Affiliation:
Individual

- B** *Comment:* The *Lake Management Plan* appears to be a vehicle intended to lobby for additional funding by presenting the perception of overcrowding, visitor conflicts, and chronic understaffing.

Response: All data presented in this document concerning crowding, visitor conflict, and staffing are the result of operational survey or audit information found in appendix B in the *Final Environmental Impact Statement*. It is reasonable to disclose information to the public during the planning process that could affect implementation of a proposed action. Completed planning documents are often used to support requests for additional funds.

Public Comment:
03665D

Commenter:

Affiliation:
Individual

Issue 7: Commercial Boating Capacity

- A** *Comment:* How was the number of commercial boats at Lake Mohave determined? With the constraints on number of slips at Katherine Landing, should the number of commercial rental boats be reduced?

Response: The number of commercial boats was determined by adding the number of slips, dry storage spaces, and number of rental boats. In the development of this *Final Environmental Impact Statement*, the existing level of public and commercial services was accepted as a baseline. None of the alternatives considered a reduction in launch capacities, as there was no justification to do so from a physical or social carrying capacity perspective.

Public Comment:
01816D

Commenter:

Affiliation:
Individual

Issue 8: Paddlecraft Launch Permits

- A** *Comment:* The proposed increase in paddle usage is a good thing. Currently, it is necessary to plan each trip a year in advance to get the permits necessary to launch in the upper canyon. Many times it is not possible to obtain permits, even a year in advance.

Response: The modified preferred alternative (alternative C) in this *Final Environmental Impact Statement* proposes to increase the canoe and kayak launches during the period when the river is managed for primitive and semiprimitive recreational settings. During semiprimitive settings, the launches can be increase to 45 launches per day and in the primitive settings to 60 launches per day. One condition of the increase in launch permits is that only 30 canoes/kayaks would be issued permits to camp, all others will be for day trips only. This increase in permits should ease the pressure to secure weekend reservations.

Public Comment:
01933B

Commenter:

Affiliation:
Individual

- B** *Comment:* The *Lake Management Plan* states there is a six-month waiting period for paddlecraft launch permits. This is not correct. While reservations are only taken six months in advance, this has nothing to do with availability. In actuality, the number of permits used verses the number available is low. For the

months of April and May 2002, only 58% of the available permits were used. These two months are the most popular time for paddlecraft visitors and have the highest usage by this group. As of June 10, 2002, for the six-month period from June through November, 72% of the launch permits are still available. This means that only 28% are booked. The *Lake Management Plan* proposal is to increase by 50% to 100% the number of paddlecraft permits issued. This increase will be possible only by restricting usage by the boating visitor. This does not seem to benefit the public as a whole when the paddlecraft visitors are not using this area to its capacity.

Response: While the permit information provided is accurate, visitors wanting to canoe or kayak on a Saturday must secure their permit 90 days in advance or the date will be booked. For some periods of the year, Saturdays can be booked four to five months in advance. The modified preferred alternative (alternative C) states that launches could increase from 30 to 60 permits on the two days per week when no motors are authorized and 45 permits per day when the area is managed for a semiprimitive setting. A maximum of 30 permits per day will include camping in Black Canyon.

Under the modified preferred alternative (alternative C), on Lake Mohave, the primitive and semiprimitive areas would include Black Canyon above Willow Beach. 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. Personal watercraft use would be monitored during this period and restricted if the safety of lake users becomes an issue. This will be determined by reported conflict information and boating incidents. Horsepower restrictions would be in place to implement the semiprimitive zoning, limiting all watercraft to a maximum horsepower of 65.

Public Comment:
08091C

Commenter:

Affiliation:
Individual

Business
Comment
Letters

Author: "robert bilbray" [REDACTED] at NPS
Date: 06/26/2002 12:31 PM
Normal
BCC: LAME LMP at NP-LAME
TO: <lame_lmp@nps.gov> at NPS
Subject: Emailing: Lake Mead Management Plan
----- Message Contents

LAME-08890
page 1 of 2

LAME-08890
page 2 of 2

Your files are attached and ready to send with this message.
(See attached file: Lake Mead Management Plan.txt)

Subject: Lakes Mead and Mohave Management Plan EIS

Gentleman, this letter is written for the purpose of formal objection to the economic restrictions contained in Alternative C of the above mentioned Plan. I have been a major property owner and resident of the Laughlin community for 24 years and feel that while we all encourage the preservation of the natural resource this goal can and must be achieved through the clear understanding and cooperation with the commercial interests within the park as well as the community commercial interests dependant in a large degree by recreational facility improvement and operation. Alternative C, I feel fails to provide any improvements to the Katherine Landing facility and clearly sets the stage for the continued deterioration of this aging facility for many years to come. The Katherine Landing facility is and has been for many years a total embarrassment to the tri-state communities in which it is located. While at the same time demand from both the tourist and local residents have clearly shown to be the marina with the greatest demand for expansion and improvement. It has been clear for many years and is again evident through the selection of Alternative C that Park Service has no intent to provide the material capital improvements needed at Katherine Landing or alternatively enter into concession agreements with a term long enough to provide independent contractors a reasonable rate of return on their investment.

The recommendations under this plan appear to provide improvements (to Cottonwood Cove and a new launch facility in the Eldorado Canyon) at locations which are inaccessible to the communities and tourists to Mohave County, Bullhead City and Laughlin. One would have to be naive to think that the capital expenditures at these locations and without funding for major access roadway to these locations through seventy miles of Highway 95 and 14 miles from Searchlight to Cottonwood Cove will in anyway be justified. It would appear that this plan has totally ignored the recreational element of Lake Mohave and has and will in the future consider that less recreational use will yield the Park Service's pre-ordained objective, both now and in the future.

The basis for this plan is based upon what I feel to be an obsolete and biased survey which fails even the most basic of tests of objective independence in that many years have passed since the survey information was obtained and the peak use weekends that the survey assumes for establishing lake load factors. I feel and would encourage that both the method and timing of survey information gathering should be objectively conducted by an independent party other than the same or any related regulatory agency charged with preparation and adoption of this Plan and be coordinated with both the communities and the concessionaires that will have to suffer the economic impacts of the Plan. This Plan fails to meet this basic standard.

Thank you for your consideration of my comments.

Robert Bilbray, President
Bilbray Industries Inc.
[REDACTED]



A Forever Resort

LAME-08088
page 1 of 2

LAME-08088
page 2 of 2

June 10, 2002,

William K. Dickinson
Superintendent
National Park Service
Lake Mead National Recreation Area
601 Boulder Highway
Boulder City, NV 89005-2426

Dear Superintendent Dickinson:

The purpose of this letter is to express my opinion on the Lake Management Plan. I have gone through the plan and the many alternatives and scenarios. I do believe a plan is needed to protect and manage the many resources on Lake Mead and Lake Mohave, while supporting the future needs of our visitors and concessionaires.

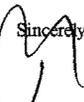
The following concerns were based on my point of view from being a recreation user and also from having a financial interest on Lake Mead. The key to developing this plan is not to diminish the visitor's experience or to eliminate the concessionaire's financial growth opportunities.

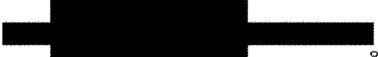
1. Here at Callville we were under the impression from the DCP that our houseboat maximum was 75 and not 65 as stated in the Lake Management Plan and would like to see the 75 boats be maintained.
2. Also with the number of wet slips that were allocated in the DCP at 1050, the only alternative to maintain this would be A. The services here at Callville can easily support this amount along with the available lake access.
3. PWC'S should not be ban from the lake, with the new technology that has been developed, PWC'S have become more environmentally friendly. I would agree with eliminating the carburetor two-stroke engines by 2012 and the banning in the established 2% of the Lake Mead area.
4. Parking area's, I would like to have the amount of authorized parking to accommodate the increase in wet slips, with alternative D being the most favorable with 537 single spaces.
5. Shoreline refueling of all boats not just PWC'S should continue to be illegal and banning portable fuel tanks should be enforced within the park. Lake Mead's water quality can improve through public education and awareness and the enforcement of illegal shoreline refueling.
6. Portable toilets, I agree with the concept of all overnight campers be required to have a portable toilet, Callville would agree to sell these units, I would be oppose to the

idea of renting these units out due to the possible health risks to Callville's employee's and the possible liability from the renters.

7. Boater education, I do believe in having boater education in order to operate a vessel within Lake Mead, but there would be have to be some type of a program that would allow visitors to rent boats, especially our foreign visitors.
8. 100' wake less zone from shoreline. I believe this could potentially be a problem within narrow parts of the main channel here at Lake Mead, especially with low water. I do agree with the zone in heavy visited parts of the lake for safety reasons. Through boater education, boaters can learn of there responsibility when it relates to their boarts wake and that they are also accountable for any damage caused by there boats wake.
9. Black canyon ban on motorized vessels and horse power restrictions. Being a trout fisherman I enjoy the waters from the dam to willow beach especially during the winter months when fishing is more rewarding and I believe it would not be in the best interest for any person who uses a motorized vessel to fish only from Memorial weekend to Labor day weekend.

I thank you for your time and consideration in allowing me to respond to the Lake Management Plan. I feel very strongly that we need to protect and manage our environment for the enjoyment of our future visitors.

Sincerely,

Jim Gomes
General Manager



OUR FILE NUMBER _____

May 29, 2002

William K. Dickinson
Superintendent
LAKE MEAD NATIONAL RECREATION AREA
601 Nevada Hwy
Boulder City, NV 89005-2426

re: Restricting motorized boat to 65 hp in semi-primitive areas

Dear Bill:

You and I corresponded on this subject last year.

In regard to restricting motorized craft to 65 hp or less, this would be inflicting damage on the proposed semi-primitive areas by polluting both the air and the water with oil and gasoline laden smoke plus the high noise levels which the old type outboards create.

Inboard-outboard boats, which many if not most of us now own and use to enjoy your proposed semi-primitive areas are possessed of four cycle engines which are far less polluting to the air and water, and more quieter. The four cycle engine uses less gasoline and does not use a gasoline-oil mixture which the old style out-boards do.

Although there are new four cycle out-boards, they are expensive and are in the vast minority when compared with the two cycle out-boards now in use. It will be many years before these old style out-boards are all worn out and replaced by the new four cycle out-boards. Meanwhile, your 65 hp and under regulation will inflict hundreds if not thousands of old style out-boards into your proposed semi-primitive areas with the resulting unacceptable pollution of air and water and unacceptable noise levels.

This letter is to ask you to please reconsider.

As an alternative proposal, boats with out-boards to 65 hp or less and boats with the in-board - out-board four cycle type engines to 260 horsepower.

This way you are not polluting and damaging the environment quite so badly and you are not discriminating against those of us who own inboard outboard four cycle type engines.

My own boat is a 19 foot open boat with a 170 hp inboard/outboard four cycle engine. Twenty years ago I purchased this to replace my 45 hp 16 foot open boat. To my pleasant surprise, what I had been told about the 170 hp using far less gasoline proved to be correct. The four cycle inboard/outboard uses approximately one third the amount of gasoline that the 45 hp outboard did for the same time and distance. I would estimate the noise level is no more than 20 % of the outboard.

Page Two
Willow Beach
May 29, 2002

As you may recall from our previous conversations and those that I also had with Jim Holland, I have been fishing the waters above Willow Beach, mostly up near Hoover Dam for the past forty-seven years. Not only to fish, but to enjoy the great scenery, the wildlife, the camping, the waterfalls, the hot springs and believe it or not, for the solitude, particularly early in the morning and during the night.

I can see no valid reason to exclude us inboard/outboard boat owners from this most enjoyable area. If you have some reasons I don't know about, please do let me know. Otherwise, please do reconsider your present proposal.

Best personal regards,

A handwritten signature in cursive script, appearing to read "Pat Fitzgibbons".

Pat Fitzgibbons, Esq.

PF:bf
cc: Jim Holland
Park Planner



LAME-09057
page 1 of 2

June 18, 2002

Mr. William Dickinson
Superintendent
Lake Mead National Recreation Area
601 Nevada Highway
Boulder City, NV 89005

Re: Draft Environmental Impact Statement, Lake Management Plan

Dear Mr. Dickinson:

Kawasaki Motors Corp., U.S.A. ("KMC") provides these comments to the Lake Mead NRA's Lake Management Plan Draft Environmental Assessment, and specifically to the issue of continued use of personal watercraft (PWC) at Lake Mead NRA.

KMC, and its nearly 600 California-based employees strongly support the adoption of the Draft Management Plan's "Alternative C." This management approach will allow continued access by the public to the public lands and waters of Lake Mead and Lake Mojave, while providing management structure and tools to the NPS to preserve recreational opportunities for generations of Americans to come. KMC has some concerns that the Draft EIS echoes some of the fallacies and incorrect assumptions that have plagued the whole process of NPS's examination of the issue of PWC use. On balance, however, it is refreshing and comforting that Lake Mead believes PWC use belongs there.

KMC, which distributes Kawasaki JET SKI® watercraft in the United States is a long-time supporter of responsible recreation on public lands and waters. On its own initiative, and as one of the founders of the Personal Watercraft Industry Association ("PWIA"), KMC has pushed for mandatory education at the state level, and supported effective law enforcement through grants, informational resources, and the availability of loan watercraft used by thousands of public safety agencies across the Country.

Kawasaki's current line of JET SKI watercraft is the cleanest, quietest, and most socially responsible we have ever offered, yet we fully intend to do more. Future models will continue to offer improved low-emissions technology, and innovations such as our "Smart Steering" system, and we firmly believe the owners of our watercraft have the right to access public waters, such as the Lake Mead NRA, as long as they operate responsibly.

The staff at Lake Mead NRA are to be commended for their diligent and responsible approach to examining the future of Lake Mead and the use of PWC as an integral part of that future. KMC has worked with LMNRA staff on numerous occasions, for demos,



LAME-09057
page 2 of 2

special events, beach and lake clean-ups, and others, and values the cooperative and beneficial relationship with all the Lake Mead staff.

Thank you for your consideration of these comments.

Sincerely,
Kawasaki Motors Corp., U.S.A.

Roger F. Hagie
Director, Public Affairs

Author: "Betty Gripenotog" [REDACTED] at NPS LAME-07151
Date: 06/25/2002 4:11 PM page 1 of 2
Normal
BCC: LAME LMP at NP-LAME
TO: <lame_lmp@nps.gov> at NPS
Subject: Comments on Lake Mead Management Plan Draft Environmental...
----- Message Contents
Subject:
Comments on Lake Mead Management Plan Draft Environmental Impact

June 25, 2002

Las Vegas Boat Harbor, Inc.
Betty Gripenotog

Superintendent Mr. Dickinson
Lake Mead National Recreation Area
601 Nevada Highway
Boulder City, NV 89005

Re: Draft Environmental Impact Statement Lake Mead Management Plan

Dear Bill,

I feel none of the alternatives are acceptable as written! The studies and the data are outdated, flawed and one sided. We, as concessionaires, have told you the visitor numbers are greatly inflated, not only on Lake Mead but in other National Parks as well.

The information was collected in 1993 and 1994. Lots of things have happened since then. Boating as an industry has been on a decline. The economy was not good even before September 11, 2001. The lower water, the green algae and the bad media press concerning both have changed the use of the lake.

Being personally involved in the marine industry, I have seen all of these changes. Every holiday the expected number of visitors are so exaggerated that the locals stay home. Thus the holiday weekends are little more than a good regular weekend. We do not need a Lake Mead Management Plan that practically stops growth.

The polls asking people if their lake experience would have been better had there not been so many people, are biased. Of course it could have been better, but compared to what? Not being allowed to use the lake at all or having to make a reservation. It is all in the way the question is worded. Were they told the alternatives, of course not!

To limit the parking spots, in the park, to control the amount of boats on the lake is extremely unfair. What about the people that never go out on the water, they come to picnic, dine, feed the fish, or just out for a drive. The proposed plan says that is the purpose of the plan on page vi. It was stated at the open house meetings and in the media interviews with Kay Rohde, that the plan was not intended to limit the use of the lake. The Blue Water Coalition and other

LAME-07151
page 2 of 2

Such organizations have only to use your plan to make you enforce them. When the rules are in writing that is what is enforced, whether that was the intention or not. We the concessionaires on Lake Mead and other National Parks are very familiar with interpretation. We were told under Public Law 89-249 our contracts did not need to contain the Preferential Right of Renewal, as the law insured it to us. Were we wrong to believe that? Look what it has cost all of us?

The plan reduces the parking places at Las Vegas Bay Marina from 750 with approval for over 2000 more to allowing only 288 spaces. We have over 900 boats in slips and dry storage beside the people that come to eat or feed the fish, or rent a boat. The water level dictates how many people can park anyway.

The combined meeting in Phoenix with NPS/NPHA was to help answer a prospectus. Margaret Bailey of Price Waterhouse Cooper said each property prospectus is unique and the management plan will change the prospectus for them. Under the proposed plan, not only are you limiting our parking, which can reduce our business potential, but also the plan shows us with no growth potential. If a business can't grow it becomes stagnant, taking away our right to a profitable business.

To close Crawdad and Boxcar to overnight camping and to have them camp above high water is not the same experience. The crowded areas become that way because that is the way people like it. It they want to be by themselves there are many coves to allow privacy.

The new picnic areas on the Lake Shore Road between Boulder Beach and Las Vegas Bay are very nice. Tables, trash bins and shades are wonderful but no toilet facilities. Of course toilets have to be cared for. Nowhere in the plans are these mentioned. The one at Sandy was without a door for a long time making it unusable.

Soundscape has played a very large part in all the alternatives. Stating the results of noise and people on plant life, such as the milkweed that grows on sandy beaches like Sandy Cove. This lake is a reservoir with much fluctuation. What happens to these plants when the water covers them or leaves them high and dry for years? If the sound is so detrimental to all of us, why do you allow Henderson Police, NDOW and NPS to use the settling pond above us for target practice? Some days, the noise from there sounds like all out warfare.

All of the alternatives have value and have faults. We need to work with you to make another alternative that is more "user-friendly" and not so restrictive, one that can be more fairly regulated.

I feel that the public was not properly and sufficiently notified of the "public" meetings, and that at the meetings the plan was not explained correctly as to the importance and the consequences of it.

Why can't we amend alternative A to add the Personal Watercraft plan from Alternative C until a better plan can be developed?

These thoughts come from a lifetime environmentalist and a National Park Concessionaire of 45 years.

Sincerely,

Betty Gripenotog

President

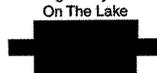
Las Vegas Boat Harbor, Inc.



Las Vegas Boat Harbor, Inc.

LAME-08092
page 1 of 5

Las Vegas Bay Marina
On The Lake



Marine Center Of Las Vegas



Dry Dock Boat Sales



June 24, 2002

William Dickinson, Superintendent
Lake Mead National Recreation Area
601 Nevada Way
Boulder City, NV 89005

Dear Mr. Dickinson;

I understand the need for an environmental impact statement for Lake Mead and possibly a lake management plan to plan for the future needs of Lake Mead. However, how can you plan for the future when the data used is already eight to nine years old? Using visitor stats that have been challenged by the concessioners for as long as they have been published.

You speak of social over crowding and shoreline conflicts. I went to one of the Lake Management meeting. The slides that were shown characterizing the overcrowded conditions were very miss leading. They showed boats tied together to form a type of island. This was not do to overcrowded conditions but preferred social activity. They showed backed up launch ramps with two to three hour wait for launching this is not the normal conditions on the launch ramps. Many times launch wait times could be expedited if there were good ramps conditions with proper get ready and launch lanes. Instead of limiting use of these facilities, National Park Service should properly maintain them. In light of these presentations I question how the inquiries where made concerning the over crowded conditions to the public? IE: Would you have preferred to see fewer boats on the water, and people on the shoreline? Or would you have preferred to make a reservation to come to the lake and see fewer people and boats? You can word anything to your advantage if you are only giving part of the information. I also wonder who figured that only 7% of Lake Mead's shoreline is usable for recreation purposes? (Page 260) I'm sure the Lake would be much easier to manage if there were fewer visitors!

Gripentog Family Owned & Operated Over 38 Years
Authorized Concessionaire of the National Park Service

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If shoreline conflict is a real problem why did the National Park Service allow the turnouts on the Lake Shore Rd to be built with more shoreline access to the lake? Does this parking take away from the parking allowed at Las Vegas Bay Marina and Lake Mead Marina? In the existing General Management Plan the Las Vegas Bay Marina is shown as having 2250. Now, the Las Vegas Bay gets 288 (Table 20: Commerical Marina Services at Lake Mead Under Alternative C) parking spaces for 635 slips and 388 dry storage 47 rental boats plus anybody wanting to come down to eat in our restaurant or just enjoy sitting on the patio. I believe this takes away from our right to make a profit. Not only have you taken away our only growth potential which was only in rental boats you propose stopping the visitor from getting here to rent a boat or to use their boats that are stored here. This is directly against the PL 105-391, reasonable opportunity for the concessioner to make a profit. The only marina in the boulder basin allowed any growth is Callville, yet this is where you predict visitor management will be required first, is this good planning? Callville has had the ability for many years to build additional slips yet they chose not to. If given the opportunity we would have built additional slips sometime ago, to accommodate our customers and their needs. Given the choice of less dry storage and more slips we would definitely chose more slips, as this would better accommodate the visitor's needs.

You address the issue of illegal shoreline fueling (page 79); in asking park personal no one could tell me transferring of fuel out on the lake was illegal, *spilling* yes but not the transferring, yet again you limit access to the marinas. Somewhere you have to stop and use common sense and figure out what the visitor needs are! Environmental regulations are very important and should be top priority with the National Park Service. But it is your responsibility to help the visitor and rangers understand the issues, the fixes and make available to the public the proper methods to correct these situations not just to make regulations against them.

Let's look at the real problem with the water quality at Lake Mead, millions of gallons of effluent water dumped into it daily. Degradation of the water quality causing major algae blooms is not from the illegal fueling, PWC/two stroke engines or from the overcrowded conditions but from this effluent water, yet it is barely mentioned, no new regulations for management or control. Nevada Water Quality Standards have already been exceeded, what did the National Park Service do about it? (See chart attached)

A wake less speed around the perimeter of the Lake is unenforceable. Nevada and National Park Service both have existing regulations of 100 ft from water-skiers, and bathers.

Glass beverage containers and Styrofoam being prohibited is a good thought however, the only people that it will affect is the concessioners. We will stop selling glass and Styrofoam. I have already done this for beverage container except were it is only offered in glass i.e.; wine and wine coolers. I have tried for many years to replace Styrofoam ice chest and "to go" cups. However, the economics of this is a Styrofoam cup cost approximately 2cents each and a paper hot/cold cup cost 7 cents each. Styrofoam ice chest resales for less than four dollars the only alternative I have found sells for

approximately twenty-five. The reality of this situation is less than 1/10 percent of litter found on the beaches are from concessioners. We tell our customers at the checkout to bring back their trash and anyone else's on the beach. With a major metropolitan only a few miles away, this is impossible to enforce, unless you are going to stop people at the gates and not allow them in the park, really not to practical, I doubt you will see any benefit from this. Ralley's in Henderson right now is offering a complete "Lake Special" including the Styrofoam ice chest to keep it in. Again I believe the community education and involvement is a better solution. Plastic bags are another major source of litter, again getting the community involved and perhaps using only the UV degradable bags like the ones used in Florida. However, again to be effective the surrounding communities must be apart of the solution.

On page 74 it states, "Launching of personal watercraft would be limited to designated launch facilities or areas". I thought launching of *all* vessels was limited to designated facilities or areas? If not it should be stated as such.

At what elevation are you are going to develop new shoreline camping at Government Wash. People camp there because *it is shoreline* camping, if you build above high water it will not meet the peoples needs, consequently they will just move to a different area unless enforcement is provided.

The portable toilet regulation (page77) is good. But why would the National Park Service put in all those nice picnic areas along the Lake Shore Road with trash cans, tables, bar-b-ques and shade, but no restrooms.

Pump-out at the launch ramps and floating around the lake is a major concern. From experience, people will pump or dump, oil, diapers or anything else if not supervised. As a matter of fact the reason the concessions have the pump-out now is because the National Park Service couldn't keep up with maintenance in the 70's. I feel the park is spending a lot of money for something that is going to continuously be a high maintenance cost or will be out-of-order most of the time.

You address noise in the park referring to PWC's and other boats affecting visitors experience and wildlife, yet we have a shooting range right above us. Shooting goes on day and night that really *enhances* visits to Lake Mead, the visitors can go home knowing, what it sounds like to be on a *battlefield*. To the best of my knowledge there is no historical battleground in this area.

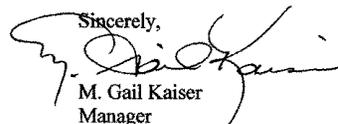
The ban on alcohol is unclear as on page 77 states "where currently prohibited", yet in table 2: COMPARISON OF THE ALTERNATIVES it states, "designated high-use areas and high-use shorelines would be alcohol-free." This is very confusing as to which it really is, already designated alcohol-free or already designated high-use. The designation of high-use areas and high-use shorelines as alcohol-free, which beaches are you referring to? This statement is too ambiguous; I believe this leaves this open to *change at will or by interpretation!*

The mandatory boater education needs to address the boat renter. The state of Nevada has a provision for renters. They must watch a safety video, like the PWC renter does now.

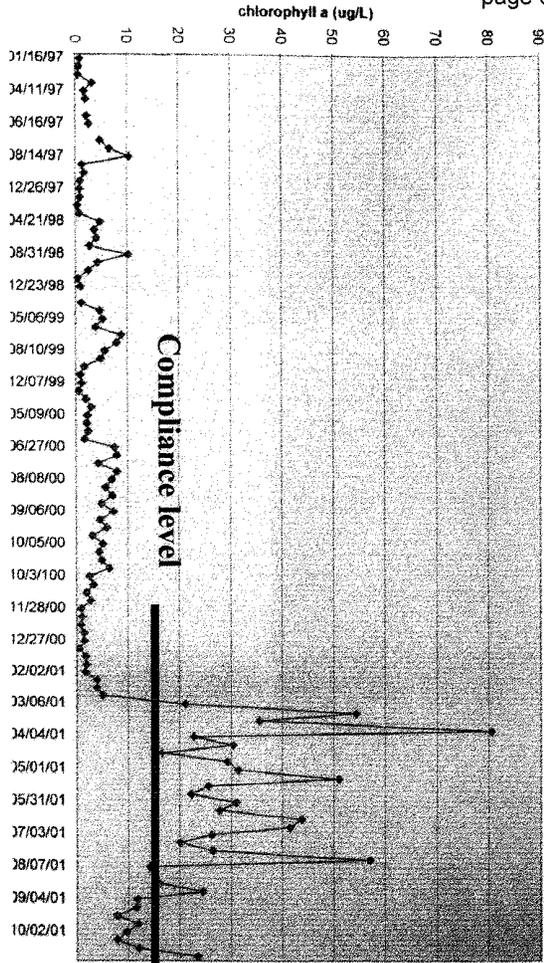
I do not believe any one of the options in this lake management plan is acceptable as they stand. If you take a mixture of all the alternatives and address the issues above I feel you would have a feasible plan. Many things in this plan seen to have not been thought through, or have been left up to interruption. On page 66 Table 20: Commercial Marina Services at Lake Mead Under Alternative C, where did you come up with our existing parking? I believe this to be very miss leading on the National Parks behalf as is shows no change in our parking. Also on page 109 Table 33: Summary of Existing Water Recreation Facilities at Lake Mead, the Las Vegas Bay nor is Lake Mead Cruises listed. Yet Lake Shore Trailer Village is??

I feel when the "Bluewater Coalition" or other such organization read this they will take it at face value and leave no room for interruption. And we know they will be reading it, since they are the reason it is being published at this time. They will take this plan and run with it to keep everyone off the lake.

Sincerely,



M. Gail Kaiser
Manager



Las Vegas Bay Chlorophyll a January 1997 to April 2000 - LVB 2.7 Chlorophyll a May 2000 to October 2001



Page 1 of 7

June 22, 2002

William K. Dickinson, Superintendent
National Park Service
Lake Mead National Recreation Area
601 Nevada Highway
Boulder City, Nevada 89005

Dear Mr. Dickinson,

Please consider this letter our official response to the Draft Environmental Impact Statement for Lake Mead National Recreation Area's Lake Management Plan.

As an authorized Concessionaire of the National Park Service, Overton Beach Marina welcomes this opportunity to participate in the future planning of the Lake Mead National Recreation Area (LMNRA). Our commitment to set new standards in providing a quality experience for a wide range of Lake Mead visitors is demonstrated by a substantial investment program which employs state-of-the-art technology and new approaches to the challenges of today's environment. As a business partner in the development of the Recreation Area, like the new Lake Management Plan, our investment is long-term.

We wholeheartedly agree with your overall objectives and applaud your efforts in producing this much-needed document. With consideration to the comments below we offer our support of Alternative C. However, in absence of the appropriate action taken to correct the deficiencies in your plan, we cannot support any of the alternatives. These comments are offered in order to ensure the needs of the visitors to the LMNRA are more thoroughly understood and achieved. After all, without them, we have no objective, no mission, or the means to accomplish either of them.

COMMENT # 1

Page xvi - Alternative A (No Action) states "The no-action plan represents the management direction under the current *Lake Mead National Recreation Area General Management Plan*"... (GMP). However, much of the information and data found in Alternative A is out dated and/or inaccurate, thereby not representative of the existing General Management Plan.

COMMENT # 2

Table 8, Alternative A, is inaccurate. It indicates that Overton Beach Marina is authorized for 830 single parking spaces. I have not found the GMP to specify between single and pull through spaces. It is my understanding that the NPS has adopted the "Proposed Alternative" within the GMP, which authorizes Overton Beach Marina for 880 "Parking spaces". (Ref. vol. I - pages xiii & 172).

COMMENT # 3

Table 8, Alternative A, is inaccurate. It indicates the number of existing PWC rentals to be 8. The correct number is 12.

COMMENT # 4

Table 8, Alternative A, is inaccurate. It indicates the existing number of other boats (rentals) to be 5. The correct number is 7.

COMMENT # 5

Table 8, Alternative A, is inaccurate. It indicates the existing number of wet slips to be 135. The correct number 140

COMMENT # 6

Table 10, Alternative A, is inaccurate. It indicates Overton Beach Marina to have 200 existing pull through sites. Research into the history will show that over the last 10 years, during all peak holiday periods, Overton Beach Marina provided more than 3 times that amount. Furthermore, on Memorial weekend 1998, Overton Beach Marina hosted an average of 811 vehicles daily over a four-day period. Over 600 of them were attached to a trailer! The significance of that year is the lake elevation was 1,216 feet above sea level, which is the 3rd highest elevation in recorded history for a Memorial weekend. This represents a combination of the highest parking demand in the smallest available parking area.

Table 10 further misleads the reader under the "pull-through parking" category by "Authorizing" 415 additional spaces, (which happens to be 1/2 of 830). Remember this is a "no action" plan and as such should be at the very least, representative of factual data.

COMMENT # 7

Table 10, Alternative A, is inaccurate. It indicates only 4 existing launch lanes and a total launch capacity of 192. However, the Overton ramp is over 100 feet wide at the highest point. My records reflect an on site meeting with Mr. Jim Holland of your staff on 4/17/97. (Copy attached) During this meeting, while observing the activities on our launch ramp, in Mr. Holland's own hand written calculations, he indicates a total of 7 launch lanes and using *his* factor of 10 launches per hour (not 8), he indicates a launch lane capacity of 425.

Furthermore, on any given weekend, the launch ramp at Overton Beach Marina provides for launching or retrieving 18 to 25 boats per hour during the higher flow periods, without any back up or waiting time.

COMMENT # 8

The out-dated and grossly inaccurate data found in Tables 8 & 10 is carried through as a foundation and causes further misrepresentations and miscalculations through-out the Tables listed below thereby contaminating the results in all of the alternatives.

Table ES-4	page xv
Table 4	page 32
Table 14	page 52
Table 16	page 54
Table 20	page 66
Table 22	page 68
Table 24	page 70
Table 28	page 85
Table 30	page 87

COMMENT # 9

On page 72 of Alternative C: The Preferred Alternative, the plan states "...As parking is exhausted in specific areas, visitors would be directed to other lake access facilities...Parking would not be authorized outside the designated parking areas...".

If Alternative C: The Preferred Alternative, is adopted without correcting the data, then even today, June 22, 2002, at 2:30 in the afternoon, available parking would be exhausted, and visitors to Overton Beach Marina "would be redirected to other lake access facilities...". **Overton Beach Marina will lose any reasonable opportunity for profit in this Concession endeavor**, even though there would be ample parking available for today's visitors within the existing number of sites, at any lake elevation.

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page 4 of 7

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Yet your plan states on page 65 that "Parking capacity would include both single and pull-through spaces necessary to implement the proposed carrying capacity." And "...the capacity was only exceeded on Memorial Day weekend in 1997 and 1998..."

COMMENT # 10

Alternative C, The Preferred Alternative, does not allow for growth in the other boat rental category. As you know, with the approval of the National Park Service, Overton Beach Marina is in the final stages of a new fuel dock and boat rental facility. This substantial investment can only be supported by increased fuel sales and increased boat rental sales. Your letter as recent as January 2, 2001, [ref. C3823 (LAME-OC)] reminds Overton Beach Marina of our authorization to provide 12 rental boats. Further correspondence with the NPS will indicate that this does not include PWC rentals. This limitation of "other boats" in Alternative C will cause Overton Beach Marina to lose the opportunity to create a return on this investment and therefore our reasonable opportunity for profit is also lost.

COMMENT # 11

Alternative C, The Preferred Alternative, provides for 50 additional slips, however, the existing slip data is incorrect. If the data used throughout your plan was up to date and accurate, you will find it supports far more than 50 slips. Additionally, on page 268, Table B-4 / Alternative C, indicates zones 17 & 18 (which basically split the Overton Arm in 1/2) to have almost equal boating capacities. Why then, is Echo Bay rewarded with 180 additional slips for a total of 540, while Overton Beach Marina is only allotted total of 185 slips? I am further perplexed by the proposed allocation of slips when I factor in the following facts:

1. The Overton launch ramp has a higher launch capacity.
2. Overton Beach Marina provides a greater number of single and pull-through parking sites.
3. Overton Beach Marina's fueling and pump-out facility can service the same or greater number of boats (including houseboats) at any one time.
4. The improvements proposed at Stewart's Point, which is in zone 17 with Echo Bay, will undoubtedly increase the Boats at Any One Time (BAOT) factor in zone 17 to a greater extent than zone 18 where Overton Beach Marina is located.

At a minimum, the additional allocation of slips between these two facilities must be equal.

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COMMENT # 12

Alternative C: The Preferred Alternative, states on page 72, "The width of the launch ramp, number of slips in the marina, and parking are the primary management tools used to manage the lake carrying capacity."

The data used for the width of the ramp, number of slips and parking at Overton Beach Marina is inaccurate and must be re-determined prior to adopting any of the Alternatives.

COMMENT # 13

Alternative C: The preferred Alternative calls for a 100 foot wakeless zone along the shoreline, with a provision for shoreline starts but no provision for shoreline returns. This is confusing and unenforceable. Existing law already provides for above wakeless operation in close proximity situations and/or unsafe conditions. Education and enforcement of existing laws will accomplish much more without causing additional confusion.

COMMENT # 14

Alternative C: The Preferred Alternative, on page 74 limits launching of PWC "... to designated launch facilities or areas."

Existing NPS regulations already address launching areas for all types vessels. The statement is vague and raises concerns about which facilities will be designated PWC launch vs. other types of craft and why.

COMMENT # 15

Alternative C: The Preferred Alternative, on page 78 addresses Inflow Areas and Water Quality partially by making the statement "...Studies would also continue at the Virgin River area and various areas of the lake where water clarity is being monitored.

Monitoring and studying are two very different activities. I am not aware of any study into the inflow of the Virgin or Muddy rivers that have brought to light any National Park Service concerns or limitations to the upstream municipalities and/or farming activities. If this plan intends to address the inflow from these areas, and it should, then you should specify your commitment and goals to a much greater detail.

COMMENT # 16

Alternative C: The Preferred Alternative, on page 78 states that it is illegal to refuel boats and PWC's along the shoreline. While it is agreed that this issue must be addressed, most likely by specifying the type of equipment that can be used or enforcement of existing pollution laws, I am not aware of any existing law prohibiting refueling along the shoreline except in harbor areas.

Mr. Dickinson, Overton Beach Marina, Inc. appreciates this opportunity to comment on these extremely important issues. We look forward to your written response to each one of our comments, as your determinations will undoubtedly affect the future of this Concession.

Thank you for your consideration.

Sincerely,



Paul Chandler, CMM
General Manager
Overton Beach Marina

Attachments (1)

cc:

Mr. Ron Pratte, President, Overton Beach Marina, Inc.
Honorable John Ensign, United States Senator
Honorable Harry Reid, United States Senator
Honorable Shelly Berkley, United States Representative
Honorable Kenny Guinn, Governor
National Park Service, Boulder City Office:
Ricardo Portillo, Administrative Officer
Kyra Thibodeau, Chief of Concessions Management
Dale Antonich, Chief Park Ranger
Kent Turner, Chief of Resources Management
Kay Rohde, Chief of Interpretation
Jim Vanderford, Chief of Park Maintenance
Bill Burke, Resource Management Specialist
Nancy Bernard, Park Ranger, Boating Safety, and Interpretation

cc: Continued

Jim Koza, Navigational Aid Specialist
Willie Lopez, Supervisory Park Ranger
Paul Crawford, Criminal Investigator
Tommy Valenta, Supervisory Park Ranger
Ross Haley, Wildlife Biologist
Mike Boyles, Wildlife Biologist
National Park Service, Washington Office
Mark VanMouwerik, Water Quality Division
Gary Rosenlieb, Water Quality Division
John Ray, Air Quality Division
Marv Jenson, Soundscapes
Sarah Bransom, Environmental Quality Division
Madoline Wallace, Environmental Quality Division


VALLEY INVESTIGATIONS

License No. AQ008590

LAME-00974

page 1 of 2

May 19, 2002

Superintendent,
Lake Mead National Recreation Area
601 Nevada Way,
Boulder City, NV, 89005

Dear Sir;

I have just review some of the changes proposed for the continuing management of Lake Mead and the Lake Mojave. I am somewhat surprised that the people who use and know the lake the best were not polled or questioned about their concerns and recommendation. An entire study was done with out the quizzing of the people who use the lake on a regular basis. I have been a user of Lake Mead for the past fifteen years and have been a slip owner for the past seven years. I have a genuine concern for the Lake Use and it overall health. I have spent hundreds of thousands of dollars to continue our use of the lake for recreational purposes. My continued support for Lake Mead has funneled thousands of dollars to the communities of Las Vegas, Henderson and Boulder. I have supported the fee schedule started by the Park Service to enter the lakes, but am dismayed that this is a hit and miss running by the Park Services. Not maintaining the entrances on an expanded basis is in part the reason for your problems. We boater have a vested interest in the health and welfare of the lake and are the most familiar with the positive and negative aspects of lake use. We should have been a participant in the planning of the lake's use and would have an invaluable asset in giving the park service our input. In addition the Marinas on the lakes are one of the best ways to control the boating public. I have been on the lake during holiday times and feel that there has never been a time when you could not find a space for our family and feel that placing a maximum number of boats is unnecessary rule.

Rather than trying to reduce the slips I would suggest that each marina be allow to increase the slip. Anyone with a slip becomes a member of the family of Lake Mead and has personal investment to insure that the lake is properly used. I have personally witness the marina operators and their security staff circumvent problems that would have had negative aspects on the lake and it's use because of their concerns. The marinas are manned 24 hours a day and are a good public service arm to assist the park services. As a retired police sergeant I am acutely aware that the security is stretched very thin and this is one reason for some of the problems you have address. There are rules for improper boat operation and disposal of trash that with proper enforcement would reduce the need for additional rules. Prohibition of glass and Styrofoam on the lake would have impact on the day campers and people who do not have the resources to buy the better equipment. I would rather like to see more Park Rangers on boat and vehicle to enforce the littering laws and for sobriety checks. Lake Users should be educated to the proper disposal of trash and bottles, and the park service should have the necessary receptacles to have places to

34 YEARS INVESTIGATIVE EXPERIENCE



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page 2 of 2

put trash on the day use beaches. I do not believe that you would be able to enforce the alcohol ban on the beach, but should and could enforce improper behavior and use, with sufficient security. Most of the alcohol-related violations occur at night when the patrol are not working or are reduced. Additional fees to hire more officers would be the means of attacking the problem not make a law that could not be enforced.

In regards to the 100' wakeless speed this would be impossible to enforce. As it stands now many of the coves opening have 5-mile buoys and no other controls are needed. I have not witness any one violating that rules when other boats are in a cove, boater usually do not violate this rule. Many times when the wind comes up the wind caused waves are much greater than any boat wake.

Portable gas containers are some thing that is a fact of life unless you allow more marina gas station and reduce the price of the gasoline. It is uncontainable that highway taxes are charged on boat gas. Improve the price and available to gasoline and you may reduce your problem dramatically.

Many of the boaters know when the entrances are manned and avoid paying the fees to enter the lake. The lake is sorely missing the number of enforcement personnel to maintain the compliance with the current rules. More allowable cell site should be allowed on the lake to be able to assist the Park Services with reportable violations and emergencies. With your proposal adding additional rules would make the currently overburden park rangers with an unmanageable task. With the ability to use the Internet the Parks Service and the Department of the Interior could run a survey to see if and what changes or additions should be make to improve the overall lake experience. Lake Mead Recreational area is our favorite vacation place that our taxes support and we want it to remain a great place for recreation and family fun. Please reconsider the changes and re-evaluate the need for changes with the boater input.

Sincerely

Harvey and Linda Plaks
Harvey and Linda Plaks

Organization
C Comment
Letters



PROTECT YOUR RIGHT TO FISH ALL OF LAKE MEAD!



To all Lake Mead Management involved in the decision making process for Lake Mead Management Plans:

We the undersigned would like to state the following:

As written in the Draft form, we can only support "Alternative A" of the Lake Mead National Recreation Area Lake Management Plan Environmental Impact Statement. However, with the following revisions we can support Alternate C, "the Preferred Alternative";

Allow no wake speed travel of boats and allow fishing in the "Primitive Setting" zone known as the "Gyp Beds". This is the area identified in Zone 15 in Figure 9 (Recreational Opportunity Zoning under Alternative C). Also eliminate the horsepower restrictions in all zones.

These changes are very important to all anglers who fish Lake Mead, as the Gyp Beds and Grand Wash are very popular fishing areas. Fishing is a large part of the recreation on Lake Mead. As active anglers, we do not want to see any of the waters on OUR lake "off-limits" to fishing or boating. Please consider our opinion prior to making any final decisions on management plans for Lake Mead.

PRINT NAME	ADDRESS	PHONE	SIGNATURE
Charles Strong	[REDACTED]	[REDACTED]	<i>CS</i>
Steph E Welch	[REDACTED]	[REDACTED]	<i>SE Welch</i>
Paul Dreiner	[REDACTED]	[REDACTED]	<i>Paul Dreiner</i>
KEAN Jones	[REDACTED]	[REDACTED]	<i>Kean Jones</i>
WES STEVENSON	[REDACTED]	[REDACTED]	<i>Wes Stevenson</i>
Jim ADAMS	[REDACTED]	[REDACTED]	<i>Jim Adams</i>
Robert Fitzgerald	[REDACTED]	[REDACTED]	<i>Robert Fitzgerald</i>
Tim Fox	[REDACTED]	[REDACTED]	<i>Tim Fox</i>



For more information call (310) 376-1026



AMERICAN CANOE ASSOCIATION, INC.

Established 1880



National Office:



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Paddlesport Publishing Inc/Paddler Magazine
Professional Paddlesport Association

June 25, 2002

Mr. William K. Dickinson
Superintendent
Lake Mead National Recreation Area
601 Nevada Highway
Boulder City, NV 89005

Re: Draft Environmental Impact Statement (EIS) for Lake Management Plan

Dear Superintendent Dickinson:

The American Canoe Association (ACA), a national boating organization with over 50,000 members, is providing the following comments on the Draft EIS for the Lake Mead NRA Lake Management Plan. First, the ACA does not believe that the Draft EIS provides an adequate range of alternatives. An alternative that designates recreational opportunity zones similar to Alternative B and prohibits personal watercraft (PWC) use from all or most of Lake Mead NRA is needed. At a minimum, PWC use should have been prohibited from rural natural, semi-primitive and primitive zones in Alternative B.

Given that none of the alternatives combined the protection seemingly afforded by rural natural and semi-primitive zoning with explicit protection from the impacts of PWC use, the National Park Service (NPS) has made it impossible for many human-powered recreation enthusiasts to support any of the alternatives. This is likely to skew the public response and discourage comments from canoeists and kayakers. There is no similar difficult choice for those who favor unfettered motorized use, since Alternative D is specifically crafted to meet that recreational objective. The statement in the Draft EIS that the alternatives selected represent "the full spectrum of reasonable options" is simply inaccurate.

As a result, the ACA cannot fully endorse any of the alternatives included in the Draft EIS. The ACA supports Alternative B, with respect to Recreational Opportunity Zone designation and protection of inflow areas, but favors a dramatic reduction in PWC use. PWC use should be prohibited in all rural natural, semi-primitive and primitive zones as delineated in Alternative B. Also, in the interest of public safety, any PWC use allowed within the Lake Mead NRA



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should be restricted to specifically marked open-water high-speed zones. The ACA does support the establishment of no-wake zones, but believes 100 feet is insufficient to protect human-powered recreational opportunities.

ACA sees no evidence that NPS adequately evaluated the issue of PWC use in preparing the Draft EIS. Many of the impacts PWC use has on other waterway users and the environment were not even alluded to in the document. ACA research has found that PWC use is disproportionately responsible for more on-water accidents, more reports of near accidents, more claims of intentional harassment and more complaints of disturbance due to noise, air and water pollution than any other vessel type.

PWC are also unique in design and purpose. They are neither designed for nor marketed as a method of transportation from one place to another. Instead they are designed and marketed almost exclusively for a specific form of high-speed recreation. The design of these craft gives them a unique ability to be operated at high speeds in shallow or confined areas, where they are more likely to threaten the safety and enjoyment of other waterway users, especially those involved in activities such as canoeing, kayaking, fishing, windsurfing and swimming.

In 2001 the State of Nevada reported 60 boating accidents involving PWC. Of those 60 PWC accidents, 39 occurred within the Lake Mead NRA. Another 14 occurred on immediately adjacent waters. Only seven PWC accidents occurred in other areas of the state. An ACA review of the accident reports found that a majority of these accidents involved collisions with other vessels or swimmers. This is consistent with national accident data that shows nearly 80% of all PWC accidents involve a collision with another vessel, a fixed or floating object, or a person in the water. Even though PWC account for less than 10 % of all vessels operating in the US, they are involved in over 55% of all vessel-on-vessel collisions.

The details of PWC accidents at Lake Mead reveal that the reckless operation of PWC is a serious problem. Accident narratives also indicated problems with irresponsible rental operations and a lack of adequate law enforcement. These problems are all evidenced in the following excerpts from one accident report submitted by Chris Jussila:

"I arrived at the marina and found out the suspects in the boat collision were gone. Chandler had rented two more PWCs to them and they went back out onto the water...the damage that occurred to the PWCs show that the operators were engaged in reckless operation...I advised Chandler that his concession could be held liable for allowing reckless operators on the water. I also found out later that these operators damaged another PWC on October 1, 2001. The

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page 3 of 5

marina did not report this incident...I informed Overton Beach Marina that I did not want this group upon the water until their reckless operation ceased. I cleared with no contact with the suspects."

ACA research of the United States Coast Guard's Boating Accident Report Database (BARD) from 1996 – 2000 revealed that PWC accidents were more than three times as likely to involve striking a person swimming or wading in the water (struck by boat category) than were accidents not involving a PWC. These types of PWC accidents were also found in the accident reports for the Lake Mead NRA. One such account reads:

"Ranger Austin said there had been a report of a Hit and Run in this accident. Ranger Austin said that the individual in question had been riding a Jet Ski in Pacer Cove and had struck a small child with his vessel. The individual had then loaded up his Jet Ski and fled the scene in a blue pickup truck...I was told by Range Austin that several witnesses had seen the individual...operating a Jet Ski in a reckless manner at high-speed in the cove where small children were swimming near shore. The witnesses later stated that the person in question...had ran over a small child and ran his Jet Ski up on shore."

Nothing in the Draft EIS indicated that NPS looked into the nature and prevalence of PWC accidents within Lake Mead NRA. Nothing indicated that NPS evaluated the impact of PWC use on law enforcement resources or the ability of NPS to provide enforcement adequate to protect visitor safety. The document also failed to address the impact of PWC rental concessions on visitor safety.

There are many different types of boating accidents, some of which only place the individual operator at risk. However, when trying to assess the threat a particular on-water activity poses to others, it is more critical to public safety to assess those accident types and risk factors that clearly place other waterway users at risk. With almost 80% of PWC accidents involving a collision, it is clear that PWC operation poses a significant threat to other waterway users. NPS needs to thoroughly evaluate this threat to park visitors and regulate PWC accordingly. The ACA sees no evidence in the Draft EIS that NPS has done so.

In addition to safety issues, the ACA is concerned about the impact of PWC use on the ability of others to enjoy recreational activities, especially non-motorized activities. While the potential for user conflict exists with many activities, PWC use has become notorious for its conflicts with a wide variety of other activities. In fact, PWC use often prevents other waterway users from enjoying the nation's recreational waterways, thus monopolizing the recreational opportunity afforded by these waters.

According to the complaints of canoeists, kayakers, windsurfers, fishermen, sailors, surfers, swimmers and divers, many waterway users feel threatened by high-speed PWC use. They feel threatened by the possibility of being struck by a PWC, harassed by a PWC operator or capsized by a PWC wake. This concern, generated by a threat entirely beyond their control, is a preoccupation that greatly reduces the enjoyment and relaxation people can derive from their preferred form of recreation. Safety data show that these concerns are valid. Canoeists and kayakers have complained to ACA that the presence of nearby PWC use is one of the most unnerving situations they experience on the water.

Additionally, the visible and audible pollution from PWC significantly impact other recreational activities, wildlife and waterway quality. Although other types of motorized watercraft also emit pollution, the operational characteristics of PWC use — such as staying in one area for long periods of time and the frequent acceleration and deceleration -- increase the impacts of PWC pollution on others. Even when equipped with direct injected two stroke or four stroke engines, the nature of PWC operation will continue to create unacceptable amounts of air and water pollution.

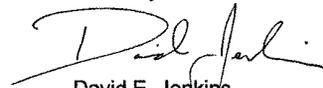
By allowing PWC use on 98% of the waters within Lake Mead NRA, the Preferred Alternative shows little – if any – consideration of the needs of those park users that are adversely impacted by PWC use. Given the numerous impacts PWC use has on other waterway users, by selecting the Preferred Alternative, NPS would be affording preferential use for one user group to the detriment of all other users and to the resource. There can be no valid justification for such a decision.

Given the large amount of evidence regarding PWC pollution, near-shore operation, and impacts on wildlife habitat, the ACA also maintains that allowing PWC use on 98% of Lake Mead NRA waters is in conflict with the 1916 NPS Organic Act requirement to protect park resources unimpaired for the benefit and enjoyment of future generations.

The ACA urges NPS to reject the Preferred Alternative, and instead, craft a revised Alternative B that also significantly reduces the areas open to PWC use. PWC use should definitely be prohibited from rural natural, semi-primitive and primitive zones, and NPS should further evaluate the safety threat PWC operation poses to park visitors and assess the value of a total ban on PWC use. Furthermore, a review of Nevada boating accident reports clearly indicates that PWC rental operations pose an unacceptable threat to public safety. NPS should prohibit PWC rental concessions within the Lake Mead NRA.

Thank you for your consideration of these comments. The ACA will be more than happy to provide NPS with all of its extensive research regarding PWC impacts to other waterway users and to natural resources. If you have any questions, comments or requests, please do not hesitate to contact me at [REDACTED]

Sincerely,



David E. Jenkins
Director of Conservation
and Public Policy

Author: Tom Caldwell [REDACTED] at NPS
 Date: 04/20/2002 11:55 AM
 Normal
 BCC: Jim Holland at NP-LAME
 TO: jim_holland@nps.gov at NPS
 CC: [REDACTED] at NPS
 Subject: Lake Mgmt Plan - Public comment

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 Message Contents

Hi Jim-

Regarding the public response period for the proposed Lake Management Plan, we have a few questions. We need to understand HOW what we may suggest will be considered by the NPS and LMNRA Park Planners.

1. Is the public expected / encouraged to select one of the four proposed "alternatives" verbatim? OR

2. Can a specific "alternative" be modified?
 And, if so,

2A. How does the public present such modification suggestions? ie: Does the NPS prefer it in writing or through public meetings? In Mr. Dickinson's letter it states: "...there will be a 60 day public review and comment period. Comments will then be analyzed by the NPS and its contractor to identify and respond to substantive issues." BUT, In the Environmental impact statement it states: "All review comments must be received by that time [60 days after the EPA has accepted the document...] and should be addressed to: Superintendent
 LMNRA
 601 Boulder Hwy
 Boulder City, NV 89005

2B. What constitutes "substantive" ? Example: If our group believes a suggestion is "substantive" but another group or the NPS determines it "non-substantive", will there be an opportunity to further modify - in order to make it "substantive" to all?

2C. What constitutes NPS "response" ? In writing or at a public meeting? Either?

3. Will / has the current "Draft" be / been submitted to congress?

4. How will any modifications suggested by the public - and determined by the NPS as "substantive" - be incorporated into the proposal that congress will ultimately vote on? And, What if these "substantive" issues require further environmental impact study?

5. Should we request a meeting with NPS

representatives to discuss our specific concerns, before we make our "substantive" proposals in writing or at a public meeting?

All these questions impact HOW we make our proposals / comments and whether we (the public) work directly with the NPS or take direct action with our elected representatives or legal advisors.

Thank you.

Tom Caldwell, Chair
 Arizona and Nevada Concerned Citizens

[REDACTED]

[REDACTED]

PS: Thanks for your keeping us posted and please continue to keep us posted, by email and mail, of any scheduled public meetings on the Lake Management Plan issues. The website seems to have a substantial delay with such info.

Do You Yahoo!?
 Yahoo! Games - play chess, backgammon, pool and more
<http://games.yahoo.com/>

ARIZONA AND NEVADA CONCERNED CITIZENS
FOR THE CONTINUED USE OF ALL OF LAKE MEAD FOR ALL CITIZENS

May 16, 2002

Mr. William Dickinson,
Superintendent,
Lake Mead National Recreation Area
601 Nevada Highway
Boulder City, NV 89005

Dear Mr. Dickinson,

After reviewing the entire LMNRA plan and especially "Alternative C", our group finds no major fault with the "preferred" plan and indeed we agree with the intent of the vast majority of Alternative C. Yet, there are two areas that are troublesome to us and we would like you to consider our ideas to meet our desires and while maintaining the essence and, we believe, purpose of the plan.

First is the proposed designation of the **Grand Wash** area of Lake Mead to be "**semi-primitive**". As a group we are not opposed to the designation "semi-primitive" and the associated management policies proposed there, except for one.

WE ARE OPPOSED to the proposed 65hp limit for boat motors in the area. If implemented, as currently drafted, this would mean that a great many citizens living near the area - who use the area much more than the "general public" - would be essentially "cut-off" from fishing and other recreation in the area due to having boat motors over 65hp. Although in the "big picture" of the plan this is only 1% of Lake Mead NRA, it is about **25% of our most used and nearby recreation areas.**

As a group we believe that a "**wakeless zone**" would be a better option, accomplishing the planners' intended purposes,

while allowing all boaters' to access the area as long as they **operated their boats at a wakeless speed.** Indeed most recreational boaters who may be visiting the area with the purpose of going up river into the lower reaches of the Grand Canyon, likely would have larger than 65hp motors as well.

Our other concern has to do with the wording used in the areas of the plan entitled "**Threatened, endangered and sensitive species**" and "**Culturally sensitive areas**" (page 30 of the plan)

In these two instances it appears that the management entities may "evaluate and possibly close...to recreational use..." **without public notice.**

We do not believe that this was the intended interpretation, but wish to offer a different wording for these two items, such as:

Threatened, endangered or sensitive species:

"Regular monitoring will be done to assure species and recreation are compatible. If a conflict is identified, the Superintendent will make a public announcement outlining the details of such conflict along with a suggested course of action. Public input would follow before a policy or plan change will be implemented."

Culturally sensitive areas:

"Regular monitoring will be done to assure culturally sensitive areas and recreation are compatible. If a conflict is identified, the Superintendent will make a public announcement outlining the details of such conflict along with a suggested course of action. Public input would follow before a policy or plan change will be implemented."

Neither of these two scenarios have yet occurred in the LMNRA according to the statement made in "alternative A" which reads: "**No conflict has been identified...documented.**" (paraphrased)

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So, the resolution of any such identified conflict, as proposed in the LMNRA plan for alternatives B,C and D, is overkill. If some conflict should develop, in either area, the public must be informed before making a change to the (whichever implemented) plan.

Thank you for your consideration of our ideas and we request your response, in writing, to our comments.

Sincerely,

Tom Caldwell, Chairman
Arizona and Nevada Concerned Citizens



ARIZONA AND NEVADA CONCERNED CITIZENS

MAIL ADDRESS:

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ARIZONA AND NEVADA CONCERNED CITIZENS
FOR THE CONTINUED USE OF ALL OF LAKE MEAD FOR ALL CITIZENS

May, 2002

I, (we) agree that the Grand Wash area of Lake Mead should
NOT be closed to vessels with motors over 65 hp.

<i>Georganne Stewart</i>	
<i>Allen E. Forrest</i>	
<i>Radney B. Montgomery</i>	
<i>Dale S. Stewart</i>	
<i>Walter F. ...</i>	
<i>V. Ruter</i>	
<i>Jeanie Lutes</i>	
<i>Ernest Payne</i>	
<i>Robert Smith</i>	
<i>Danny J. Roy</i>	
<i>Diane Anderson</i>	
<i>Jacob J. Ahinger</i>	
<i>Allen Beddoes</i>	
<i>Betty Gold</i>	
<i>Leo Curry</i>	
<i>Rebecca Swank</i>	



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page 1 of 2

BRUCE SHUPP
NATIONAL CONSERVATION DIRECTOR

June 21, 2002

Superintendent
Lake Mead National Recreation Area
601 Nevada Way
Boulder City, Nevada 89005

Re: Lake Mead Water Management Plan DEIS

Western U.S., B.A.S.S. members who have reviewed the Lake Management Plan for the Lake Mead National Recreation Area, tell us that the motorized watercraft exclusions/restrictions in Black Canyon on Lake Mohave and the Gypsum Beds, Overton Arm and Iceberg Canyon on Lake Mead will essentially prohibit motorboat access to about 90% of the best black bass fishing areas on these lakes. The recreation and economic impacts of these restrictions, were not addressed in the DEIS. No estimate is given for either bass fishing and bass tournament days lost or the economic impact from lost tourism dollars.

Bass angling has a very specialized national following on large public reservoirs. Bass anglers use high performance, fast and very safe boats to navigate the large areas of reservoirs. There are 35 million bass anglers in America who represent about 40-50% of all the freshwater anglers in the U.S., but they generate 60-70% of the \$100 billion annual economic activity generated by the sportfishing industry.

While the average U.S. angler fishes only 17 days per year, the average days fished by the 600,000 B.A.S.S. members is over 50 days annually. The nation's most avid anglers, represented by our 50,000 B.A.S.S. Federation members, fish over 100 days per year. These are the anglers who routinely buy the boats, tow vehicles, RV's and fishing tackle that drive the sportfishing industry. They are also among the most avid customers of the resource management agencies who manage our nations waters, including the National Park Service.

These avid bass anglers will have their recreation severely limited by the motorized vessel restrictions proposed in the Lake Mead Management Plans. Why would an agency want to discourage its best customers who are also strong advocates for sound natural resource management?

Publishers of
BASSMASTER® • GUNS&GEAR™ • B.A.S.S. TIMES®
FISHING TACKLE RETAILER® • THE BASSMASTERS™ TELEVISION SERIES

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We understand that "exclusion" of user groups is a potential resource management tool. However, exclusion of sport anglers is a tool that is being proposed way too often by Federal resource agencies, including the Department of the Interior. There is no scientific evidence to document irreversible damage to resources from sportfishing use. In fact, the most successful game fish species restorations (lake trout in the Great Lakes and east coast striped bass) have taken place while sportfishing was actively being pursued. There are no valid biological arguments to prohibit sportfishing access. Therefore, we assume the restrictions proposed for lake's Mead and Mohave are to resolve real or perceived user conflicts. Non-anglers have obviously been given preference over anglers.

"Marine Protected Areas"; the proposal to prohibit competitive fishing on National Wildlife Refuges; plans to restrict angler access to the Everglades and now this Lake Mead motorized vessel exclusion are, in our opinion, very flawed proposals that misrepresent natural resource problems to accommodate other motives to exclude sportfishing. The above examples of proposed exclusion of sport anglers by various Department of the Interior agencies are all unnecessary and very discriminatory.

While, B.A.S.S. opposes the Lake Mead motorized restriction proposals in the designated primitive area, as described in the preferred alternative, we are eager to work with the National Park Service, our state B.A.S.S. Federation members and other anglers who fish Lake Mead, to discuss and resolve the problems and/or issues that have resulted in the closures that have been proposed.

We request that the National Park Service extend the DEIS comment period beyond June 26, 2002 to provide sufficient time for officials to meet with sportfishing interest groups to resolve problems while preserving bass fishing. Please call us at [REDACTED] to discuss strategies and to allow us to help you arrange a meeting.

Sincerely,

Bruce Shupp

Enclosures: SportsTravel
Keeping Bass Alive

cc: Secretary of the Interior
Gale Norton



Fran Mainella, Director
National Park Service



Steve Williams, Director
USFWS



Author: Sean Smith [REDACTED] at NPS
 Date: 06/26/2002 11:11 AM
 Normal
 BCC: LAME LMP at NP-LAME
 TO: lame_lmp@nps.gov at NPS
 Subject: Bluewater comments on LMP
 ----- Message Contents

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Comments and support materials also sent via FedEx.

June 26, 2002

Superintendent William Dickinson
 Lake Mead National Recreation Area
 601 Nevada Highway
 Boulder City, NV 89005

RE: Comments on Lake Management Plan Draft Environmental Impact Statement

Dear Sup. Dickinson:

On behalf of Bluewater Network and the more than four million Americans we represent, we respectfully submit the following comments on the National Park Service's (NPS) Lake Management Plan Draft Environmental Impact Statement (DEIS) for Lake Mead National Recreation Area (LAME).

Support for Alternative B

Bluewater Network supports Alternative B, the conservation alternative, of the DEIS. However, we have some concerns with the NPS' proposed management of activities such as personal watercraft (PWC) use in Lake Mead NRA. PWC, better known by the trade name jetski, have been shown to cause significant damage to air and water quality, visitor enjoyment, public health and safety, natural soundscapes, and wildlife. Moreover, the NPS analysis of PWC impacts in the DEIS appears to violate the terms of our court-ordered settlement agreement. Failure to abide by the agreement renders the PWC sections of the DEIS ripe for legal review. To avoid a court battle, we recommend that the NPS adopt Alternative B with an amendment which calls for a PWC prohibition, including direct injected and four-stroke models, on all LAME waters.

Lake Mead is a National Treasure

Lake Mead National Recreation Area is a national treasure and protects some of America's irreplaceable cultural and historic sites and is home to countless animals and plants. The area is unique in that three of America's four desert habitats are contained in the recreation area.

Federal Mandates Require Preservation of Resources and Wildlife

Congress, with the passage of several acts, has made it clear that the National Park Service's (NPS) paramount mission is to protect the resources and wildlife contained within the National Park System. The Organic Act (16 USC sec. 1), for example, plainly states that the NPS is to leave park resources "unimpaired for the enjoyment of future generations."

Additional federal and state laws require the NPS to protect wildlife from PWC impacts. The Endangered Species Act obligates the NPS to take proactive measures to prevent the taking of threatened or endangered species. LAME and the surrounding area are home to several federally listed species, including the bonytail chub and the razorback sucker, both of which could potentially be

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----- of the operation.

Federal policies also require the NPS to take proactive measures to protect park resources from harm. Executive Orders 11644 and 11989 unmistakably state that the NPS must close units of the park system to off-road vehicle operation (i.e. PWC) if the agency determines that such use is causing considerable damage to park resources. In addition, on September 8th, 2000, NPS Director Robert Stanton issued Director's Order #55. Director Stanton gave this order to provide park managers with a better understanding of their legal duties in managing the national park system, and to establish policies and procedures which ensure that the NPS' legal mandates are being properly and consistently applied.

Director's Order #55 as well as the 2001 NPS Management Policies provide better clarity on the NPS' fundamental purpose and mandate -- to conserve park resources and values. This purpose also includes providing for the enjoyment of park resources and values by the people of the United States. However, the order correctly notes that, "when there is a conflict between conserving resources and values and providing for enjoyment of them, conservation is to be predominant." The order recognizes that while the NPS has the discretion to allow certain impacts within the parks, that discretion is limited by statutory requirements that the park service leave park resources and values unimpaired, unless a particular law directly and specifically provides otherwise. In other words, the NPS cannot permit activities which impair park resources and values.

The following is provided to counter some of the more common arguments used by the PWC industry to block implementation of PWC-specific regulations.

? PWC can be singled out for regulation

The PWC industry has claimed that PWC are recognized by the US Coast Guard (USCG) as "class A" vessels and therefore cannot be regulated differently than other motorboats. However, the USCG states that the term "class-A vessel" has no meaning insofar as Coast Guard regulations are concerned (see enclosed USCG letter). To date, the USCG has refrained from defining PWC. Rather, the Coast Guard encourages other government agencies to define the craft. The National Park Service determined that PWC are different from conventional motorboats and finalized PWC-specific regulations in March of last year.

? Use of FASFRA Funds does not guarantee PWC access

The PWC industry has long maintained that PWC riders have a "right" to use any boating infrastructure built using Federal Aid in Sport Fish Restoration Act (FASFRA) funds. However, a 1999 Florida lawsuit negates industry's claim. In Kissimmee River Valley Sportsman Association v. The City of Lakeland (60 F. Supp. 2d 1289) (see enclosed copy), the United States District Court in Florida ruled that FASFRA does not create a federal right to equal access for boats of common horsepower ratings at boat launch facilities constructed or maintained under the Act. This case suggests that government agencies may prohibit PWC regardless of whether they have taken FASFRA funds to construct boat launches and facilities.

PWC Operation Damages Recreation Area Resources and Values

PWC are high-speed thrill-craft commonly used for no purpose other than to provide the operator with a high-impact thrill-ride. Unfortunately, these thrills come at an extraordinarily high price in the form of degraded air and water quality, threatened public safety, endangered wildlife, shattered natural quiet and diminished visitor enjoyment. For more on these impacts, please see Bluewater Network's comments on the National Park Service's PWC regulations (enclosed).

Numerous studies and reports have uncovered this lasting damage. In particular, we wish to draw attention to the impacts PWC have on water quality, natural soundscapes/visitor enjoyment, public safety and wildlife.

? Water Quality Impairment

Nearly all PWC utilize conventional two-stroke engines, which dump between 25 and 30 percent of their gas and oil mixture unburned into the environment. The combustion process also produces several toxic compounds including polycyclic aromatic hydrocarbons (PAH), carbon monoxide (CO) and MTBE. In the report Water Quality Concerns related to Personal Watercraft Usage, the National Park Service admits that many of these toxic compounds are routinely found in lakes and reservoirs with PWC use, sometimes at levels which threaten both human and ecological health.

? PWC destroy Natural Soundscapes/Visitor Enjoyment

Please find a copy of the report Drowning in Noise, Noise Costs of PWC in America. Drowning in Noise finds that PWC will impose an estimated \$900 million in noise annoyance costs on beachgoers this year as well as hundreds of millions of dollars of additional costs to water recreationists and shoreline property owners. The report also documents that minimum-distance rules are only modestly effective, while supposedly quieter new models won't put much of a dent in the noise burden. The only way to slash the noise costs of PWC, the authors find, is to ban them from as many waters as possible.

? PWC threaten public safety

According to Coast Guard statistics, PWC represent roughly 10 percent of all boats, yet are involved in approximately 30 percent of all boating accidents. Even more shocking, nearly 80 percent of PWC accidents are the result of a collision with objects such as another boat, swimmer, or dock.

Moreover, a new report by Bluewater Network found that roughly 24 percent of the PWC manufactured during the last ten years have been recalled due to production and/or design problems that could lead to fires and/or explosions. (Please see enclosed report: Personal Watercraft Production/Design Problems: High Potential for Fires and Explosions.)

According to the USCG's most recent safety data (1995 through 1999), both the number of fires and the injuries associated with those fires have increased more than 300 percent since 1995. Injuries associated with these fires have increased every year. Moreover, the safety data reveals that in more than two-thirds of all fire/explosion incidents, equipment failure and/or ignition of leaking fuel was the cause of the fire. By comparison, PWC riders' inexperience or reckless operation was responsible for less than seven percent of the fires. Bluewater Network's FOIA request also revealed that the production and design problems in tens of thousands of machines have not been corrected.

? PWC disproportionately impact wildlife

Wildlife biologists throughout North America have testified on the existing and potential impacts of PWC use. In California, marine mammal experts have voiced their concern that PWC activity near seals, sea lions, and elephant seals disturbs normal rest and social interaction, and causes stampedes into the water that can separate seal pups from adult mothers. According to Judy McIntyre, researcher and director of the North American Loon Fund, PWC are the greatest current threat to breeding loon populations. Joanna Burger, author of a Rutgers University PWC study, observed PWCs skimming the edge of islands and running over Common Tern nests containing eggs or chicks. Burger's study confirms that waterfowl respond "significantly more" to PWCs as compared to conventional motorboats. Officials at the Washington State Department of Fish and Wildlife's Ecosystem Management Program have gone on record to report that they are becoming "increasingly concerned with the effect of motorized personal watercraft... particularly jet skis, on both nesting birds and spawning salmon." And, the state of Hawaii classified PWC as "thrill craft," imposing strict areas of use for the vehicles in order to protect migrating humpback whales.

Many researchers are finding that PWC cause lasting impacts to fish and wildlife. Two-stroke engines, the type that drive most PWC on the water today, have been shown to produce pollutants that cause significant damage to aquatic plants and fish. In addition, wildlife experts have testified that PWC have a high potential to create noise that is perceived as more annoying to humans and wildlife than the sound generated by other sources such as conventional

motorboats (please see enclosed studies and reports for more on PWC impacts to wildlife.)

Marine biologists have also found that boat traffic alters behavior of marine mammals such as the bottlenose dolphin. Along with conventional boats, these biologists investigated the impact personal watercraft (PWC) have on dolphins and found that, PWC elicit a greater response than do conventional boats (regardless of the approach speed fast or slow). PWC evoked greater changes in behavior. It is believed that this is due to the unpredictable approach of PWC, as well as the fact that the machines are not acoustically detectable at the same distance as other watercraft. A lack of predictability translates into greater disturbance and potential danger. The researchers also found that the water depth at which a disturbance takes place is significant. Disturbance in shallow water produced a higher frequency of direction and inter-animal distance changes. This is particularly troubling considering PWC, unlike conventional boats, can access very shallow waters that historically have been used by dolphins as a sanctuary from boat traffic. The scientists warn that if these shallow waters are no longer safe havens for dolphins "then a dolphin's ability to sustain itself, avoid boat traffic, or a mother's ability to safely rear her calf could be comprised."

New Technologies will not solve all problems

Recently, there has been much news concerning so-called "new" PWC technology. Many PWC supporters claim that advancements in engine design, such as direct injection, will solve all environmental impacts related to PWC operation. Unfortunately, this is not the case, and researchers are finding that these new technologies still present significant environmental hazards.

Enclosed please find the California Air Resources Board (CARB) report Outboard Engine and Personal Watercraft Emissions to Air and Water: A Laboratory Study. The purpose of this study was to evaluate emissions from marine engines and personal watercraft operated under controlled test conditions. The primary goal was to compare emission levels across technologies, with particular emphasis on two-stroke vs. four-stroke engines and conventional vs. advanced fuel-management systems.

? Air Pollution

For all measured air pollutants, two-stroke personal watercraft (PWC) and outboards were generally and substantially higher than comparable four-stroke engines. In the case of hydrocarbons (THC), two-stroke motors were far more polluting than comparable four-stroke motors.

? Water Pollution

Similar to air emissions, pollutant concentrations in the water column of two-stroke and DI engines were consistently higher than those of comparable four-stroke engines. This was true for many pollutants including MTBE, BTEX, benzene and acetaldehyde. Moreover, both the carbureted and DI two-strokes were found to emit polycyclic aromatic hydrocarbons (PAH). This is particularly troubling because PAH - even at minute levels of parts per trillion - are toxic to aquatic plants and fish. The research also found that concentrations of many of these pollutants remained substantially elevated in the test tank one full day after testing.

? Direct-Injected

Two-strokes and Four-stroke PWC Will Not Solve All Problems

CARB research also found that although direct-injected (DI) two-stroke engines were cleaner than carbureted two-strokes, on average they were dirtier than four-stroke engines. For example, DI engines emit approximately seven times more total hydrocarbons (THC) than do four-stroke engines. THC is a key component in the formation of smog. In the case of formaldehyde, a possible human carcinogen, DI engines emitted more than both the carbureted two-strokes and four-stroke engines. While four-strokes were substantially better in terms of discharging

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less of some of the most important pollutants, they did not solve all problems. In the case of nitrogen oxides (NOx) and carbon monoxide (CO), the four-stroke engine emitted more than the DI engines.

Neither the DI nor the four-stroke PWC will do anything to address the impacts of the more than 1.1 million thrillcraft already operating on American waters. In addition, with the recent downturn in PWC sales, it will take longer for newer model PWC with the advanced technology to replace older PWC. In fact, at current sales rates, even if every new PWC sold were equipped with the new technology (which is clearly not the case), it would take nearly 12 years to replace all the dirty two-stroke PWC. Finally, it should be remembered that these new technologies are unlikely to improve PWC's safety record or decrease their impact upon wildlife.

The American public supports a ban on PWC

The vast majority of the American public supports the elimination of PWC use in the national parks. Recently, Zogby International released a poll which found that a more than two-thirds of the American public (67%) supports protecting the National Parks from motorized thrill-craft such as PWC (see enclosed results from Zogby poll).

In addition, please find a copy of a Citizen Letter urging the NPS to prohibit PWC operation from the entire National Park System, including the preserve. The White House received nearly 30,000 of these letters during the comment period on the NPS' national PWC rule. Adding these comments to the more than 10,000 additional comments the NPS received calling for PWC restrictions means that approximately 4 out of every 5 comment on the national PWC rule supports reigning in PWC damage.

We request that the 30,000 Citizen letters be added to the administrative record as supporting a PWC ban at the Lake Mead National Recreation Area.

In addition, we ask that the NPS please include in the administrative record for the general evaluation of PWC use all of Bluewater Network's previous letters and correspondences sent to LAME concerning PWC activity.

Issues in the DEIS that need more attention

The following comments concern areas where Bluewater Network believes the NPS needs to devote more attention and additional resources.

Compliance with Court Settlement

On April 12, 2001 the Washington DC District Court approved the settlement of Bluewater Network's court challenge of the NPS's PWC regulations. In that settlement, the Park Service agreed to conduct appropriate environmental review of the impacts of "PWC use in the particular unit." In particular, the NPS agreed to evaluate PWC impacts upon "water quality, air quality, soundscapes, wildlife and wildlife habitat, shoreline vegetation, and visitor conflicts and safety." Unfortunately, it appears that in several instances, the NPS' DEIS for LAME has overlooked relevant information and not conducted current site-specific studies of PWC impacts and therefore is out of compliance with this agreement. For example:

? No Current Boat Counts.

On page 144 of the DEIS, the NPS states that "the Lake Mead National Recreation Area visitor survey and the Nevada Division of Wildlife Study were used to estimate the number of personal watercraft relative to other watercraft." Unfortunately, the NPS admits that some of the data contained in these reports is at least five years old. It is unlikely that the Park Service could correctly gauge the current number of PWC on Lake Mead from these sources.

According to the National Marine Manufacturers Association, as of 1997, 963,000 PWC had been sold in the United States. Since then, an additional 411,000 are on US waters. This is an increase of more than 40%. The NPS data contained in its 1997 visitor survey is missing these machines. Moreover, if the NPS

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estimate of a ten-year life span for two-stroke motors is correct, many of these machines are still on the water. Therefore, the NPS estimate of PWC counts for Lake Mead, very likely underestimates the actual number by a considerable margin.

Without accurate PWC counts, the sections of the DEIS detailing the impact of PWC on Lake Mead's resources and wildlife are highly suspect and may be ripe for legal review.

However, even if PWC counts are correct, NPS analysis fails to mention several PWC impacts, lacks site specific data and are therefore in violation of our agreement. For example, LAME's DEIS on PWC impacts lacks:

? Site specific data on PWC noise impacts.

On page 105 of the DEIS, the NPS notes that its analysis of PWC noise impacts at Lake Mead in Nevada was based on a study conducted at Glen Canyon National Recreation Area in Utah. While Lake Mead and Glen Canyon have some similarities, (both are large bodies of water on the Colorado river), they also have striking differences such as their geology. The parks' differences will likely result in distinct PWC acoustic patterns. Therefore, making assumptions about PWC noise patterns at Lake Mead based upon PWC noise data collected at Lake Powell is highly questionable.

Moreover, we are troubled by the fact that the NPS appears to ignore other relevant PWC noise studies. For example, the study Drowning in Noise, Noise Costs of PWC in America conducted by the Noise Pollution Clearinghouse provides conclusive evidence on the impact of PWC noise on the nation's beach goers. As

Author: Sean Smith [REDACTED] at NPS
Date: 06/26/2002 11:11 AM
Normal
BCC: LAME LMP at NP-LAME
TO: lame_lmp@nps.gov at NPS
Subject: Bluewater comments on LMP

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----- Message Contents

stated above, this study found that that PWC will impose an estimated \$900 million in noise annoyance costs on beachgoers and that they only way to slash these costs is to ban the craft from as many waters as possible. We are surprised that this study is not referenced in the DEIS.

? Information on PWC permeation losses and its impact upon air quality.

The DEIS also fails to mention the impact of PWC permeation losses on local air quality. Permeation is the process by which individual fuel molecules may penetrate the walls of the various assembly components of a fuel system directly to the outside air. In California, the Air Resources Board (CARB) estimates that reactive organic gas (ROG) emissions from the 9.8 million untreated portable fuel containers (gas cans with nominal capacity of ten gallons or less) is 87 tons per day. This is equivalent to the tailpipe emissions from about 1 million cars. If these tanks had been left untreated, CARB projected that ROG emissions would have risen to 96 tons per day by 2010.

According to CARB, evaporative and permeation emissions from nonroad engines/fuel systems and gas tanks are significant. For example, CARB research found that a typical nonroad engine (5-gallon fuel tank filled to half its capacity) is likely to emit over 7 grams of hydrocarbon pollution in a 24-hour summer diurnal cycle. CARB also discovered that permeation emissions from nonroad fuel tanks, such as those in lawnmowers, could account for roughly 50 percent of the total fuel system emissions.

High-density polyethylene (HDPE) fuel tanks are particularly susceptible to permeation losses. CARB testing found that a Honda HDPE tank emits roughly 4.57 g/gal/day. According to the EPA, many of America's approximately 10 million off-road vehicles such as all-terrain vehicles, personal watercraft, and snowmobiles have similar tanks. (Please see enclosed CARB permeatio fact sheet, and EPA proposed rule announcement for more on permeation losses.)

Failure to include in the DEIS an analysis of PWC permeation losses and its impact upon Lake Mead's air quality is a serious oversight.

? Site specific data on wildlife impacts

Next, the DEIS lacks site-specific information on PWC impacts upon Lake Mead's fish and wildlife. In particular, the NPS readily admits in the DEIS that "many of the impacts on wildlife from continued use of motorized vessels throughout Lake Mead and Mohave are not known at this time." However, despite this lack of information, the NPS states that the preferred alternative will produce "some beneficial effects" for wildlife and therefore authorizes PWC activity on 98 percent of the park's waterways. We are at a loss as to how the NPS could reach this conclusion, given the lack of PWC wildlife information. Finally, the NPS's decision clearly runs counter to PWC wildlife studies which found that these machines have a greater impact upon wildlife such as birds and marine mammals than do conventional boats.

Again, the NPS' failure to include in the DEIS site-specific data on impacts, as well as the agency's admission that it lacks sufficient information upon which to base sound management decisions, appears to be a fatal flaw of the DEIS.

? Site specific data on threatened and endangered species impacts

Like the section on PWC wildlife impacts, the DEIS section on PWC impacts upon threatened and endangered species also lacks sufficient site specific data. Once

more, it appears that no research was conducted to determine PWC impacts upon the many federally listed species found at Lake Mead and Mohave. In fact, the NPS admits that boating and its impact upon endangered fish such as the bonytail chub and the razorback sucker "have not been thoroughly studied within the recreation area." However, despite a lack of this information, the NPS once again concludes that its preferred alternative would have "some beneficial impacts" upon threatened and endangered species. It appears that the NPS makes the assumption that PWC have no impact on threatened and endangered species because they have no site-specific data showing otherwise. However, as the NPS readily admits, this lack of data is due to the fact that the agency has not conducted necessary research into the impact of PWC on threatened and endangered species. This circular logical is unlikely to withstand a legal challenge.

? Information on PWC fire and explosion risks

The NPS review of PWC safety data does not seem to include discussion of PWC fire and explosion hazards. As a result of a Bluewater Network Freedom of Information Act (FOIA) request, the United States Coast Guard (USCG) revealed that the personal watercraft (PWC) industry has recalled more than 280,000 watercraft over the past ten years with production/design problems that could lead to fires and explosions. The recalls affect roughly one out of every five PWC manufactured during this time period. Three major PWC manufacturers - Bombardier, Yamaha, and Kawasaki - were affected by the recalls. Most recently, Bombardier recalled more than 13,000 Sea-Doo watercraft for the 2000 model year. PWC are commonly known by the trade name Jetski, Sea-Doo, and Waverunner.

According to the USCG's most recent safety data, both the number of fires and the injuries associated with those fires have increased more than 300 percent since 1995. Injuries associated with these fires have increased every year. Moreover, the safety data reveals that in more than two-thirds of all fire/explosion incidents, equipment failure and/or ignition of leaking fuel was the cause of the fire. By comparison, PWC riders' inexperience or reckless operation was responsible for less than seven percent of the fires. Bluewater Network's FOIA request also revealed that the production and design problems in tens of thousands of machines have not been corrected.

The NPS 2001 management policies require the Park Service to provide park visitors "a safe and healthful environment." Overlooking the potential threats to public safety posed by PWC fires and explosions appears to run counter to both federal law and NPS administrative policy.

? Supportable conclusions regarding the impact of PWC oil and gas pollution on Lake resources and wildlife

On page 133 of the DEIS, the NPS estimates that on a given summer weekend day, 27,000 gallons of unburned fuel is discharged into Lake Mead and Mohave from carbureted two-stroke personal watercraft. In areas of concentrated PWC use, the NPS concludes that it "can create minor impacts on a temporary basis." However, the NPS notes that since most PWC gas and oil spills "volatize" into the atmosphere, are relatively small and do not threaten plant and animal health. Since the levels of pollutants in the lake did not violate state water quality standards, the NPS concludes that the preferred alternative, which authorizes continued PWC use, will result in some beneficial effects for water resources.

However, given the National Academy of Sciences' (NAS) recent report Oil in the Sea III: Inputs, Fates, and Effects, there seems to be little support for the NPS' conclusion that PWC pollution will have little impact upon Lake Mead's water resources. First, not all petroleum compounds evaporate into the atmosphere. As the NAS correctly notes, pollutants such as highly toxic polycyclic aromatic hydrocarbons (PAH) can remain suspended in the water column, or deposited in sediment for years after initial deposition. Next, these researchers discovered that the size of an oil spill indicates little about its potential impact upon plant and animal life. They report that even minor, short-term spills can cause detrimental damage to aquatic wildlife's energetic and biosynthetic processes and immune systems, as well as their structural development and reproduction. Finally, the NAS report reveals that the NPS's reliance upon state water quality standards may not be adequate to protect the recreation area's plants and wildlife. In fact, the NAS reports that exposure

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to hydrocarbon pollution can interfere with biological processes at "concentrations several orders of magnitude lower than concentrations that induce toxic effects." (For more on these impacts, please see enclosed sections of chapter five of the report.)

Again, the NPS' failure to include relevant information such as the NAS report in its analysis of PWC impacts appears to legally doom the DEIS' usefulness as a PWC management document.

? Sufficient data to base a determination of PWC impacts upon cultural resources

Finally, on page 101, the NPS admits that only a small portion of the park has been archeologically surveyed. However, the NPS once again concludes that authorizing PWC on 98 percent of the recreation area's waterways will have "no impact" upon cultural resources. Unlike conventional boats, PWC can operate in very shallow waters and beach just about anywhere. PWC's ability to travel through previously inaccessible waters means that any undiscovered shoreline and/or near-shore submerged cultural resources are at risk. We believe the NPS statement of PWC impacts upon cultural resources is erroneous. At best, the NPS can only conclude that it does not know the impact of PWC upon cultural resources.

Conclusion

The common theme throughout our comments is that the Park Service's management of the LAME should always ensure that the recreation area's resources and values are protected from damage. We formally request that Park Service adopt Alternative B with an amendment which includes an immediate ban on PWC operation throughout all of the Lake Mead/Mohave Recreation Area.

Sincerely,

Sean Smith, M.S.
Public Lands Director

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page 1 of 2



Center for Biological Diversity

*Protecting endangered species and wild places through
science, policy, education, and environmental law.*

FAX TRANSMISSION TO [REDACTED] 2 PAGES, COPY BY ORDINARY MAIL

Jim Holland, Park Planner
Lake Mead National Recreation Area
601 Nevada Way
Boulder City, Nevada 89005

Dear Mr. Holland,

August 1, 2002

The Center for Biological Diversity wishes to submit comments on the DEIS for the Lake Management Plan. The Federal Register dates pasted below were confusing, as there were posting dates for both April and July. We hope that our comments will be added to the official record.

[Federal Register: April 24, 2002 (Volume 67, Number 79)]

[Notices]

[Page 20160-20162]

From the Federal Register Online via GPO Access [wais.access.gpo.gov]

[DOCID:fr24ap02-121]

DEPARTMENT OF THE INTERIOR

National Park Service

Draft Environmental Impact Statement for the Lake Management
Plan; Lake Mead National Recreation Area, Mohave County, AZ and Clark
County, NV; Notice of Availability

[Federal Register: July 16, 2002 (Volume 67, Number 136)]

[Notices]

[Page 46687-46689]

From the Federal Register Online via GPO Access [wais.access.gpo.gov]

[DOCID:fr16jy02-119]

DEPARTMENT OF THE INTERIOR

National Park Service

Draft Environmental Impact Statement for the Lake Management
Plan, Lake Mead National Recreation Area, Mohave County, Arizona and
Clark County, NV; Notice of Availability

Grazing Reform Program [REDACTED]

06/01/2004 11:41 [REDACTED] CENTER FOR BIODIVERSITY PAGE 02

1. We support the most restrictive alternative for motorized access, Alternative B. We also support a total ban on personal watercraft.
2. A "no motorized access" alternative should be explored and presented- failure to do so may violate NEPA.
3. It is estimated that populations of adult relict leopard frogs do not exceed 1,100 individuals. Current recreational activities and proposals will place the species at extreme risk. The frogs live in two locations within the Lake Mead National Recreation Area in Nevada. Activities detrimental and harmful to this species should be eliminated. Every effort should be made to recover, restore and protect the frog's habitat. Additionally, the NPS and the USFWS should make recovery of the species a top priority.

Thank you for this chance to comment on the management of our public lands.

Sincerely,



AJ Schneller
Grazing Reform Research Associate

SAVE LAKE MEAD

We, the undersigned, strongly object to all of the alternatives as written in the proposed Lake Mead National Recreation Area Management Plan. We feel that Alternative "A" should be continued but with the implementing of the PWC regulation of Alternative "C". Meanwhile working on a less strenuous user-friendly alternative.

We feel there has not been adequate media coverage to inform the public about the Management Plan and the public hearings, since this matter affects all visitors and boaters to Lake Mead, we feel that it is unfair. This petition is show our objections to the proposed Lake Management Plan.

**Thank you for your support.
Friends of Lake Mead**

NAME	ADDRESS	PHONE	SIGNATURE
Ben Williams	[REDACTED]	[REDACTED]	[REDACTED]
Adolphus Church	[REDACTED]	[REDACTED]	[REDACTED]
KATHY WENDT	[REDACTED]	[REDACTED]	[REDACTED]
Green Coe	[REDACTED]	[REDACTED]	[REDACTED]
Ray Lougee	[REDACTED]	[REDACTED]	[REDACTED]
Johnny Smith	[REDACTED]	[REDACTED]	[REDACTED]
Kathy Caswell	[REDACTED]	[REDACTED]	[REDACTED]
Robert Ogletree	[REDACTED]	[REDACTED]	[REDACTED]
Charles Balkema	[REDACTED]	[REDACTED]	[REDACTED]
Myron Stewart	[REDACTED]	[REDACTED]	[REDACTED]
Marie Ryea	[REDACTED]	[REDACTED]	[REDACTED]
JAMES A. CARY	[REDACTED]	[REDACTED]	[REDACTED]
Karel Rattner	[REDACTED]	[REDACTED]	[REDACTED]
James Codax	[REDACTED]	[REDACTED]	[REDACTED]
Tom Luoma	[REDACTED]	[REDACTED]	[REDACTED]
Dale Letts	[REDACTED]	[REDACTED]	[REDACTED]
James Martin	[REDACTED]	[REDACTED]	[REDACTED]
Keith Milburn	[REDACTED]	[REDACTED]	[REDACTED]
Shawn Milburn	[REDACTED]	[REDACTED]	[REDACTED]
Allen Imble	[REDACTED]	[REDACTED]	[REDACTED]
Robert Myers	[REDACTED]	[REDACTED]	[REDACTED]
Timmy Jackson	[REDACTED]	[REDACTED]	[REDACTED]
MICHAEL JELSON	[REDACTED]	[REDACTED]	[REDACTED]
John Lichtner	[REDACTED]	[REDACTED]	[REDACTED]

Wen Baldwin

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page 1 of 5

March 27, 2002

Jim Holland
Lake Mead National Recreation Area
Lake Management Plan
601 Nevada Highway
Boulder City, NV 89005

Dear Jim,

I want to thank you very much for taking the time to attend our meeting on fathers day. It was appreciated by all of us in LMBOA.

I am enclosing a copy of the outline I had at the meeting that you said you would like a copy of. I have crossed out the items that you answered completely. If you could, I would appreciate answers to the ones that I didn't have a chance to ask and the ones that didn't get completely answered.

Overall, I think alternative C is good. My biggest concerns are that it is not definitive enough, there is too much ambiguity in it that could be interpreted in an unacceptable way and that there is in no way enough staff to implement it.

You say that "We're not going to limit anything. We're not going to turn anybody away". This is fine as long as you are still around to make sure that it is interpreted that way. What happens when you aren't around to interpret? Once something is put in writing, anyone can take it any way they want to if it isn't clearly stated. If there is anything in there that could keep me from my boat, that I am paying over \$5 per day to keep in a slip, I can not accept it nor, do I think, would other slip renters. This is an issue that I think must be addressed in the plan if it is going to be acceptable.

If parking is a problem, why not increase the available parking spaces? I know Lake Mead Marina has the additional parking. If that is too far for them to walk, unless they are legitimately handicapped (not someone with grandma's mirror tag), that's too bad. It is then their choice to go somewhere else. Everyone can't have a front row seat. The parking of vehicles with trailers parking in the vehicle parking area just because it's closer should also be addressed.

You explained to us about the no alcohol in the Gypsum Wash area and I couldn't agree more. The problem with "C" is that it leaves a lot of question in a persons mind as to what is a "high use area". My first thought would be Boulder Beach or Sandy Beach. I certainly had not even considered Gypsum Wash and until you told us about it and I haven't talked to anyone else who had.

As I said at the meeting, you say your *goal* is no open containers in the open space of the

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boat. Regardless of what Utah does or has done, I believe this is a totally unnecessary and unreasonable aim. Enforcing misuse of alcohol is something I will back you on all the way, but I think this goal is out of line. After all this is Lake Mead Recreation Area.

The new floating toilets are great. The dumping station feature is somewhat of a concern. The thought of someone pumping out their bilges or dumping waste oil, etc. into these is very scary to me. If someone were to pump out bilge water with any gasoline or oil in it, I believe the fumes, especially in this heat, would be extremely explosive. It would also create problems and increased costs in the treatment of the waste.

I know one of the biggest bug-a-boos the Park Service has is personnel. With the deficit of personnel you have now at 105, how do you think this plan that requires approximately 157 additional staff will help? How can we as boaters help with enforcement? Will Rangers respond to a valid complaint? I know a couple that was at the campground at Las Vegas Bay. The trailer next to them had a loud generator and a loud stereo. They mentioned it to the host and his comment was that "yes, they were local people and they do it all the time". There was no effort made to remedy the situation even though it was after 10:00PM. They, like most folks, didn't make out any complaint but probably won't be back and you know they will tell others about their negative experience just like they did to me.

The bottom line is you need enforcement. If you don't have the adequate staff to handle the existing plan, how can you possibly handle plan C? Would it not be better and more economical to put a provision into Alternative A that will cover the PWC problem and try to get 105 more people to staff that program than try to take such a big jump to Plan C? Let's get to where you can enforce what you have before stretching resources any further.

With the information I have to date and the lack of detail in the written plan, I would certainly have to recommend that Alternative A be adopted, with or without a PWC plan, until Alternative C is defined more concisely in writing and the public has had a chance to thoroughly look it over and comment on it in the final form.

I hope I can get some concise answers so that I can knowledgeably inform others and make some final recommendations before the 26th.

I know I get a little exuberant at times and for that I apologize, but I hope you do not take it personally and accept what I say as constructive criticism as it was meant to be.

Again, thank you for your good work and your participation at so many of our meetings.

Sincerely,



Wen Baldwin

enc.: outline
cc: Bill Dickinson, Superintendent

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LM Management Plan Questions

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page 3 of 5

1. I know you have been working on this plan for about 10 years?
 - A. How many different editions of the plan have there been? 2
 - B. Is this the final draft before an alternative is put into place?
If so, will the public be able to comment on the final draft?
2. Lake capacities
 - A. Why lower boat capacities with plan C - 4965 comb (p.62) 3295 L Mead - 1670 L Mohave than A (no change)- 5975 comb (p.35) 4201 L Mead - 1774 L Mohave?
The "Fact Sheet" you put out says "The overall level of boating activity could slightly increase
 - b. Are those support numbers or a limits of boats on the lake or a limit number?
 - c. Are boats in slips considered in the BAOF numbers?
 - d. I know it says the parking is how you will control the numbers. How is this going to work? If you go by parking spaces, you are counting a fish feeding tourist, a restaurant customer or just a sightseer as a boat.
 - e. If the parking is full at the marina where I have my boat in a slip, are you going to turn me away? (P.72 tl & p.196 tl). You said "We're not going to limit anything. We're not going to turn anybody away," (RJ 5-22-02 p.7B). That's fine, but if it is in the plan in writing, and it is in alternative C, your saying "We're not going to limit anything. We're not going to turn anybody away" doesn't mean anything if C is approved and someone down the road takes the plan literally.
 - f. I you are concerned about the number of boats on the lake, why are you allowing a new marina at Stewart's Point.
 - g. If, at any time in the future, I am turned away, is the Park Service going to refund me the money I have had to pay for that day? I am paying over \$5/day for a slip plus an annual permit.
Marina capacities alt C - p.70

Boat Restrictions

In "Rural Natural Setting" which includes the Virgin Basin, Gregg Basin, Iceberg Canyon to Pierce Ferry & up the Virgin River, you say "some boating" and water activities are restricted (p.xiii & p.7). That says "some boating" not some boating activities. That is too ambiguous. It needs to be defined. The "Fact Sheet" says only restrictions would be the 2%. That is contradictory to what the written plan says.

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Noise

- a. You mention noise enforcement will be by Nevada State Rules (p.199). You state: "These regulations are not based on specific noise levels at specific distances and therefore should be easier to enforce than the previous standards. The Nevada Administrative Code (NAC-408-460)-NBA p.29 - states 86dba at 50'."
- b. Will you be enforcing the noise level on the big multi engine boats (p.143)? The Nevada Boat Act Chapter 488 Nevada Revised Statute 488.195 (NBA p. 26) states "The use of cutouts is prohibited".
- c. How about boom boxes on the beaches and in boats?
- d. Who will enforce the noise regulations? P. 45Alt A - P.77 Alt C) NPS would enforce. At your presentation at Boulder City, your people said that NDOW would enforce it not you.

Yes it is hard to enforce because of estimating distance, but if you are half way across the lake and it blasts you out it is too loud.

Fuel

All I see mentioned in the plan is "illegal fueling".

- a. What is legal fueling?
- b. What is "illegal fueling" and where it defined?
- c. Will portable fuel tanks be allowed?

Wakeless Zones

How and who will enforce the wakeless zones? Few PWCs honor them now.

Styrofoam

Are you going to disallow Styrofoam coolers (p.76)?

Alcohol

- a. Why no alcohol use in "high use areas" (tbl2 p.27)? What specifically constitutes a "high use area"? If you have the personal to stop all use, you have enough to control overuse of it.
- b. If I am camping in a "high use area", are you saying I can't have a drink?
- c. If you are going to have "dry beaches", you need to specify exactly what beaches you are making "dry".
- d. You say your goal is "no open container in open space of boat" (p.287). Are you trying to say that passengers won't be able to drink in a boat?

9. Polution LAME-02215
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- a. What are PAHs in reference to 2 cycle injected engines?
- b. The new floating toilets with the dump stations are great, but how are you going to control the pumping out of bilges into them?

10. Enforcement

Impact on Park Operation - The way it is - P. xviii :

".....the Lake Mead staff is deficient in over 105 positions necessary to provide adequate visitor services and education, facility upkeep and resource management (NPS 1999a)." 1999a - "Lake Mead National Recreation Area Business Plan." On file at Lake Mead National Recreation Area, NV.

Alternative B - P. xxii :

".....a total of 147 additional park staff would be required to effectively implement this alternative."

Alternative C - xxiii :

".....approximately 157 additional full-time or seasonal positions would be required to effectively implement this alternative."

Alternative D - P. xxvi : says 169.

You can't get staffing now. How do you hope to enforce the new alternatives?

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page 1 of 3

Laughlin Chamber of Commerce

N E V A D A

Bill Dickenson, Superintendent
Lake Mead National Recreation Area
Lake Management Plan
601 Nevada Highway
Boulder City, Nevada 89005

June 17, 2002

Dear Mr. Dickenson,

We are looking forward to your visit with the Laughlin Chamber of Commerce Board of Directors next week. As expressed, we are concerned about the possible Jet Ski ban in the Lake Mead National Recreation Area and its impact on our economies and the safety of the Colorado River.

Unfortunately, this unique meeting between National Parks and the tourism industry leaders in the Colorado River region is taking place a full week after public comments are due relative to the draft EIS National Parks Service Management Plan for both Lake Mead and Lake Mohave.

This plan, which calls for NQ improvements at Katherine Landing, is extremely vague as to its adverse economic effect on both the Laughlin, Nevada and Bullhead City, Arizona communities. Rather than miss the deadline for comments and without the benefit of your personal presentation, we are submitting the following concerns for the record.

To be sure, several members of the Laughlin Chamber of Commerce Board of Directors have reviewed the plan and concur with the official opposition to the plan taken by the Laughlin Town Board last week.

Our primary concern is that out of the four alternatives described in the draft EIS ranging from Alternative A, which is no action for development of the lake areas to Alternative D, which is "emphasized growth with a corresponding reduction in the variety of recreational activities available in the recreation area," *none* offer any type of facility expansion or improvements to marinas or coves nearest Bullhead City and Laughlin.

As you know, these two communities welcome five million visitors each year and are almost wholly dependent on a vulnerable tourism market. We spend a great deal of time, effort and money to encourage visitors to enjoy all that we have to offer, with an emphasis on outstanding recreational opportunities. It appears the NPS plan may deliver exactly the opposite experience to the visitor than we are promising.

-more-

[REDACTED]

Katherine Landing and Princess Cove on the Arizona side of Lake Mohave and the undeveloped Telephone Cove on the Nevada side of Lake Mohave are mentioned in your plan as being inadequate to handle their current capacity – especially on holiday weekends. But the facilities are simply ignored beyond that.

In the effort to drive boaters north to Cottonwood Cove and to more primitive areas of Lake Mohave to “protect the environment,” the plan fails in its mission to also support our visitors’ current needs.

Alternative C, the preferred alternative by the National Parks Service, calls for a range of recreational zones on Lake Mohave from primitive to urban. The Laughlin Chamber of Commerce is supportive of that goal along with stricter regulations to ensure litter and sanitation control and the continued use of two-stroke engines and personal watercraft through 2012, except in areas specifically zoned to prohibit all motorized vessels. And like the National Park’s Service, we also support more environmentally sound standards set by the Environmental Protection Agency during the development of this personal water craft issue.

That is where our support stops. The EIS claims to address several *environmental* impacts of the described alternatives, but it recommends a plan of action without thoroughly examining the impacts to the visitors experience or to the local economies. There is one general paragraph about these impacts without any substantiating documentation. Additionally, there was little or no input collected from the local communities since this plan began to be drafted in May of 1993!

The three elements used to ascertain support for each alternative include an eight to ten year old survey that claims a “*perceived*” social crowding in our area of the lake. While we have little faith in a survey that is almost a decade old, we have less in the plan’s methodology for dealing with this crowding – that is to completely limit improvements to drive away the business.

We would suggest a meeting of the community leaders to instead manage this recreational business by joining forces. As we have stated before, local businesses and the Laughlin Chamber of Commerce stand ready to help compel mid-week visits to Lake Mohave, offer assistance in clean up campaigns, encourage, through marketing and public relations, use of the full 150 miles of the lake and to partner with you to conduct a survey that is more representative of lake users in the 21st century.

-more-

While we hope that the community of Searchlight is excited to see plans for a launch ramp expansion, slips additions and more boats in the rental fleet at Cottonwood Cove, we believe that our neighbors to the north are also mindful that the marina is a full 50 miles from our market. Our recreation-oriented visitors, if they continue to come at, will be forced to travel to Cottonwood Cove on dangerous roadways, just to launch their boats. Either way you look at it, long, unaddressed lines at Katherine Landing or an extended drive to another ramp discourages use of the lake and discourages visitation to our area.

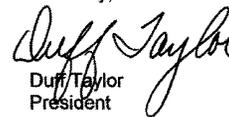
The Colorado River communities of Laughlin and Bullhead City will be dealt a severe blow if improvements in our launching facilities, parking areas and sanitation facilities are not included in your alternatives.

Additionally, both the National Parks Service and the local business community will miss an opportunity to better serve the public if we do not work together and share resources to achieve your mission:

To ensure the protection of park resources while allowing a range of recreational opportunities to support visitor needs.

Thank you for the opportunity to provide public comment on the draft EIS of the National Parks Service management Plan for the Lake Mead Recreational Area. We look forward to personally discussing these comments with you next week.

Sincerely,


Duff Taylor
President


Jo Elle Hurns
Executive Director

- Cc: Nevada Senator Harry Reid Nevada Senator John Ensign
Nevada Congressman Jim Gibbons Senator Jon Porter
Clark County Commissioner Bruce Woodbury
Laughlin Town Manager Jackie Brady
Laughlin Town Advisory Board Members
Laughlin Chamber of Commerce Board of Directors
Searchlight Town Board Members
Bullhead City Manager Dan Dible
Bullhead Area Chamber of Commerce Director Mike Conner



Personal Watercraft Industry Association

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page 1 of 3

May 28, 2002

Mr. William Dickinson
Superintendent
Lake Mead National Recreation Area
601 Nevada Way
Boulder City, NV 89005

Dear Mr. Dickinson:

This letter is intended to represent the Personal Watercraft Industry Association's (PWIA) official comments regarding Lake Mead NRA's Lake Management Plan Draft Environmental Impact Statement (DEIS). PWIA was formed in 1987 as an affiliate of the National Marine Manufacturers Association (NMMA). PWIA's mission is to unite manufacturers of personal watercraft (PWC) in order to promote safe and responsible operation of PWC, and to work with federal, state and local regulatory agencies to ensure that PWC are not singled out for disparate treatment.

PWIA would like to take this opportunity to applaud the staff of Lake Mead and all those who have worked on this DEIS for developing a management plan that treats all motorized recreational boating the same. PWIA is a strong supporter of educating boaters, protecting the environment and reasonable regulations, and we feel that Alternative "C" of this DEIS strikes a balance that accomplishes all of those goals.

The PWC industry is very proud of the low emission new technology engines that have been developed. The phase in of the Environmental Protection Agency's 2006 marine recreational engine emission standards has already begun to make current PWC some of the cleanest vessels on the water. By the time the EPA 2006 standards are fully implemented, a complete turnover of the PWC fleet should be well underway, leading to cleaner waters for all boaters by the year 2012.

The harmonization of Arizona, Nevada, and NPS boating regulations is an outstanding goal that will ensure fairness, consistency, conflict reduction, and ease of enforcement. PWIA supports mandatory education for all operators, a minimum age of 16 years to operate a personal watercraft (18 to rent), mandatory lifejacket use, use only during daylight hours, and operation at slow-no-wake speed within 100 feet of shore, anchored boats, piers, or swimmers. Alternative "C" will institute a no-wake zone within 100 feet

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page 2 of 3

of shore, which PWIA whole-heartedly supports. PWIA encourages the NPS to work with the Arizona and Nevada Boating Law Administrators to implement the other aspects of PWIA's Model PWC Act, so that all boaters will be able to have a better experience on the waters of Lake Mead, as well as on all other bodies of water within the two states. A copy of PWIA's Model PWC Act is enclosed for your review.

For the record, PWIA would like to correct a few inaccurate statements made on page 11, and repeated elsewhere in the text. The DEIS states:

The majority of personal watercraft are powered by conventional two-cycle engines and have a typical operating life of 10 years...The newer engines are reported to be 30% more efficient than the earlier models. This means the vessels could travel 30% farther and produce 30% less emissions than the earlier models.

Personal watercraft manufacturers have invested a great deal of money on new technology engine research and development. Direct-injection engines have been available in PWC for four years, and three PWC manufacturers introduced four-stroke engines for the 2002 model year. The typical operating life for a PWC is 3 years for a rental vessel, and 5-7 years for a privately owned vessel, not 10 years as stated in the DEIS. Additionally, the new technology engines in today's PWC are indeed 30% more fuel efficient, allowing greater miles per gallon. However, these new engines have resulted in an astounding 75% reduction in hydrocarbon+NOx emissions.

Further on page 11, the DEIS states:

More than one million personal watercraft are estimated to be in operation today in the United States. Sometimes referred to as "jet skis" or "wet bikes," these vessels use an inboard, internal combustion engine powering a water jet pump as its primary source of propulsion. They are used for enjoyment, particularly for stuntlike maneuvers, and they are designed for speeds up to 70 miles per hour. Personal watercraft are the fastest growing segment of the boating industry, representing over one-third of total sales.

Personal watercraft can be used for many things, including search and rescue, but current industry research finds that they are mainly used for touring and pulling waterskiers etc., not for performing "stuntlike maneuvers". Additionally, although a few models are capable of speeds in the low 60 mph range, most PWC perform well below that level, and certainly not at speeds of up to 70mph.

PWC are also not the fastest growing segment of the boating market. According to the National Marine Manufacturers Association (NMMA), PWC sales and population estimates have been declining for several years. The number of PWC sold, the total number in existence, and the percentage of the total fleet of recreational boats that PWC represent has been on a downward trend. Only 83,000 PWC were sold in 2001, representing approximately 15.3% of all boat sales in 2001. These numbers have been steadily declining from approximately 200,000 PWC sold in 1995, representing an estimated 30% of all boat sales in the mid 1990's. In 2001, there were approximately

1.053 million PWC in existence, which constitutes approximately 6.2% of the estimated total of boats in existence, down from 1.1 million PWC representing 6.6% of the fleet in 1998.

Finally, on page 11, the DEIS states:

The National Park Service first began to study personal watercraft in Everglades National Park. The studies showed that personal watercraft use over emergent vegetation, shallow grass flats, and mud flats damaged the vegetation, adversely impacted the shore birds that fed on the vegetation, and disturbed the life cycles of other wildlife.

PWIA would like to point out that the Everglades "study" referred to by the DEIS was conducted in 1988, and only referred to the **potential** impacts of personal watercraft. Additionally, PWIA would again like to point out the evolution in the PWC market, to three and even four passenger cruising models, and the order of magnitude change in technology that powers PWC, making them among the cleanest and quietest vessels on the water.

All forms of boating have some impact on the environment. PWIA recognizes that for various reasons, there are some areas that are inappropriate for any motorized boating, whether they are fishing boats, PWC or family runabouts. When used responsibly and within the limits of the law, personal watercraft have not been shown to have a greater impact on the environment than any other form of motorized recreational boating.

In conclusion, PWIA would like to thank you for treating all motor boaters the same, for working on methods to reduce conflicts between all users, and for providing an opportunity for people to recreate in a manner they choose, in a safe, clean, and well-managed environment. PWIA is always ready to assist public land managers and regulators in any way possible. If we can ever be of any assistance, please do not hesitate to contact us.

Sincerely,



Monita W. Fontaine, Esq.
Executive Director

Enclosure



RECREATION ISSUES COMMITTEE

June 26, 2002

Superintendent
Lake Mead National Recreation Area
601 Nevada Highway
Boulder City, NV 89005

RE: COMMENTS OF SIERRA CLUB – RECREATION ISSUES COMMITTEE
On "Lake Mead National Recreation Area – *Lake Management Plan and Draft Environmental Impact Statement*"

The Sierra Club's national Committee on Recreation Issues, representing the approximately 650,000 members of the Sierra Club, presents the following Comments on the Lake Management Plan and DEIS. We are commenting primarily on the Soundscape and Noise element relating to the Personal Watercraft Usage. (The Club's Toiyabe Chapter has submitted additional comment, primarily on other environmental aspects of this plan.)

Of the Alternatives presented, we favor the conservation Alternative B particularly as to the noise impacts, however, with the caveat that Alternative B is still insufficiently mitigated to maintain the natural quiet and other environmental resources of this treasured Park. We offer below additional noise mitigations to be considered in the Plan, and detailed comments on the Draft Environmental Impact Statement soundscape element.

LEGAL AUTHORITIES: SOUNDSCAPE PROTECTION

A principal concern is the noise of motors from Personal Watercraft.

Protection of National Park System Soundscapes from the noise of motors (particularly aircraft, but also in general) has been recognized through the following laws and regulations, among many others:

- P.L. 93-620 "Grand Canyon Enlargement Act of 1975", see section on aircraft noise.
- P.L. 100-91 "National Parks Overflights Act of 1987"

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- P.L. 106-81 "National Parks Air Tours Management Act of 2000" (see Title VIII)
- NPS Director's Order 47 and Reference Manual 47

INADEQUATE SOUNDSCAPE ANALYSIS OF LAKE MEAD NRA

The soundscape analysis for Lake Mead NRA appropriate to this Plan has simply not been done. The only hint of analysis for Lake Mead NRA (LMNRA) is revealed by the first sentence on Page 144 of the DEIS: "*Intensity*. Existing natural ambient sound levels within the project area are expected to range from roughly 20 to 40 decibels."

That sentence is supported by no empirical, comprehensive, aggregate analysis of sound anywhere within Lake Mead NRA itself. It simply is a projection of data gathered elsewhere. While this other data is certainly of interest, the fact remains that the specific soundscapes of Lake Mead NRA have not been studied or geographically characterized, either overall, or as to critical subunits of the NRA.

KEY POINT: Before reinstating jet skis, the NPS at minimum therefore needs to perform full, quality acoustic data collection throughout the Lake Mead NRA, sufficient for NPS to assess the impacts of current and proposed jet ski and other watercraft usage on the natural soundscape in the Lake Mead NRA.

An exemplary data set for Zion National Park has just become available in the new draft "Wyle Report", WR 02-07, "The Soundscape in Zion National Park", Contract No. 1443-CX2000-98-038 (May, 2002). (Cover Page attached.) According to the report: "This data set characterizes the soundscape in Zion. More generally, this report shows a method that can be replicated to measure the soundscape in other parks."

The Sierra Club believes that renewed jet ski usage of Lake Mead NRA should be permitted only after a similar, in-depth soundscape study has been completed, specifically, on the Lake Mead National Recreation Area. We observe that no systematic effort to study the LMNRA soundscape has yet been undertaken. Yet, the Zion soundscape report paves the way for expeditiously doing it.

KEY POINT: No Record of Decision or Final Environmental Impact Statement for the Lake Mead NRA Watercraft Management Plan should be issued until a good quality soundscape study, comparable to the Zion study, has been done at LMNRA, and its data considered in evaluation of all alternatives.

It is not acceptable to rely on the much less adequate data (practically non-existent) for Lake Mead NRA, as seen in the DEIS, relying instead on limited data available from other parks -- all in other states. It is unacceptable to have presented *no* systematic sound monitoring or soundscape analysis for sites specifically throughout the LMNRA.

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INADEQUATE CUMULATIVE IMPACTS ANALYSIS

KEY POINT: The cumulative impacts analysis re noise, required under NEPA, is grossly insufficient. It simply was not performed, judging from the sketchy material presented on pages 162-163, for example, in the DEIS, nor for any of the Alternatives.

According to the May, 2002 decision from the U.S. Court of Appeals, D.C. Circuit in Case No. 01-1154, "Grand Canyon Trust vs. Federal Aviation Administration", the following elements must be covered:

- The area in which the noise effects of the proposed project will be felt;
- The noise impacts that are expected in that area from the proposed project;
- Other actions -- past, present, and proposed, and reasonably foreseeable-- that have had or are expected to have noise impacts in the same area;
- The noise impacts or expected noise impacts from these other actions; and
- The overall noise impact that can be expected if the individual noise impacts are allowed to accumulate.

The DEIS does not quantify the noise impacts, much less quantify cumulative impacts, of noise in the Park as a result of various human-made noise sources (airspace/lake/land.) How could it, having presented absolutely no site-specific noise maps, tables, or time-histories? These are prerequisite. They should be based on quantitative, aggregated noise analysis specific to a variety of sites within the Lake Mead NRA.

INADEQUATE MEASURABLE STANDARDS AND INDICATORS RE NOISE

The Noise indicators and standards found in the DEIS are qualitative only; they remain quantifiably vague and therefore subject to arbitrary interpretation and application. In the FEIS, as in any Soundscape Management Plan, these need to be quantifiably established, preferably as per the VERP process utilized in many other Parks by the NPS.

KEY LITERATURE SOURCE NOT APPLIED

Nowhere in the DEIS can one find reference to a recent key Report: "Drowning in Noise: Noise Costs of Jet Skis in America" – a Report for the Noise Pollution Clearing house, by Charles Komanoff and Howard Shaw, (April, 2000).

KEY POINT: The FEIS should specifically apply the key findings of the "Drowning in Noise" Report.

The Report finds that the most effective way to reduce noise annoyance and lost enjoyment is

- To concentrate PWC usage in a few designated areas;
- To restrict operation to at least three quarters of a mile from beaches;
- To require all new machines to be 5 dBA quieter.

Together, these three strategies would reduce the disamenity costs of lost enjoyment by 85%.

These scientific principles and findings need to be applied at Lake Mead.

INCOMPLETE NPS PLANNING DOCUMENTS AND EFFORTS

Along with completion of a full Soundscape data collection and analysis specifically for the Lake Mead NRA, the National Park Service should first complete a "Soundscape Management Plan" for the Park (as per Director's Order 47), as well as the NPS Reference Manual 47.

The Final Environmental Impact Statement, at minimum, should detail the status of the Soundscape Management Planning for the Lake Mead NRA, and convey in updated, more specific form, the direction and guidance being provided in Reference Manual 47.

PARK ACREAGE ASSIGNED FOR PWC USE IS TOO HIGH

89-98% water acreage of the LMNRA that would continue for PWC use-- under Alternatives B, C, and D-- is *far too high*. All users, including those on other and quieter or more stationary watercraft, should be able to enjoy the Park.

TEMPORAL "TIME-SHARING" SHOULD BE INSTITUTED

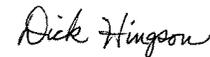
KEY POINT: Temporal -- not just spatial -- limits for PWC use should be set.

For example, morning and sunset/evening curfews -- analogous to those currently imposed on air tours over the Grand Canyon -- should be specified for a substantial portion of the Park's water acreage. This would afford a genuine sense of choice and "respite" for all Park users. It also would reflect a Park Service quality standard that respects the enhanced, particular "power of place" that obtains at dawn and sunrise, sunset and twilight.

(Another mitigation of this sort -- as the DEIS appropriately recognizes -- is to set aside one or more days per week, for no PWC usage.)

The Sierra Club appreciates the opportunity to communicate these views to the National Park Service now, for our Families, for our Future.

Sincerely yours,



Dick Hingson, Chair
Noise subcommittee of
The Sierra Club -- Recreation Issues Committee

Attachment: Cover Page of "Wyle Report" (draft Zion National Park Soundscape Study, May, 2002)

Enclosure: Cover Page, "Summary", and "Introduction", from "Drowning in Noise: Noise Costs of Jet Skis in America: A Report for the Noise Pollution Clearing House", by Charles Komanoff and Howard Shaw, (April, 2000).



**SIERRA
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Southern Nevada Group

June 3, 2002

Lake Mead National Recreation Area
Lake Management Plan
601 Nevada Highway
Boulder City, NV 89005

Dear LMNRA,

The Southern Nevada Group of the Sierra Club generally approves of the Lake Management Plan, Preferred Alternative C as presented in the LMNRA Lake Management Plan Draft Environmental Impact Statement.

Of some concern to us is the only 1% Primitive and 1% Semi-primitive amount of lands designated in Alt. C. We do not advocate 11% as proposed in Alt. B, however we wish to bring to the attention of the LMNRA, and others involved in the scoping process, some of the benefits of reserving more area in these two categories.

For instance, in ocean fishing it is well documented that non-fishing areas serve as an excellent breeding habitat for depleted species. This then results in greater and larger catch in the adjacent waters as the fish migrate beyond the protected zone. Additionally, the urban impact on the overall LMNRA is becoming more apparent each year. Setting aside a portion of the water area, and a portion of the land area, as Primitive / Semi-primitive is prudent future planning. We, therefore, advocate that the 2% combined Primitive / Semi-primitive area in Alt C be increased to 4% - such appropriate allocation to be based on information already available as part of this DEIS.

This organization does not approve of the current older model PWCs currently in use on Lake Mead, and elsewhere. These craft are often noisy and polluting. We acknowledge that the newer models have a lower environmental impact, and we further acknowledge that the EPA regulations for future generations of this pleasure craft will insure a still lower impact. As such, we approve the Alt. C gradual phase-out of the PWC generations in current use on Lake Mead in favor of the cleaner, lower impact new generation designs.

However, we would like, at this time, to go on record with strong criticism of the Lake Management Plan coverage of the issue of water quality. "Impacts on Water Resources" is a topic frequently mentioned in this DEIS. The algae green slime that covered a huge portion of Lake Mead for 5 months in 2001, and which is returning in 2002 as of this date, is not mentioned.

To explore, enjoy, and protect the wild places of the earth...



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Mr. Bill Burke, LMNRA staff, explained at the Boulder City Public Comment Meeting on May 22, 2002 that this issue was not within the scope of this DEIS because water quality standards are regulated by the state. He also cited other reasons for this omission.

Mr. Burke spoke at length on the cause of the algae bloom. It was obvious that the technical cause of the algae bloom is very well, if not completely, understood by the LMNRA. While enlightening, this revelation was very distressing because this information on the causes of the algae bloom has, to the knowledge of persons in our organization, never been made public.

It is unlikely that any alternative other than Alt. C will be chosen so, therefore, it is unlikely that the general public users of PWCs will suffer any prohibitions on the use of their PWCs in Lake Mead before they wear out from seasonal use. Yet it is this very issue of pollution caused by PWC use that has caused many users and vendors of PWCs to become most concerned by the issuance of this Lake Management Plan DEIS.

It is most unfortunate to cause such public alarm over PWC use pollution in Lake Mead, which is actually a lesser issue, when the real issue is totally omitted from the DEIS. Nobody wants to go boating or swimming in green algae. Green algae can generate other slim (non-technical), perhaps blue-green algae, which is even more offensive.

This algae bloom is a very loud barometer telling everyone that Lake Mead is sick. It is incumbent on the LMNRA to include in the DEIS a full technical dissertation on this illness because it has occurred within the allowed scoping window for the EIS and it is the single greatest problem that Lake Mead is currently facing. This subject should have been and should be covered in depth without the requirement for such a demand from the public. If at this time no solution is clearly at hand, then this should be so stated. Any potential solutions should be reviewed in the DEIS, including other government agency involvement.

If it is necessary to draft an environmental impact statement specifically on the subject of what may be causing the algae sickness of Lake Mead, this process should be started immediately. The political delicacy of this problem notwithstanding as Lake Mead is the recipient of most of the Las Vegas effluent discharge, mention and substantive review of the currently available information should be included in the LMNRA Lake Management Plan because this Lake Management Plan is charged with evaluating the "Impact on the Water Resource". Such a mission can only be cosmetic and incomplete without meaningful mention of the ongoing algae sickness of Lake Mead.

Sincerely,

Fred Dexter, Chairperson
LMNRA Lake Management Plan EIS Committee

Cc: Marcia Forkos, Chairperson, SNG Sierra Club
Jane Feldman, Chairperson, SNG Conservation Committee



THE WILDERNESS SOCIETY



June 28, 2002

Superintendent Dickinson
Lake Mead National Recreation Area
Lake Management Plan
601 Nevada Highway
Boulder City, Nevada 89005

RE: Comments on Lake Management Plan/Draft Environmental Impact Statement

Dear Superintendent Dickinson:

The Wilderness Society and National Parks Conservation Association appreciate this opportunity to comment on the Lake Mead National Recreation Area (LAME) Lake Management Plan/Draft Environmental Impact Statement (DEIS). Both organizations have a demonstrated and strong commitment to the sound management and well being of the National Park System including Lake Mead National Recreation Area. We belong to the Natural Trails and Waters Coalition, a coalition of over 90 organizations working to protect and restore public lands from the severe abuse caused by off-road vehicles including personal watercraft (PWC).

Lake Mead National Recreation Area is a special place where water meets the Great Basin, Sonoran, and Mojave deserts. More than 240 bird species, 105 mammal and reptile species, and hundreds of plant species dwell in this breathtakingly scenic environment. With such great natural wealth to maintain, and more than 9 million visitors flocking to Lake Mead National Recreation Area from across the country each year, serious overcrowding and environmental management problems have arisen. The shaping of Lake Mead's future through an updated Management Plan is of considerable importance. Our comments on the DEIS are as follows:

Our Recommendation: End all personal watercraft use by amending Alternative B

We believe that the impact of PWCs on LAME's environment has been seriously underestimated in the DEIS. With the long-term future of the Lake Mead National Recreation Area in mind, we urge the National Park Service to select Alternative B with an amendment banning all personal watercraft use. Both visitors and a diversity of animal and plant species—some found nowhere else in the world—will directly benefit from eliminating PWCs, which are a threat to the park's mission of unimpaired conservation. There is little concrete data presented in the DEIS to support continued use of any PWC including two stroke or four stroke models. Though the primitive areas, shoreline enhancement projects and non-motorized inflow areas outlined in Alternative B will protect parts of Lake Mead and Lake Mohave from the damages of recreational boating, it is critical that adequate enforcement funding and the proactive protection of endangered species are ensured. PWC pose a threat to endangered species, and it is crucial that spawning and nesting areas be identified, well marked, and provided greater protection through an immediate removal of PWC from the Lake Mead National Recreation Area. Therefore, The Wilderness Society and National Parks Conservation Association strongly recommend implementing Alternative B with an amendment banning personal watercraft.

I. The DEIS does not comport with Lake Mead National Recreation Area and the National Park Service's statutory obligation to conserve natural resources.

Lake Mead National Recreation Area must comply with the National Park Service (NPS) Organic Act, NPS regulations, NPS Management Policies and Executive Orders 11644 and 11989. It is clear that any use of personal watercraft in the park unit runs counter to existing laws and regulation. The purpose of the National Park System is clear: to protect park resources and ensure that visitor use does not cause impairment.

A. The Organic Act of 1916

The National Parks are intended to preserve the nation's treasures in perpetuity. This can only be accomplished by preserving and maintaining this park's special features and the ability of citizens to enjoy those features. When it created the National Park Service in 1916, Congress gave the agency a clear mission:

...to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations. (NPS Organic Act)

Congress reaffirmed and further clarified the Park Service mission in the 1978 Redwood Act, stating:

...the protection, management, and administration of these areas shall be conducted in light of the high public value and integrity of the National Park system and shall not be exercised in derogation of the values and

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purposes for which these various areas have been established...
(Redwood Act)

The National Park Service Organic Act, passed in 1916, (16 U.S.C. §1 et seq) sets forth the purpose of the NPS as “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 manner and by such means as will leave them unimpaired for the enjoyment of future generations.” The intent of Congress was to preserve the scenery, natural objects and wildlife of the National Parks. (The legislative history of the Organic Act provides additional support for the preservation mandate. In a House Report on the Act, for example, the overriding purpose of the bill was stated as to preserve “nature as it exists.” (H. Rep. No. 700, 64th Congress, 1st Sess. 3 (1916)).

The fundamental purpose of parks also includes “enjoyment” of park resources. This enjoyment is meant broadly to include people who visit parks as well as those who derive benefit from simply knowing that our national parks exist. The courts have time and again interpreted the Organic Act as holding conservation of park resources preeminent over enjoyment of them; visitor use must not cause impairment of park resources and values.

Congress provided the National Park Service with the discretion to manage national parks, but limited that discretion by the requirements of the Organic Act that park resources and values be left “unimpaired” for future generations. This duty to avoid impairment establishes the primary responsibility of the National Park Service. “The impairment of park resources and values may not be allowed by the Service unless directly and specifically provided for by legislation or by the proclamation establishing the park.” (NPS Management Policies at 1.4.4). The Park Service has an affirmative duty to prevent degradation of park resources and values. “NPS managers must always seek ways to avoid, or to minimize to the greatest degree practicable, adverse impacts on park resources and values.” (NPS Management Policies at 1.4.3)

Impairment is an impact that affects a resource or value that is “necessary to fulfill specific purposes” identified in formation of the park or “key to the natural and cultural integrity of the park or to opportunities for enjoyment of the park”. (NPS Management Policies at 1.4.5). The “park resources and values” that fall under the impairment standard include scenery, wildlife, natural soundscapes and smell, and all natural process and features. Also not to be impaired is “the park’s role in contributing to the national dignity, the high public value and integrity, and the superlative environmental quality of the national park system, and the benefit and inspiration provided to the American people by the national park system.” (NPS Management Policies at 1.4.6).

The District Court of Utah recently clarified that the Park Service is not in the business to provide recreational opportunities if those recreational pursuits contravene NPS policy and the Organic Act. Protection of the resource comes first and all visitor access must be in harmony with preservation. (Southern Utah Wilderness Alliance v.

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Dabney (1998 WL 703956 (D. Utah)). At issue was the ‘right’ of four-wheel drive enthusiasts to recreate in sensitive riparian areas in Canyonlands National Park. The Court based its decision to deny continued access on the Organic Act.

The relevant provision of the Organic Act provides that the Park Service is to “regulate the use of” national parks by means that conform to their “fundamental purpose”, namely: “to conserve the scenery and natural historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations”. (Organic Act (16 U.S.C. §1a-1).

The Court went on to clarify the oft-cited Organic Act notion of “visitor enjoyment.” User groups attempt to broaden the concept of “visitor enjoyment” to denote a right to recreate in or access the parks in any way seen fit. The Court disagreed. “[V]isitor enjoyment” as used in the statute refers to visitor enjoyment of park scenery, wildlife, and natural and historic objects that are to be preserved. As used in this sense, visitor enjoyment does not refer to visitor enjoyment of outdoor recreational activities. Opportunities for outdoor recreation are provided on lands managed by the Bureau of Land Management and the Forest Service... [G]iven... the availability of less-invasive forms of access, permanent impairment... in order to permit the continued use [of four wheel drive vehicles in Salt Creek Canyon] cannot be reconciled with the Organic Act’s overarching goal of resource protection.” (Southern Utah Wilderness Alliance v. Dabney (1998 WL 703956 (D. Utah)).

The Organic Act’s intent to conserve park service resources must be upheld in all Park Service units including Lake Mead National Recreation Area.

B. National Park Service Management Policies

National Park Service Management Policies further clarify the affirmative duty of the Park Service to protect resources and ensure the highest quality experience for park visitors. (NPS Management Policies at 8.2). The policies state that the Park Service will provide appropriate, high quality opportunities for visitors to enjoy parks. The policies also make clear that many forms of recreation enjoyed by the public do not require a national park setting and, in fact, can be accomplished more appropriately elsewhere.

As a result, the policies require the Park Service:

To provide for enjoyment of the parks, the National Park Service will encourage visitor activities that:

- Are appropriate to the purposes for which the park was established;
- Are inspirational, educational, or healthful and otherwise appropriate to the park environment;
- Will foster an understanding of, and appreciation for, park resources and values, or will promote enjoyment through a direct association with, interaction with, or relation to park resources; and

- Can be sustained without causing unacceptable impacts to park resources or values. (NPS Management Policies at 8.2).

“Enjoyment of park resources and values by the people of the United States is part of the fundamental purpose of all parks. The Service is committed to providing appropriate, high quality opportunities for visitors to enjoy the parks... However, many forms of recreation enjoyed by the public do not require a national park setting and are more appropriate to other venues.” The Service will therefore:

- Provide opportunities for forms of enjoyment that are uniquely suited and appropriate to the superlative natural and cultural resources found in the parks.

If some types of recreation are not suited for a national park setting, parks can “[d]efer to local, state, and other federal agencies; private industry; and non-governmental organizations to meet the broader spectrum of recreational needs and demands.” (NPS Management Policies at 8.2)

“Unless mandated by statute, the Service will not allow visitors to conduct activities that:

- Would impair park resources or values;
- Create an unsafe or unhealthful environment for other visitors or employees;
- Are contrary to the purposes for which the park was established, or
- Unreasonably interfere with: the atmosphere of peace and tranquility, or the natural soundscape maintained in wilderness and natural, historic or commemorative locations within the park...”

(NPS Management Policies of 2001, at 8.2).

The LAME DEIS preferred alternative does not weigh impacts to other visitors and natural resources as carefully as the NPS Management Policies clearly indicate.

C. National Park Service Personal Watercraft Regulation

Having determined that “PWC use is inappropriate in most areas of the National Park System,” see 55 Fed. Reg. 15,077,15079 (2000) (Final PWC Regulation)—due to their adverse impacts on wildlife, their elevated noise levels, discharge of oil and gas mixture into the water, and their adverse effects on “the resources and values of [NPS Parks] or other visitor’s enjoyment of those resources and values,” 63 Fed. Reg. 49,312,49,314 (1998) (Proposed PWC Regulation)—in March 2000 the National Park Service set forth a management approach for PWCs in NPS park units. This regulation ensured that the conservation mandate of the Organic Act and other applicable laws and policies are upheld as the Park Service moved forward with park-specific PWC regulations.

The LAME DEIS does not adequately address the natural resource and other visitors’ enjoyment implication as stated in the final PWC regulation.

In sum, we believe the DEIS does not adequately evaluate the NPS Organic Act, NPS Management Policies, and NPS PWC regulation and places the Park Service in potential violation of these mandates.

II. Motorized recreation requires enforcement and monitoring at levels that cannot be provided for in the preferred alternative.

A. The DEIS does not provide evidence for sufficient law enforcement funding to ensure visitor safety.

In 1998, the Department of the Interior evaluated law enforcement operations at Lake Mead National Recreation Area. The DEIS states, “[a]lthough the Department of the Interior found an extremely professional program, they also found that Lake Mead National Recreation Area was severely understaffed.” (DEIS at pg. 146)

The 2002 Lake Mead Budget and Performance Plan specifies that 75% of the budget is allocated to maintaining visitor facilities and services. Every year rangers respond to more than 15,000 incidents, including 300 felony crimes, 400 arrests, 20 to 40 fatalities, 400 emergency medical cases, 2,600 boating incidents and nearly 500 water search and rescues. According to the plan, 2001 funding totaled \$16.4 million and supported 256 full-time employees (FTE), a shortfall of \$12.0 million dollars and 154 FTEs. In addition, resource protection suffered from a shortfall of *nearly \$1.6 million*. (Lake Mead Budget and Performance Plan at Pg. 5)

As outlined in the DEIS, an additional 40 law enforcement officers are needed for Alternative B, and 50 or more for proper enforcement of Alternative C. (DEIS at pg. 60, 79-80) With a history of inadequate funding, we are skeptical that this needed increase in personnel, requiring a multi-million dollar investment, will become a reality. The lack of sufficient law enforcement personnel—resulting in risks to visitor safety and species survival—is yet another reason PWC should be banned from the Lake Mead National Recreation Area.

B. PWC are accident-prone thrillcraft that endanger both PWC users and other visitors.

The DEIS describes personal watercraft as being, “[u]sed for enjoyment, particularly for stuntlike maneuvers, and they are designed for speeds up to 70 miles per hour.” (DEIS at pg. 11). We are especially concerned about the PWC use due to its history of accidents and injuries. A 2000 American Academy of Pediatrics Study states that “PWC are the only recreational boats for which the leading cause of death is not drowning, most fatalities result from blunt trauma.” According to the study, most injuries occur when PWC collide with other vessels or with fixed objects such as docks. (*Pediatrics*. Volume 105 Number 2, February 2000, pp 452-453).

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The Hagler Bailly report provided information on Lake Mead and Lake Mohave visitors' perception of law enforcement and boating-safety issues. (State of Nevada 1999b). As outlined in the DEIS, about half of respondents observed one or more boating safety problems or violations, with wake jumping, a PWC activity, as the most frequently cited infraction. (DEIS at pg. 111). We conclude that PWC's pose an unacceptable safety risk, especially with inadequate enforcement personnel to monitor their use. With no information in the DEIS as to how additional enforcement personnel would be funded, we urge a complete PWC ban.

III. The DEIS does not adequately address the Lake Mead National Recreation Area and the National Park Service's statutory obligation to protect endangered species under the Endangered Species Act of 1973.

A. Endangered Species Act Requirements

The Endangered Species Act of 1973 ("ESA") protects species that are listed as "endangered" or "threatened." (16 U.S.C. §§ 1531-1544). Section 7 of the ESA further directs all agencies to ensure that any action authorized, funded, or carried out by it is not likely "to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of habitat of such species." (The "jeopardy provision"). (16 U.S.C. § 1536(a)(2)). Section 7 requires the NPS to consult with the Fish and Wildlife Service to ensure that an action does not violate the jeopardy provision. (Id.) Section 9 prohibits all persons (private and public) within the jurisdiction of the United States from "taking" a listed species. (16 U.S.C. § 1538(a)). It is important to note that a take does not necessarily require a "dead body." A take arises whenever the listed species is harassed, harmed, pursued, shot, wounded, killed, trapped, captured, or collected. Even an *attempt* at any of these actions constitutes a "take." (Id.) The Biological Opinion issued under section 7 is usually issued in conjunction with an incidental take statement that analyzes the possibility that the proposed action will take a listed species.

B. The DEIS does not adequately study PWC threats to endangered species, thereby putting NPS in possible violation of the ESA.

LAME is home to several federally listed endangered species, including the bonytail chub and the razorback sucker; both could be potentially harmed by PWC operation. Though shoreline enhancement and inflow area protection may have some mitigating effects, the impact of PWC use greatly outweighs them. The DEIS states that, "[r]ecreational use... including personal watercraft use, has not been shown to impact bonytail chub or razorback suckers." (DEIS at pg. 60). However, it is later stated, "[T]he impacts of recreational use, including boating and personal watercraft use, on endangered species has not been thoroughly studied within the recreation area." (DEIS at pg. 193). Interestingly, another section of the DEIS suggests that substantial research has been done. "[B]iologists studying the razorback sucker for the past 10 years have noted that the use of motorized vehicles in and around the razorback sucker spawning aggregations

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along the shorelines of Lake Mohave causes a great deal of turmoil." (DEIS at pg. 173). Statements made in the DEIS raise considerable concern as to the Park Service's dedication to protecting these two endangered species.

How can it be determined that species are not affected by PWC use when the DEIS identifies a study completed by biologists clearly showing that endangered fish are affected? "[P]assing watercraft interrupts spawning, displaces staging and spawning fish, disturbs substrates, and generally disturbs the fish, their behavior, and their habitat." (DEIS at pg. 173). Furthermore, the DEIS identifies motorized use in shallow areas as an especially great concern due to noise and turbulence in close proximity to the fish. (Id.) Because PWC can operate in depths as shallow as two feet, their use may coincide with critical habitat, and therefore must not be permitted. Again, we are concerned that the preferred alternative in the DEIS does not sufficiently evaluate impacts to endangered species.

The Endangered Species Act obligates the NPS to take proactive measures to prevent the taking of threatened or endangered species. The DEIS states, "[f]ish species would continue to be monitored to determine if recreational use creates adverse impacts. However, no management actions related to recreation management would be implemented...to provide additional protection to these species." (DEIS at 193).

We do not view this management philosophy as proactive, and encourage a policy that would more adequately preserve these vital natural resources as required by law and NPS policy. In addition to the substandard evaluation of endangered fish, the DEIS assessment of recreational threats to bald eagles also ignores the ESA mandate to proactively protect species. The bald eagle evaluation lacks a viable, scientific analysis: "[b]ecause areas used by the endangered bald eagle are high cliffs, well above the lakes, direct disturbance would not occur even if visitor use increases." (DEIS at pg. 172). The NPS assumption that a high cliff would provide adequate protection to bald eagles is highly questionable, especially given existing studies that document the obtrusive nature of PWC noise in canyon settings. In a North Cascades National Park study, the NPS investigated PWCs operating near steep formations.

"[T]he steep canyon walls of Ross Lake, Diablo Lake, Gorge Lake, Lake Chelan, and the Skagit River contain and echo engine noise. For example, a single PWC operating in the Hozomeen Basin of Ross Lake can dominate sound in the entire basin. Even noise generated by vehicles and campers in the developed U.S. and Canadian lakeshore campgrounds around the basin can be overwhelmed by PWC engine noise a mile distant." (*Analysis of the Appropriateness of Personal Watercraft in North Cascades National Park Service Complex*. National Park Service (1999)).

The extreme noise of PWCs casts doubt upon the NPS finding that the threatened bald eagle and possible other bird species are not currently disturbed. Even more questionable, however, is the conclusion that no disturbance would occur even under increased visitor use. We urge the Park Service to reevaluate bald eagle behavior in LAME.

Endangered and threatened species are required to receive a high degree of protection under the ESA. Though a formal Biological Opinion regarding the razorback sucker and humpback chub has not yet been issued from the required Section 7 consultation, the opinion of the NPS seems to be that they are not endangered by PWC use. Alternative C would allow continue motorized use on nearly 100% of Lakes Mead and Mohave. Among several endangered and threatened species, the razorback sucker, humpback chub, and bald eagle are all possibly at risk of life-cycle disturbance and harassment by PWC, which constitutes a "take" under Section 9 of the ESA. The fact that a 10 year study done by biologist in the area found "significant disturbance" in our opinion signifies a disregard by the DEIS of the "jeopardy provision," and potentially puts the NPS in violation of the Endangered Species Act.

IV. Water quality and shoreline flora and fauna are being impaired by PWC use, inconsistent with the preservation required by NPS law and policies.

A. Water quality is impaired by PWC use

The NPS estimates that on a given summer weekend day, 27,000 gallons of unburned fuel is discharged into Lakes Mead and Mohave from carbureted two-stroke personal watercraft. (DEIS at pg. 133). Park rangers have reported a "sheen" on the water during summer weekends. (DEIS at pg. 59). The NPS notes that most PWC gas and oil spills "volatize" into the atmosphere because they are relatively small, and do not threaten plant and animal health. (DEIS at pg. 133). Even though the levels of pollutants in the lake are not in violation of state water quality standards as mentioned in the DEIS, a recent study by the National Academy of Science' raises concerns regarding negative water quality impacts. (DEIS at pg. 79).

The National Academy of Sciences' (NAS) recent report *Oil in the Sea III: Inputs, Fates, and Effects* (http://www.nap.edu/catalog/10388.html?se_side), addresses the impacts due to personal watercraft's oil and gas mixture. Petroleum compounds do not always evaporate into the atmosphere. As the NAS correctly notes, pollutants such as highly toxic polycyclic aromatic hydrocarbons (PAH) can remain suspended in the water column, or deposited in sediment for years after initial deposition. NAS researchers also discovered that the size of an oil spill indicates little about its potential impact upon plant and animal life. They report that even minor, short-term spills can cause detrimental damage to aquatic wildlife's energetic and biosynthetic processes and immune systems, as well as their structural development and reproduction. The NAS report reveals that the NPS reliance upon state water quality standards may not be adequate to protect the recreation area's plants and wildlife. In fact, the NAS reports that exposure to hydrocarbon pollution can interfere with biological processes at "concentrations several orders of magnitude lower than concentrations that induce toxic effects."

PWC and other motorized activities negatively affect water quality. We urge park managers to explain scientifically how it can be concluded that the oil and gas mixture dumped by PWC is not damaging park resources.

B. Shoreline Flora and Fauna are trampled by PWC-user behavior

PWC pose a great risk to sensitive shoreline flora and fauna. Referring to this risk, the DEIS states, "[A]ccess to shoreline areas by motorized vessels, including personal watercraft, could lead to the disturbance of sensitive plant species. Sensitive plant species that grow in sandy areas could be trampled by recreational use of these areas." (DEIS at pg. 16). More than just a potential risk, the DEIS outlines typical visitor behaviors that threaten the shoreline on a daily basis. "[P]ersonal watercraft congregate in shoreline accessible areas and are usually operated within 0.5 miles of the shoreline...a base camp is established along the shoreline." (DEIS at pg. 11). Though a 100-foot no-wake zone would be established under Alternatives B and C, this regulation would not prevent the trampling of important vegetative life due to the documented areas of PWC-use. Even operating at no-wake speed, PWCs destroy plants, and must be banned to allow for adequate protection of shoreline plant habitat.

V. Other alternatives are woefully inadequate in providing resource and visitor experience protection from PWC.

A. Allowing PWC access to virtually all of LAME compromises the experiences of other visitors as guaranteed in the Park Service Management policies.

By keeping 98% of Lakes Mead and Mohave open to PWC use, the preferred alternative fails to ensure a safe, enjoyable visitor experience for non-motorized recreational visitors. The noise created by PWC is uniquely disturbing, as described in the DEIS: "[t]he nature of personal watercraft may be more disturbing than noise from other watercraft operating at similar decibel levels...frequent changes in pitch and rapid changes in acceleration and direction...can create noise that can be disturbing to other recreationists." (DEIS at pg. 16). The noise generated from PWC contradicts the NPS Management Policies that protect visitors' peaceful and tranquil experience from being, "[u]nreasonably interfere(d) with."

Though canoers and kayakers do not represent a large percentage of visitors at this time, increasing non-motorized areas may also increase the popularity of this low-impact use in Lake Mead National Recreation Area. Alternative B would designate 11 percent of Lake Mead and 2 percent of Lake Mohave as primitive. More opportunities for canoers, kayakers, and other non-motorized users need to be considered as a larger factor in determining a true Park experience, as encouraged by Lake Mead National Recreation Area's mission statement: "*Providing diverse inland water recreational opportunities in a spectacular desert setting.*" Banning PWC would lead the Park Service in the right direction, in addition, to designating 13 percent of Lakes Mohave and Mead as primitive.

VI. Cultural Resources deserve a comprehensive study to guarantee protection.

An abundance of valuable cultural and archaeological sites exist within the Lake Mead National Recreation Area. The DEIS states that, "[p]ersonal watercraft could impact the integrity of these sites." (DEIS at pg. 16). Considering the obligation of the

OPTIONAL FORM NO. 10 (5-90)

FAX TRANSMITTAL # of pages 1

To: Sarah B. Anderson
Dist. Agency: NPS

From: Julie Howard
Phone #: (702) 278-8386

Fax #: 987-6782

NBSN 7502-01-317-7008 5010-101

GENERAL SERVICES ADMINISTRATION

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National Park Service including LAME to preserve these special areas, we strongly recommend the NPS initiate a comprehensive study to ensure cultural sites receive guaranteed protection.

VII. Sensitive inflow areas are being put at risk by PWC use, and require Wilderness evaluation and potential designation.

According to the DEIS, sensitive inflow areas contain "primitive" qualities. We believe these areas must have the highest degree of protection. In the cottonwoods and willows of the Colorado, Muddy, and Virgin River inflows, bird species flourish in an especially sensitive habitat. Currently, PWC can charge into the Colorado and Virgin River inflows at high speed. While these areas would be protected under Alternative B, we stress that immediate wildlife protection from harassment should be guaranteed. The DEIS states, "[t]he combination of personal watercraft speed, noise, and the ability to access shallow shoreline areas can disrupt riparian habitat areas critical to wildlife." (DEIS at pg. 16). Allowing the use of PWC in these areas is inappropriate. According to National Park Service documentation, the last wilderness suitability study was conducted in January 1978. Due to the diversity of plant and animal species and "primitive" nature of these areas, we encourage the NPS to initiate a wilderness suitability study under the 1964 Wilderness Act.

VIII. Conclusion

As outlined in our comments, PWC are impairing endangered species, water quality, visitor enjoyment, and shoreline and inflow habitats within Lake Mead National Recreation Area. Allowing continued PWC use puts the NPS in potential violation of the Organic Act, National Park Service (NPS) regulations, and NPS Management Policies, and the Endangered Species Act. We formally request that the National Park Service adopt Alternative B of the Lake Mead National Recreation Area DEIS, with an amendment immediately banning all personal watercraft use.

Sincerely,

Kristen Brengel
Campaign Manager, Off-road Vehicle Campaign
The Wilderness Society
[REDACTED]

Steven Bosak
Associate Director, Park Recreation and Use

National Parks Conservation Association
[REDACTED]

Public Agency
Comment
Letters



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT
 2221 WEST GREENWAY ROAD, PHOENIX, AZ 85023-4399
 (602) 942-3000 • WWW.AZGFD.COM

GOVERNOR
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 DUNN L. SIKOWITZ
 DEPUTY DIRECTOR
 STEVE K. FARRRELL



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June 25, 2002

Mr. William K. Dickinson
 Superintendent
 Lake Mead National Recreation Area
 601 Nevada Highway
 Boulder City, Nevada 89005

Re: Draft Environmental Impact Statement for the Lake Management Plan for Lake Mead National Recreation Area

Dear Mr. Dickinson:

The Arizona Game and Fish Department (Department) has reviewed the National Park Service's Draft Environmental Impact Statement (DEIS) for the Lake Management Plan for Lake Mead National Recreation Area (NRA). The purpose of the DEIS is to consider alternatives to address the management of water-based recreation within the NRA. The DEIS analyzes four alternatives to improve the management of Lake Mead and Lake Mohave that provides long-term protection of park resources while providing a range of recreational opportunities to support visitor needs. The four alternatives include proposed actions related to recreational opportunity zoning and shoreline zoning, developed areas, facilities and recreational services, recreational conflicts, sanitation and litter, resource protection, and park operations. The Department provides the following comments for your consideration.

Recreational Zoning Opportunity

The Department recognizes the need to develop coordinated management of potential boater conflicts, especially in areas defined in the DEIS as "Urban Park Settings". However, we believe our agency should have been more involved in designing the Recreational Opportunity Spectrum (ROS) (Table 1), along with the conditions and terms that define each of the five proposed settings. We believe certain elements of the five proposed recreational zones, as defined in Table 1, are inconsistent with our mission and will not meet the needs of current user groups. We would appreciate the opportunity to work with you and your staff to complete the ROS.

Percentage of Lake Mead by Zone

Figure 3 displays the No Action Alternative of the recreational zones at Lake Mead. The Department believes that, while the figure may reflect current management of the lake, it misrepresents current use. Exacerbating this issue are the parameters used to define each of the lake zones. For example, the area from Iceberg Canyon to Pierce Ferry (including Grand Wash Bay) is identified as an Urban-Natural setting. The features that define this setting include

AN EQUAL OPPORTUNITY REASONABLE ACCOMMODATIONS AGENCY

Mr. William Dickinson
 June 25, 2002
 Page 2

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normal crowding, developed campgrounds, and a limited range of commercial facilities and services. This definition is not consistent with the conditions that currently exist in the area. In fact, with the exception of the parameter restricting watercraft horsepower and all PWCs, we believe this area currently more closely resembles the Semi-Primitive setting. This also applies to the Virgin Basin.

The Preferred Alternative attempts to create a balance in the ROS. The Department questions both the need and logic in establishing a primitive setting zone, as defined in Table 1, for Lake Mead. This reservoir is characterized by huge basins and sometimes hazardous boating conditions created by regular wind advisories. As such, Lake Mead is not often conducive to the use of non-motorized watercraft. Furthermore, no attempt to quantify the current demand or forecasted use for such areas was included in the DEIS. The Department believes the Gypsum Bed area will often go unused by those seeking a primitive experience simply because the area is a significant distance from any areas conducive to boat launching. This could create a public safety issue in that it may encourage users to attempt to reach the Gypsum Beds from the Bonelli landing.

The semi-primitive setting proposed for Grand Wash (closure to watercraft with >65hp motors) also poses a potential public safety issue and unnecessarily excludes all motorized watercraft from the bay. Boaters that attempt to travel to Grand Wash from South Cove or Pierce Ferry in watercraft equipped with less than 65 hp motors are at risk of sustaining wave-related accidents on a reservoir the size of Lake Mead. The result is that larger boats are excluded by regulation, and smaller watercraft with permitted access cannot safely reach this area on most days. This zoning would also unnecessarily eliminate angling in Grand Wash, an area that is extremely popular among tournament anglers from around the country, and to live bait anglers.

The Department believes that primitive and semi-primitive settings currently exist on Lake Mead in Grand Wash and many other areas. We agree that crowding is not conducive to a semi-primitive setting, but we fail to see the negative correlation between this setting and boat motor size. For example, anglers will travel to an area in Grand Wash bay and either navigate shoreline coves with electric trolling motors for largemouth bass or anchor off of points to fish for striped bass. In these cases, impacts to soundscapes are sporadic. The Department does not support exclusion of this important user group to an area that provides such significant angling opportunity for the benefit of a different user group that has not been quantified or identified. We recommend maintaining the Semi-Primitive setting that currently exists in Grand Wash, and believe horsepower restrictions are not necessary to accomplish this objective.

Percentage of Lake Mohave by zone

The Department recognizes the significance of non-motorized watercraft use in the Black Canyon area between Hoover Dam and Willow Beach. As such, we support management of this unique area as both primitive and semi-primitive as outlined in the DEIS. The Department

Mr. William Dickinson
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believes the proposed closure to all motorized watercraft for two days each week for the period between Labor Day and the preceding Memorial Day weekend will not adversely impact other user groups. However, we question the need to restrict horsepower on motorized watercraft in this area to attain a semi-primitive setting, and are not in support of such restrictions. The majority of boaters that use the recreation area operate with a minimum of 100 horsepower. The desired setting can be realized in Black Canyon without restricting horsepower.

Facilities

The Department supports the expansion of parking spaces and other facilities.

Visitor Conflict

The Department recognizes the existing visitor conflict between boating groups, between boaters and non-boaters, and between separate non-boating users. In general, we support attempts to ameliorate these conditions by zoning the shoreline in the Urban Park setting. However, we do not support any additional zoning that would restrict angler access to the Arizona shoreline on either lake.

Shoreline Conflict

The Department can support the proposed 100-foot wakeless zone along shorelines and around people in the water, but these areas should be delineated by markers that conform to the uniform navigational marking standards approved by the United States Coast Guard. Unmarked control use areas can public confusion regarding regulation within these interstate waters. Additionally, many areas within the NRA are canyon-bound with fairly narrow channels and may create a hazard for boaters being forced to the middle of the canyon.

Personal Watercraft Use

The Arizona Boater Access Program is a cooperative effort involving the U.S. Fish and Wildlife Service (USFWS) and the Department. The program is designed to increase sport fishing and recreational boating opportunities through the use of angler and boater tax dollars to support state sport fishery development. The Boater Access Program is an outstanding example of a "user pays—user benefits" or "user fee" program. As such, the Department does not discriminate nor support regulation of public waterways according to watercraft type. However, we can support the restriction of watercraft use in order to protect natural resources or for safety-related concerns.

Boater Education

The Department supports the implementation of boater education programs.

Law Enforcement

According to the Preferred Alternative, NPS will act cooperatively to develop uniform boating laws for Lakes Mead and Mohave. Based on management prescriptions within the Preferred

Mr. William Dickinson
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Alternative, it may be difficult for law enforcement personnel to enforce many of the laws or regulations proposed within this plan. Regulatory issues related to shoreline conflict (e.g., wakeless areas), recreational opportunity zoning (motor restrictions) and alcohol use (while operating) are Federal law and/or NPS regulations. However, future efforts to attain uniform boating laws agreeable to all parties should remain a priority.

Sanitation and Litter

The Department supports efforts to monitor water quality and development of human waste facilities (e.g., portable toilets). However, we believe the NPS should also identify measures that would be implemented if water quality does not meet acceptable standards. For example, regulations could be developed that require large watercraft to have containment systems for gray and black water. The Department supports efforts to control litter within the NRA and we concur with the proposed prohibition of glass containers.

The Department appreciates the opportunity to comment on the Draft EIS. Please contact Kevin Morgan, Acting Habitat Program Manager, at (928) 692-7700 if you have any questions regarding our comments in this letter.

Sincerely,



John Kennedy
Habitat Branch Chief

JK:km

cc: Bob Posey, Regional Supervisor, Region III, Kingman
Kevin Morgan, Acting Habitat Program Manager, Region III, Kingman
Leonard Ordway, Law Enforcement Branch Chief
Bob Broscheid, Project Evaluation Program Supervisor, Habitat Branch



**Department of Administrative Services
Laughlin Town Manager**

Regional Government Center • 101 Civic Way • Laughlin NV 89029
(702) 298-0828 • Fax (702) 298-6132

Donald G. Burnette, Director • Jacquelyne A. Brady, Laughlin Town Manager



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June 20, 2002

National Park Service
Mr. William Dickinson, Superintendent
Lake Mead National Recreation Area
601 Nevada Way
Boulder City, NV 89005

Dear Mr. Dickinson:

Thank you for outlining the alternatives presented in the Draft Environmental Impact Statement for the proposed Lake Mead National Recreational Area's Management Plan at the Laughlin Town Advisory Board's meeting of June 11, 2002. As you may recall, there was concern expressed about the plan to expand facilities at Cottonwood Cove and Eldorado Canyon while omitting any reference to modernizing or even expanding the recreational capabilities of the existing Katherine's Landing area of Lake Mohave.

In reference to the above concerns, the discussion by the Town Advisory Board centered on the social surveys that were conducted, first, by the National Park Service in 1993 and re-taken by the Nevada Division of Wildlife in 1998. Although the National Park Service followed the results of the survey in developing its management plan, the efficacy and accuracy of these surveys have been questioned because they were not necessarily geared toward the Laughlin-Bullhead City area and the type of tourists coming here. No local tourism industry input was provided in developing the surveys.

Lake Mohave and its associated amenities have a very significant economic impact upon our entire area especially during the warmer months. The area involves three states and it is dependent upon these tourism dollars. As local and state leaders seek ways to attract and even keep visitors coming to our area in response to the proliferation of Indian gaming in California and other states, it is necessary to have a greater range of attractions. Statements like "Katherine's Landing is a disgrace," can only multiply if National Park Service does not take an active role in improving conditions.

BOARD OF COUNTY COMMISSIONERS
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THOM REILLY, County Manager

National Park Service
Mr. William Dickinson, Superintendent
Lake Mead National Recreation Area
June 20, 2002
Page Two

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If tourists come to Lake Mohave and Katherine's Landing and find it very congested and dilapidated, they may not return to the area and our local economy will be seriously impacted.

Our town believes it would be a huge mistake for the National Park Service to ignore the local conditions when making its long-range plans for this area. National Park Service needs to be on-board with locals working together to arrive at mutually beneficial arrangements and upgrades for the Katherine's Landing area, not shifting the market and boating usage north to other locations that do not have adequate and safe roads, the accompanying facilities, nor necessarily the desire for an added influx of tourism.

While we empathize with your timing constraints because of the court order relating to personal watercraft bans and your need to have the final Environmental Impact Statement out by the September 15th ban date, nevertheless, our concerns should be addressed and not glossed over. We do support, however, the continued use of personal watercraft on Lake Mohave. Every effort should be made to allow continued, long-term use of these southern facilities, to upgrading and modernizing the facilities at Katherine's Landing so they do not deteriorate beyond repair and out of neglect, and to making every effort to expand the use of the facilities even if it means opening up additional launch and camping facilities on the Nevada side of the Lake near Katherine's Landing, but well south of Cottonwood Cove.

Therefore, the National Park Service is asked to revisit both the social survey and its proposed plan to spend little on renovating Katherine's Landing. Capital expenditures of the National Park Service budget should be based upon customer demand, usage and location rather than on some standardized irrelevant set of questions drawn up for more generalized results.

The Town Board, representing the residents and businesses of Laughlin, certainly hopes that the National Park Service is not intentionally sending a message to the concessionaires that it is not promoting any long-term contracts for Katherine's Landing because it is, in fact, pushing the development of facilities to the north instead. Katherine's Landing is the highest use facility on Lake Mohave and any upgrades and expansion programs should reflect and correlate with that demand and anticipated future demand.

National Park Service
 Mr. William Dickinson, Superintendent
 Lake Mead National Recreation Area
 June 20, 2002
 Page Three

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We hope you will respond positively to this letter and its comments, reflect these changes in your final Environmental Impact Statement and Management Plan and finally, bring about a redeployment of resources to meet the needs of this area.

Sincerely,

LAUGHLIN TOWN ADVISORY BOARD



Lorraine Haywood
 Chair

Lju

pc: National Park Service, Park Planner, James Holland
 United States Senator Harry Reid
 United States Senator John Ensign
 United States Congressman Jim Gibbons
 Clark County Commissioner, District A, Bruce L. Woodbury
 Las Vegas Convention & Visitors Authority, Laughlin Sales Executive,
 Meg Curry-McDaniel
 Laughlin Chamber of Commerce, Executive Director, JoElle Hurns
 Laughlin Tourism Commission, President, Andre Carrier
 Laughlin Town Advisory Board Members
 Searchlight Town Advisory Board, Chair, William Bodkin
 Clark County Laughlin, Development Coordinator, Deborah Murray
 Clark County Laughlin, Town Manager, Jacquelyne A. Brady



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE
 GRAND CANYON NATIONAL PARK
 P.O. BOX 129
 GRAND CANYON, ARIZONA 86023-0129

LAME-09049
 page 1 of 1

D18 (GRCA 8210)

JUL 19 2002

William K. Dickinson, Superintendent
 Lake Mead National Recreational Area
 601 Nevada Highway
 Boulder City, Nevada 89005

Dear Superintendent Dickinson:

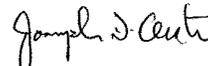
Thank you for providing us the opportunity to review your Lake Management Plan Draft Environmental Impact Statement (EIS). The professional effort of your staff is clearly evident throughout the document.

We concur with Alternative C as being preferred and noted the reference on page 62 to our future planning efforts within the Colorado River Management Plan (CRMP). As you are aware, our ability to explore all possible options within the CRMP EIS is critical to a successful effort. Clearly those options will include discussions of appropriate uses within the Lower Granite Gorge, motorized vessels, and up-river travel all of which may affect the Recreational Opportunity Zoning in areas 22-24.

Two notes from our Natural Resource staff noted that Tamarisk is the only exotic plant mentioned in the document, and they were also curious if Lake Mead has experienced any new aquatic exotics such as the Zebra mussel or snails.

We hope members of your staff will be able to participate in our process just as you welcomed our participation in the past.

Sincerely,



Joseph F. Alston
 Superintendent



United States Department of the Interior

BUREAU OF RECLAMATION
Lower Colorado Regional Office
P.O. Box 61470
Boulder City, NV 89006-1470

DATE & NUMBER TO:
LC-2521
LND-1.10

LAME-08206
page 1 of 4

JUN 26 2002

MEMORANDUM

To: Mr. Bill Dickinson, Superintendent, Lake Mead National Recreation Area,
National Park Service, 601 Nevada Way, Boulder City NV 89005

From: Deanna J. Miller, Director
Resource Management Office

Subject: Reclamation's Comments on the Draft Lake Management Plan and Environmental
Impact Statement for the Lake Mead National Recreational Area

Reclamation appreciates the opportunity to review and comment on the Draft Lake Management Plan and Environmental Impact Statement, dated April 2002. Reclamation supports the National Park Service's (NPS) continued effort to improve the protection and management of the area.

Reclamation has the following comments on the document:

I. General Comments:

1. Recommend you note or show on the Lake Mead National Recreation Area maps that while both Hoover Dam and Davis Dam are located within the Lake Mead National Recreation Area, they are administered by the Bureau of Reclamation. Please show the Reclamation security area boundaries on all maps.
2. You reference the NPS Mission in the document; therefore, you should provide a copy of the Mission Statement in the appendix.
3. Suggest you add "mean sea level" after feet in numerous locations; an example is in the Executive Summary, Page iii, Project Location, first paragraph, last sentence, after 1,126 feet.
4. Where you reference Table 2 throughout the document, you should indicate the table is located on page 26.
5. Public recreation at Lakes Mead and Mohave significantly benefit from Reclamation projects, without being allocated any of the costs to build or maintain the projects. Reclamation is required by numerous laws, court decisions, and contracts known as the **Law of the River** to make decisions and

A Century of Water for the West
1902-2002

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operate the facilities as required by said law, and tries to take into consideration other uses such as public recreation whenever possible. It is appropriate to recognize the full potential range of water operations of Lake Mead in order to properly plan and operate public recreation facilities. Recreation facilities at any water supply reservoir should be designed and built to work within the full range of the reservoir.

II. Specific Comments:

1. Executive Summary, page xxvii, Table ES-6 is a summary of Table 40 (pages 118 - 123). The tables are inconsistent. In Table ES-6, the author is presenting only certain phases of the action. For example in Table ES, under Alternative C for Wildlife and wildlife habitat (page xxvii), "some beneficial effects" are listed under Impacts. Yet, under Alternative C, Table 40 (page 119), the statement "Wildlife would be displaced and the habitat would be removed as a result of construction activities" is also listed. This statement is quite contrary to "some beneficial effects." A similar example under Threatened and endangered species (Table 40), references a negative impact to the desert tortoise, but summarizes as "some beneficial impacts" in Table ES-6.
2. Purpose of and Need for the Plan, page 13, Other Plans, Policies, and Actions Considered, Reclamation Surplus Water Criteria, first sentence: please change and add the following. After "Colorado River Basin" add a period. Add and change the following: "Beginning in calendar year 2002, the interim surplus criteria will begin and would extend through 2016."
3. Alternatives selected for Analysis, Alternative A: No Action, page 35, Recreational Opportunity Zoning, third paragraph, second sentence: suggestion to please add "reference page 268" and "reference Table B-4" to "Table 2". These boating levels, called boats at any one time (BAOT), were established from Appendix B, Table B-4, page 268 and set the total boating capacity of 5,975, with 4,201 for Lake Mead and 1,774 for Lake Mohave.
4. Introduction, Management History of the Recreation Area, Page 99, Paragraph 1. Insert the following statement: "Davis Dam and Lake Mohave were authorized on April 26, 1941, by the Secretary of the Interior and constructed by Reclamation. Davis Dam provides re-regulation of the Colorado River below Hoover Dam and facilitates water delivery to Mexico as required by treaty."
5. Introduction, Management History of the Recreation Area Page, 99, Paragraph 2. You have referenced that the Lake Mead National Recreation Area was created by the October 8, 1964 Act of Congress. You should include a copy of the act in the appendix, with an appropriate footnote on page 99.
6. Introduction, Management History of the Recreation Area, Page 99, Paragraph 6, third sentence. Insert at the end of the sentence "and the security areas at and around both Hoover and Davis Dams."
7. Introduction, Threatened, Endangered, and Sensitive Species, Page 101, Paragraph 2. Desert Tortoises are identified as occurring in the desert scrub away from the shoreline areas. In the Analysis section, a new road is proposed to be constructed between Government Wash and Box Car

Cove (page 65, paragraph 6). The environmental consequences section also identifies this road (page 184, paragraph 1). There is no mention in either section about desert tortoise habitat being impacted.

8. Affected Environment, Recreational Use of the Lakes, page 111, last paragraph, middle of right page, second sentence: suggestion to add "boats" after 60,000.

9. Affected Environment, Recreational Use of the Lakes, Lake Operating Levels, page 111, first paragraph, first sentence: suggest the following changes. "This plan addresses park management for Lake Mead between water elevations 1,180 and 1,210 feet above mean sea level."

10. Affected Environment, Recreational Use of the Lakes, Lake Operating Levels, page 112, paragraphs at top of the page: suggest replacing the two existing paragraphs with the following:

"On Lake Mead, the average daily elevation for the last 10 years (1992 through 2001) was 1,193.9 feet above mean sea level. The elevation of 1,221.4 feet above mean sea level represents the elevation at the top of the spillway gates. On July 24, 1983, a maximum water surface elevation of 1,225.85 feet above mean sea level was reached on Lake Mead. The theoretical minimum elevation required to generate power is 1,083 feet above mean sea level, and the minimum elevation required for the operation of the Southern Nevada Water Authority's original intake facility is 1,050 feet above mean sea level.

For the past 10 years (1992 through 2002) Lake Mead has operated between water surface elevations 1,173.39 and 1,215.89 feet above mean sea level. Lake Mead may increase or decrease its operating levels due to the adoption of Colorado River Interim Surplus Criteria by the Bureau of Reclamation and the above or below snow pack conditions. The Surplus Criteria will determine the surplus water conditions in the lower Colorado River Basin for the time period 2002 through 2016. The impacts on recreational resources from this action have been addressed in the Colorado River Interim Surplus Criteria Final Environmental Impact Statement, December 2000, document's prepared by Reclamation (BOR 2000). A summary of the impacts as they relate to the park operation of Lake Mead National Recreation Area is found in Appendix D, page 282."

11. Appendixes, Appendix D: Summary of Operations Under Forecasted Water Elevations, page 282. Appendix D summary of operations under forecasted water elevations. The purpose of this table by itself is unclear and may be misleading. Hoover Dam and Lake Mead were authorized and constructed by Reclamation under the Boulder Canyon Project Act of December 21, 1928, for the purpose of controlling floods, improving navigation and regulating flow of the Colorado River, for the storage and delivery of water for irrigation and domestic uses, and for the generation of electrical energy. Perhaps a graph, table, or a section on what the full range of operations of Lakes Mead and Mohave is, and the associated hydrology, would be beneficial or a link to the Reclamation WEB page and could help provide some additional useful information.

12. Appendixes, Appendix D: Summary of Operations Under Forecasted Water Elevations, page 283, Table D-1: please revise the word between "mean seal level" to "mean sea level" in several places by deleting the "l".

Thank you for the opportunity to comment on this draft. If you have any questions, please contact Mr. Bill Martin at 293-8707 or Mr. Richard Murphy at 293-8171.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION IX
 75 Hawthorne Street
 San Francisco, CA 94105-3901

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 page 1 of 2

June 25, 2002

Jim Holland
 National Park Service
 Lake Mead National Recreation Area
 601 Nevada Highway
 Boulder City, Nevada 89005

Dear Mr. Holland:

The U.S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the **LAKE MEAD NATIONAL RECREATION AREA (NRA), LAKE MANAGEMENT PLAN, Clark County, Nevada and Mohave County, Arizona** (CEQ #020154. #D-NPS-K61156-00). Our comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

This DEIS/Lake Management Plan tiers from a 1986 Final Environmental Impact Statement/General Management Plan (FEIS/GMP), proposing additional management of recreational use for the waters of the NRA. This DEIS/Plan describes four alternatives to manage the recreation area, including the management of personal watercraft, that would protect the resources and values of the park while offering recreational opportunities. Each alternative represents a different mix of recreational opportunity zoning and associated carrying capacity, resulting in four alternatives that emphasize different recreational experiences and management strategies.

The DEIS fully evaluates four alternatives to manage the NRA, including a 'No Action' alternative. Alternative A (No Action) proposes continued management under the current GMP. Under the preferred alternative (Alternative C), two percent of the NRA's waters would be managed for primitive or semi-primitive use, and boating activities would be authorized to increase. Two-cycle engines would be allowed but would be required to comply with EPA's 2006 emission standards by the end of 2012. Alternative C includes specific actions to address PWC use, shoreline and boating conflicts, and litter and sanitation.

Implementing Alternative C is projected to have adverse water quality effects, including those associated with continued operation of carbureted two-stroke engines until the end of 2012. Regarding Alternative C, page 188 states, "water quality standards could be temporarily exceeded, creating major impacts" to sensitive aquatic resources due to runoff from parking facilities and construction zones, fuel spills, and Las Vegas Wash. The DEIS states that NPS is

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monitoring water quality in the NRA, and that monitoring does not currently show any violation of applicable Nevada or Arizona Water Quality Standards (WQS), nor any impairment of beneficial uses. Page 133 describes the amount of unburned fuel from carbureted two-stroke engines released into the two lakes during peak recreational times (an estimated 27,000 per gallons of fuel per day on peak summer weekends), and the effects of such releases on natural resources, including impacts to sensitive aquatic resources. These fuels contain toxic or hazardous constituents, including benzene, toluene, ethyl benzene, and xylene (collectively known as 'BTEX'); polycyclic aromatic hydrocarbons (PAHs); and methyl tertiary butyl ether (MTBE). Alternative C proposes a complete phase-out of carbureted two-stroke engines by the end of 2012.

EPA commends NPS for the water quality monitoring program being conducted, which the DEIS indicates would be continued. However, should monitoring show that WQS could be violated or beneficial uses impaired, EPA recommends that NPS evaluate whether an earlier phase-out date for carbureted two-stroke engines is a reasonable course of action under NEPA. In this type of situation, an earlier phase-out of carbureted two-stroke engines could be a key component in achieving the principal goal of the Clean Water Act (CWA), which is to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters," [CWA Section 101(a)], especially if fuel spills are a contributing factor in violating WQS or impairing beneficial uses.

Based upon our review, EPA has environmental concerns regarding projected adverse effects on water quality and sensitive aquatic resources which depend on the continued protection and maintenance of water quality. In light of EPA's water quality concerns, we rate the DEIS as EC-2, Environmental Concerns - Insufficient Information. Please refer to the attached "Summary of Rating Definitions" for a more detailed explanation of EPA's rating system.

We appreciate the opportunity to comment. Please send one copy of the Final EIS (FEIS) to me at the letterhead address (mailcode: CMD-2) when it is filed with EPA's Washington, D.C. office. If you have any questions, please contact my staff reviewer, David Tomsovic, at 415-972-3858.

Sincerely,

for Lisa B. Hanf, Manager
 Federal Activities Office

Attachments: 3
 "Summary of Rating Definitions"
 EPA's Detailed Comments on DEIS
 Pollution Prevention Checklists

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page 1 of 2

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July 1, 2002



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National Park Service
601 Nevada Highway
Boulder City, NV 89005

RE: Lake Mead National Recreation Area Lake Management Plan

Dear Sir:

Mohave County appreciates the opportunity to comment on the LMNRA Lake Management Plan. The implementation of this plan for Lake Mead and Lake Mohave could have a substantial impact on the county residents and businesses.

There are many features in the plan which Mohave County supports such as expansion and improvement of the facilities at Cottonwood Cove and El Dorado Canyon on Lake Mohave, and Echo Bay, Overton Beach, Stewart's Point and Temple Bar on Lake Mead. However, many of the issues regarding wakeless zones and closure of part of the system to motorized craft, as well as other issues, are of concern.

The most concerning point of this plan is beyond the National Park Service's control, but deserves mention none the less. On September 15, 2002, personal watercraft will be temporarily banned from both lakes. Personal watercraft typically makes up 14% to 35 % of the motorized craft on the lakes. Banning these craft can have a serious affect on the personal watercraft and the tourist industries locally and in Las Vegas, Nevada.

The designation of Grand Wash Bay and Gypsum Beds as primitive does not appear to be necessary if the goal in the designation is to protect the safety of canoeists and kayakers. Such a designation would prohibit the use of motorized watercraft in these areas. A "no wake" zone could be established that would preserve the multiple use goals most managers try to achieve. These areas are some distance from launch ramps; forcing users to paddle from existing ramp sites could create an unsafe situation.

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The proposed 100-ft wakeless zone throughout the lakes and the Colorado River may present another safety issue. While a 100-ft wakeless zone on the lakes can be accommodated, areas of the Colorado River, especially below Hoover Dam, are relatively narrow. Forcing boats of all shapes, sizes and motor size into the center of the river is dangerous. Small craft in particular will be effected. Enforcement of this provision will be difficult as well.

If the National Park Service is intent on closing the Colorado River between Hoover Dam and Willow Beach to motorized craft two days a week between Labor Day and Memorial Day, those days should be during the workweek. Closing the river on weekends would adversely affect a larger number of boaters. To achieve the safety of non-motorized craft operators and the desired setting that the Park Service seeks, a change to a "No Wake" designation is recommended for those days

Concerning the designation of areas as "No Alcohol" and prohibiting boat operators from having open containers may be duplicating exiting laws. There are existing laws that address operating under the influence of alcohol, and/or reckless operation of watercraft.

Requiring persons who stay on the lake at night to have portable toilets, while daytime users are not subject to the same restriction seems fruitless. There appears to be a problem with consistency in this proposed regulation. The requirement may be appropriate for campers, but not for all overnight users, such as anglers who fish throughout the night.

Again, thank you for the opportunity to comment on this important plan.

Sincerely,


Tom Sockwell
Chairman

cc: Senator John McCain
Senator Jon Kyle
Representative Bob Stump
William Dickinson, LMNRA



KENNY C. GUINN
Governor

STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

DIVISION OF WILDLIFE

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R. MICHAEL TURNIPSEED, P.E.
Director
Department of Conservation
and Natural Resources

TERRY R. CRAWFORTH
Administrator

William Dickinson, Superintendent
Lake Mead National Recreation Area
601 Nevada Highway
Boulder City, NV 89005

June 20, 2002

Dear Mr. Dickinson:

The Draft Environmental Impact Statement (DEIS) describes and analyzes four alternatives to improve the management of Lakes Mead and Mohave to provide for the long term protection of park resources while allowing a range of recreational opportunities to support visitor needs. Thank you for the previous opportunities during the development of the DEIS to comment and provide information relative to recreational opportunities from the Nevada Division of Wildlife's area of expertise relative to wildlife, habitat, and boating safety.

We recognize the need for NPS to proceed with this planning effort. Existing levels of conflicts between recreational user groups on Lake Mead, particularly in the Boulder Basin, have reached a degree which must be addressed. Although specific data is lacking, NDOW receives annually a large volume of complaints from recreational anglers specific to conflicts with motorized boat use, particularly personal watercraft. Anecdotally, anglers have indicated changes in areas of use or even limiting their angling activity in response to conflicts with other recreational users.

We can reasonably anticipate that the water surface elevation on Lake Mead will continue to decline for the foreseeable future, limiting user access points and concentrating visitor use and potential conflicts to more restricted areas, particularly in the Boulder Basin and upper Overton Arm where the majority of visitor use days are expended. The Boulder Basin supports 77% of all angler use days on the reservoir (NDOW 2001 data), although we have observed substantive shifts in angler use patterns away from the Boulder Basin in the past several years, combined with a decrease in total angler use days possibly in response to the quality of the angling experience as conflicts have increased. Concurrently those impacts on Lake Mead will likely shift increased levels of recreational activity to lower Lake Mohave, including the

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Katherine's Landing and Cottonwood Cove areas, and increase conflicts between recreational user groups on that reservoir.

For these reasons we are not supportive of Alternative A (no action) as described in the DEIS; continuation of the status quo level of user conflicts, on high-density use areas of Lake Mead and Lake Mohave, is unacceptable and will increasingly have a negative effect on angler use and satisfaction, as well as other recreational activities important to NDOW and our constituents. Of the alternatives presented in the DEIS, Alternative C (preferred alternative) is the most acceptable, although we have several specific concerns, suggestions and exceptions about that alternative as described in more detail below.

Specific Comments:

The enabling legislation for the LMNRA established the recreation area "for the general purposes of **public recreation**, benefit, and use, and in a manner that will preserve, develop and enhance, so far as practicable, **the recreation potential**... Congress passed legislation in 1996 [Public Law 104-333] to conduct a National Recreation Lakes Study to review the current and anticipated demand for recreational opportunities at Federally managed man made lakes and reservoirs and to develop alternatives for **enhanced recreational use of such facilities to the maximum extent possible**. Lake Mead was a part of that study on September 9-10 1998. The federally funded Recreational Boating and Fishing Foundation (RBFF) goal is to "sell more fishing licenses and boats, build more safe and responsible anglers and boaters, increase tourism, drive more customers and members to our stakeholders, and encourage more people to care for our natural resources". With federally supported programs and the Recreation Area's mandate NPS needs to consider enhancing opportunities rather than decreasing opportunities. NDOW supports the Special Regulation for continued use of Personal Watercraft in the recreation area.

Pg. 6 Introduction/purpose and need - Table 1 (Recreational Opportunity Spectrum)

NDOW supports the concept of clean water, reducing pollution and protecting the environment. Consequently we would not be opposed to the implementation of requiring motorboats being operated on the LMNRA to meet the 2006 US EPA standards. It appears that you intend a reasonable phase in, however, we would encourage the 2012 target to be extended to 2017. This is based on the life expectancy of current technology for Mercury motors of 300 hp of 12 years, 150

hp of 14 years, and 50 hp at 17 years. The personal watercraft life expectancy is currently at 5 to 7 years. This would reduce the economic impact for boaters in Southern Nevada.

NDOW was pleased to note the partnership and funding initiatives on page 13 for improvement to facilities at the LMNRA, but disappointed that we were not identified as one of those partners. Considering the huge amount we have invested, not only in boat access projects, but also in our law enforcement efforts we believe we are a significant contributor to financial support, public and resource protection.

NPS has identified a boating education facility to be developed within the recreation area at Boulder Beach. When this was a "rough" draft in 1993 this was identified as a need. NDOW and the Clark County Boating Facilities and Safety Committee are currently funding this project. The DEIS leads one to believe that this project is in the consideration stage rather than the implementation stage.

NPS has indicated under the definition of "Semi-primitive Setting" some level of motorized boat use restrictions. It is unclear however, how the restriction to 65 horsepower for other vessels was derived and why this limit was selected. We are concerned that this limitation would eliminate legal use of the vast majority of non-PWC recreational vessels in these areas, with no concurrent benefit for visitor experience or zone management objectives. If the intent of the horsepower restriction is related to noise reduction, or a desire for speed reduction, this strategy will not be effective in affecting such changes. Although the reasons for spatial limitations on PWC use are extensively detailed, and we concur with much of that analysis, the DEIS contains no rationale for limiting conventional watercraft to 65 horsepower in selected management zones. NPS needs to provide a clearly defined and logical justification for this proposed restriction, and we strongly recommend that alternative strategies to limit presumed aesthetic impacts from motorized watercraft use, such as speed restrictions, be considered. As written, the horsepower restriction would substantially limit the opportunity for a majority of anglers and other legitimate recreational users to utilize areas of Lake Mead and Lake Mohave in an otherwise legal manner.

NDOW has a significant concern relative to carrying capacities. NPS has identified a couple of times when the carrying capacity was or nearly was exceeded. Our major area of concern is Katherine's Landing. If Katherine's Landing is closed the next closest boating activity is the Colorado River at Laughlin. We are concerned that this will severely congest this waterway and create problems for boaters not familiar with river operations. This then will impact enforcement and rescue programs for Bullhead City, Mohave County,

Arizona, Clark County and Nevada. Some further consideration must be examined before this carrying capacity is finalized.

Alternative C:

Page 65. Recreational opportunity zoning

This alternative has recommended Primitive Area designation for only the Gypsum Beds (aka Big Gyps Beds) area of the Virgin Basin which represents <1% of the total lake area. We recognize the important scenic and aesthetic values of this area, but also should point out that its quality and extent is highly variable dependent on reservoir surface elevation. At moderate to high surface elevations the Gypsum Beds have multiple entrances useable by watercraft, and under this alternative they are bounded by a Rural Natural Setting designation for the remainder of the Virgin Basin, which will make enforcement of vessel access restrictions difficult at best. NDOW is not specifically opposed to a Primitive Setting designation for this area, but the NPS should be aware that the Gypsum Beds have long been considered by recreational anglers to be a particularly productive area for black bass. Although NDOW data does not conclusively support this belief, we would anticipate that enforcement of a use restriction to non-motorized vessels within the Gypsum Beds will be difficult if not impossible on a consistent basis at most lake surface elevations.

Alternative C proposes Semi-Primitive Setting designation for Grand Wash Bay on the upper Colorado River arm of Lake Mead. We would support this designation as appropriate, but again call attention to our concerns over the proposed 65 horsepower restriction for conventional vessels as described above. We believe that the horsepower restriction is arbitrary and would unnecessarily restrict legitimate recreational use in Grand Wash Bay. Identification of a speed restriction or other mechanism to address the undefined objective of the horsepower constraint would be less objectionable.

In the Black Canyon area of Lake Mohave below Hoover Dam, Alternative C proposes a variable use designation (detailed on page 76) with Primitive Setting restrictions two days a week and Semi-Primitive Setting restrictions on remaining days, between Labor Day and Memorial Day each year. During the remainder of each year, between Memorial Day and Labor Day weekends, Semi-Primitive Setting restrictions would be applied allowing motorized vessel use with a horsepower restriction. We recognize the unique aesthetic and scenic values of Black Canyon, and are supportive of the limited seasonal restriction on all motorized vessel access as described in this alternative, to address desires of some visitors for a Primitive Area experience within the Recreation Area. Public motorized access is eliminated for less than 30% of the off-peak season visitor use time period which is an acceptable strategy to address this need. However,

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we are not supportive of the 65 horsepower restriction, which would apply to vessels in this area during all times when it is accessible for motorized use. As described in previous comments, this restriction would substantially limit the ability for anglers and other public users to access Black Canyon without any justification or explanation of how this restriction was derived. Houseboats, due to their size and maneuverability should be identified specifically because of the nature of the canyon, therefore NDOW supports prohibiting them as well as waterskiing and wakeboarding due to safety concerns. A suggested alternative would be to require all motorboats, not prohibited, using that stretch of the canyon to be any horsepower as long as it is four stroke. This would alleviate the safety, noise and pollution concerns and still allow fishing access via motorboats.

The Black Canyon area of Lake Mohave is an important component of that reservoir's sport fishery. This area would be inaccessible to a large number of anglers who own watercraft which exceed the arbitrary 65 horsepower limit, although those users may be fully willing and able to comply with other reasonable operational restrictions to maintain the Semi-Primitive Setting criteria. The intended benefit of the horsepower restriction needs to be clearly defined, and based on that definition an alternative strategy must be developed which will not unfairly constrain otherwise legal recreational users.

The upper reach of the Overton Arm of Lake Mead, shown in the DEIS as Zone 18, is identified in Alternative C for future management in an Urban Natural Setting. Although we are supportive of such a designation insomuch as it may limit recreational use effects on the adjacent Overton Wildlife Management Area more than an Urban Park Setting, we are concerned if this designation will allow an adequate level of infrastructure development and visitor accommodation at Overton Boat Dock and marina. Eventual development of facilities at Stewarts Point would assist in addressing user needs, but Overton Arm is becoming increasingly popular as an initial destination and as an "overflow" area for the Boulder Basin. The reasonable expansion of existing access points and facilities, such as Overton Boat Dock, should be an integral part of the strategy to address increased visitor demands and may in some cases be a useful interim solution depending on the rate of increased usage, within the context of the larger lake plan objectives. Although the DEIS narrative on Page 62 mentions accommodation of future boating capacity in zone 18, the plan identifies only a limited expansion of commercial marina infrastructure and no increase in public facilities at Overton Boat Dock, which is the only existing or projected facility within that zone.

Page 72. Facilities (Recreational Fishing)

This section of the DEIS recognizes that construction of access facilities for

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shoreline angling opportunities is an ongoing cooperative process between NPS and both NDOW and the Arizona Game and Fish Department (AGFD). Existing access facilities particularly in areas popular for shoreline angling are woefully inadequate and in particular the lack of ADA compliant access sites must be addressed in the future. In addition to the proposals identified in the DEIS narrative for future facilities at Cottonwood Cove and Willow Beach on Lake Mohave, and Government Wash and Echo Bay on Lake Mead, there are additional locations which should be identified for angler access enhancement and development both as part of future boating access infrastructure and as stand alone site developments for angler use. At a minimum, these include Stewarts Point, Overton Boat Dock, Callville Bay, and Temple Bar, Arizona on Lake Mead, and at Eldorado Canyon, Nevada Telephone Cove, and additional sites in the vicinity of Cottonwood Cove on Lake Mohave. Angling opportunities for stocked trout at Cottonwood Cove on Lake Mohave could be substantially enhanced by revising existing seasonal site use management parameters although this location is not addressed in detail in the DEIS. We strongly support the identification of site specific habitat enhancement in association with angler access and look forward to continuing our work with NPS on that program.

Figure 10 on Page 73 identifies specific locations along the shoreline of Boulder Basin on Lake Mead for winter stocking of catchable rainbow trout. We understand the need for NPS to identify this activity in the context of zoning the Boulder Basin shoreline for intensive visitor use demands, but it also must be recognized that the utility of specific stocking locations and the ability to access them with stocking equipment will vary with changing lake surface elevations on a year-to-year basis. Although Figure 10 identifies most of the areas which are currently suitable and in use, specific locations may need to be adjusted somewhat to maintain the stocking program and assure adequate angler returns of stocked trout. NDOW would work with NPS staff on an annual basis to accommodate other recreational activities and identify where individual release locations would require adjustment, but it is important to understand that this is a dynamic situation which is subject to change under certain constraints. Figure 10 identifies the area south of the Lake Mead Marina dike as a fish stocking area; this should be retained as it could be used for this in the future but with the understanding that it has not been actively used in recent years because of access issues from declining lake surface elevations and potential conflicts with the current identification of the area as a SCUBA park.

Page 72. Visitor Conflicts

Shoreline fishing concerns on Boulder Basin as described in this section will be addressed by preclusion of conflicting activities in selected, designated zones, including SCUBA diving, waterskiing and PWC use. We are supportive of these

designations in selected high-use access areas where there is a high potential for conflict with these uses, and specific areas designated for angling would afford the opportunity to develop specific enhancements such as ADA compliant access and aquatic habitat development. However, nothing in such designations should preclude the allowance of shoreline angler access and use in other areas of the Boulder Basin or lakewide except for existing closure areas and zoned shoreline reaches for specific recreational activities which would be in conflict with angling. As mentioned in the previous comment, Figure 10 on page 73 appears to show a conflict between the existing SCUBA park and potential fish stocking areas south of the Lake Mead Marina dike, and this should be clarified. We are concerned that Figure 10 does NOT seem to identify, for angler use, the area south of the Hemenway Launch Ramp which has historically been used for recreational angling and for winter stocking of catchable rainbow trout. Under certain lake elevation conditions this is one of the better locations for trout stocking and angler success and its apparent future designation for PWC use would substantially conflict with this existing use.

The DEIS on page 74 identifies establishment of a 100-foot wakeless zone around the entire shoreline of Lake Mead. This designation has the potential to substantially reduce one current source of conflict between shoreline anglers and watercraft users. However, we are concerned that this is unrealistic and unenforceable. Without proper marking with buoys the public will not comply. It is difficult enough to enforce the properly marked areas. There is also a safety concern in the narrow canyons, Black and Boulder. This will actually force boaters into potentially hazardous head on situations. Nevada currently has the strictest flat wake law among the jurisdictions on the LMNRA. (NPS, AZ, NV). Flat wake zones are currently established by regulation in designated areas, primarily around marinas and launch facilities, but also in many popular high use areas. Nevada Law also mandates a flat wake zone within 100 feet of a person in the water or within 200 feet of a beach frequented by swimmers, bathers etc. In discussions with Arizona's law enforcement chief for Game and Fish they will be able to enforce such a provision under their law, which currently states "reasonable and prudent" speed, if the NPS also enacts a rule identifying that 100/200-foot rule on Lake Mead is reasonable and prudent. This would also require "posting" by pamphlets thru the fee booths to boaters and posting at launch facilities. Nevada and Arizona will strictly enforce this law, which is more easily enforced and enacted than a 100-foot entire shoreline zone that will only be enforceable by the NPS. The proposal to allow shore starts for water skiing within the 100 foot zone is also flawed and not supported by this agency. This is actually further justification to use the Nevada law and not the NPS proposal.

The DEIS on page 74 indicates the future development of specific shoreline zoning on lower Lake Mohave from Stop Sign Cove to Mineshaft Cove, to address conflicts between various recreational users including shoreline

anglers. However, the DEIS does not provide enough detail to fully understand where those conflicts would be addressed or how conflicting uses would be partitioned. Specifically on the Nevada shoreline, Nevada Telephone Cove is identified for a variety of high intensity uses without site-specific detail provided. The DEIS does list a number of generic considerations and potential actions that would occur for areas "where fishing is the primary recreational activity", and we strongly encourage NPS to incorporate both NDOW and AGFD in future discussions and planning efforts if and when specific zoning actions are proposed for this area of Lake Mohave. As mentioned previously for Lake Mead, nothing in such designations should preclude the allowance of shoreline angler access and use in other areas of Lake Mohave except for existing closure areas and zoned shoreline reaches for specific recreational activities which would be in significant conflict with angling.

The DEIS on page 74 also identifies establishment of a 100-foot wakeless zone around the entire shoreline of Lake Mohave. As indicated for Lake Mead, this designation has the potential to substantially reduce one current source of conflict between shoreline anglers and watercraft users. However, it is unclear how this regulation would function, or if it is needed, in areas of upper Lake Mohave and Black Canyon both above and below Willow Beach, because of the narrow configuration of the reservoir and the lack in many areas of potential conflicts with shoreline recreational users. In some areas of the upper reservoir this designation could potentially create a wakeless zone across almost the entire wetted width and confine normal boat traffic to a narrow center strip, with associated navigation and safety issues. Much as for Lake Mead, we are concerned about the ability to implement and enforce such a regulation consistently and effectively. As discussed in previous comments, in considering boat use restrictions in Black Canyon above Willow Beach, some sort of speed restriction or other special regulation may be appropriate to protect aesthetic values associated with Semi-Primitive Setting designation. We do not, however, support a blanket wakeless speed restriction for this reach of the reservoir, which would be in some areas of the upper reservoir the de facto result of a lakewide 100-foot wakeless designation.

Page 76 & 77 -- Enforcement, Boater Education and Alcohol Use

NDOW supports the concept of requiring boater education. This will have the most significant impact on reducing boating accidents, coupled with aggressive law enforcement. We will work with Arizona to implement similar requirements in their state. We would expect the NPS to also be a partner in any boating education program. This should be identified as part of the plan. We would like to point out that the concessionaires, especially Las Vegas Bay Marina, have worked closely with NDOW in boat rental programs to educate rental operators.

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They are a key component of an education program. We also will continue to partner with NPS and Arizona, the USCG Auxiliary, the US Power Squadron, the Clark County Boating Facilities and Safety Committee and other volunteers on safety campaigns including literature, media and the new safety center. On page 77 you identify phasing in a program similar to Utah's. Utah's program focuses on PWC youth operation and we do not support that concept. Nevada's program targets operators of all vessels.

NDOW supports the concept of non-consumption of alcohol while operating a vessel. However, the reality is that Nevada will most likely not have a similar provision that we could enforce. NDOW supports the concept of requiring porta potties for overnight use in undeveloped park areas. We could assist through the Clean Vessel Act and education programs. We would also suggest that Clark County grants through the US EPA be requested for oil pollution control from bilges. Vessels kept on the water overnight should be required to have bilge sponges. Facilities should be developed to pump oily bilge water. Another significant issue that could be addressed here is the Aquatic Nuisance Species problem, both plant and animal. Preventive measures such as wash facilities, enforcement/inspection, and public education should be considered before we become involved in costly eradication programs.

Page 78 - Resource protection (Inflow Areas) & (Threatened, endangered and sensitive species)

NDOW is concerned that restrictions on vessel operation on the inflow areas of the Muddy and Virgin Rivers would impact operations (maintenance of bouys and lake blinds)at the Overton WMA. These restrictions would also impact hunters who have expended considerable sums of money on preparation for hunting from the lake blinds. While little or no water is currently in this portion of the WMA there could be in the future, when the lake comes back up.

We concur with the assessment in the DEIS that recreational use has not shown to be an impact to sensitive and protected fish species, and we look forward to continuing our partnership relationship with NPS in management and conservation of resident wildlife species in lakes Mead and Mohave. The proposed strategy of future restrictive zoning based on the ongoing assessment of impacts is appropriate, and we are not aware of any areas where such zoning is needed at this time.

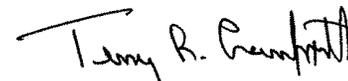
One concern which is not addressed in the DEIS is the potential for impacts to extant relict leopard frog populations at spring locations in Black Canyon, particularly if shoreline visitor overnight use were to increase along certain canyon reaches as a result of increased permits consequent to a Primitive Setting designation. At this time there is no evidence that specific restrictions

LAME-08205
page 10 of 10

should be placed on known leopard frog sites, and in fact such a designation could be counter-productive by calling attention to those sites. However, hot spring sites in Black Canyon are identified as a specific interest of nonmotorized use visitors. Ongoing monitoring efforts should be used to assess possible visitor impacts to those sites which are also occupied leopard frog habitat with the understanding that special zoning would be applied as a protective measure in the future only as necessary and appropriate.

This concludes our comments on the DEIS. Should you have any questions or require additional information please contact Habitat Bureau Chief, Doug Hunt at 775-688-1500.

Sincerely;



Terry R. Crawford, Administrator

cc: R. Michael Turnipseed, P. E., Director DCNR
Vicky Oldenburg, Governor Guinn's Office
Wildlife Commission

Form Letters



LAME-00106
page 1 of 2

May 13, 2002

Superintendent
Lake Mead National Recreation Area
601 Nevada Way
Boulder City, NV 89005

In Re: Support for Alternative C; With Reservation

Dear Superintendent,

On behalf of the 1.3 million personal watercraft (PWC) owners throughout the United States, the American Watercraft Association (AWA) commends the Lake Mead National Recreation Area for its decision to create a comprehensive management plan that addresses all forms of recreation at Lake Mead, and not only PWC use. In addition, we applaud the efforts of park managers to complete the management plan in a timely fashion so that PWC use can continue at Lake Mead without interruption.

PWC owners will be encouraged to learn that Alternative C, Lake Mead's "Preferred Alternative," allows for continued access by PWC owners to all parts of Lake Mead that will be accessible by motorboats of similar horsepower. Your efforts to develop a plan based on horsepower and not on hull design demonstrates your desire to protect resources within the Recreation Area while providing ample opportunities for recreation and shows a dedication on the part of park managers to preserve notions of fairness and equity throughout the rulemaking process.

It is for these reasons that the AWA, the nation's largest PWC owners organization, supports the Lake Mead Management Plan's Alternative C, the Recreation Area's preferred Alternative.

Under this management plan, PWC use will be allowed in all waters in which other motorboats of similar horsepower are granted access. The environmentally sensitive areas in Lake Mead will be off limits to all motorboats - not just PWC. This alternative is evidence that PWC do not have a unique impact on park resources and should be regulated in the same manner as other motorboats.

However, we object to the inclusion in Alternative C of a proposal that would bar all carbureted two-stroke engines from Lake Mead in 2012. While this is not a PWC specific rule, it is important for the National Park Service at Lake Mead to recognize that the United States Environmental Protection Agency (EPA) already promulgated regulations, setting strict emission standards that require a 75% reduction in emissions by the year 2008 from all marine engine manufacturers.

The National Park Service should not develop additional rules regarding marine engine emissions standards; especially those which were specifically designed to affect the

1 of 2



LAME-00106
page 2 of 2

manufacturers of the boat engines, not the owners of those engines. The EPA rule forced manufacturers to spend millions of dollars to research and produce for the public emissions reducing technology, providing benefits to consumers, not restricting the use of the boats they already own. The National Park Service should not adopt rules contrary to this approach. Lake Mead's management plan, on the other hand, will directly affect consumers if they ban all carbureted two-cycle engines by 2012, as the Alternative C seeks to do.

Alternative C's management plan, with regards to the regulation of two-cycle engines, can be compared to a restriction of older automobiles, those produced before the EPA regulated the automobile industry for emissions. Banning 1957 Chevy's from Lake Mead National Recreation Areas roadways would not make any sense, considering the fact that the EPA's regulations on manufacturers already reduced the emissions from passenger cars and the passage of time has seen the replacement of the older automobile fleet with new, lower emission machines. Likewise, the EPA's regulation on marine engine manufacturers should be allowed to take effect.

While the proposal to ban carbureted two-cycle engines by 2012 will disproportionately affect the owners of "conventional" boats and outboard engines because of the longer estimated use of those engines (according to the EPA), some PWC owners could be barred from accessing Lake Mead and would be forced to use their craft on other lakes. For some, barring access to the Lake Mead National Recreation Area would force them to travel up to 4 hours to access the nearest body of water.

We encourage the Lake Mead National Recreation Area to allow the EPA's emission reductions rules to take effect and not "step up" the implementation of those rules at the expense of boat owners.

If you have any questions regarding PWC or AWA's support for Alternative C (without the 2012 regulation), please do not hesitate to contact me.

Respectfully,

Stephan Andranian
Government Affairs Manager
American Watercraft Association

2 of 2

Author: "Barbara Daily" [REDACTED] at NPS

Date: 06/20/2002 8:59 PM

Normal

BCC: LAME LMP at NP-LAME

TO: "Superintendent Dickinson" <lame_lmp@nps.gov> at NPS

Subject: Strengthen jet ski restrictions in the Lake Mead managemen...

----- Message Contents

Subject:

Strengthen jet ski restrictions in the Lake Mead management plan

June 20, 2002

Superintendent William Dickinson
Lake Mead National Recreation Area
601 Nevada Highway
Boulder City, NV 89005

Dear Superintendent Dickinson,

I am writing with concerns about the National Park Service's proposed management plan for Lake Mead National Recreation Area. While I generally support Alternative B, the conservation option, I strongly urge the total elimination of all personal watercraft, commonly known as jet skis, throughout Lake Mead.

Jet skis pollute the air and water, create law enforcement problems, threaten public safety, endanger wildlife, destroy natural soundscapes, and diminish the experience of visiting Lake Mead for non-jet ski users. The Park Service's preferred alternative shockingly would permit jet skis on 98 percent of park waters despite the fact that jet ski users represent only about 24 percent of all Lake Mead boaters. This is simply unfair to the vast majority of park visitors who do not engage in this dangerous, high-impact activity.

Additionally, the Park Service's timeline to phase out dirty two-stroke jet ski motors by 2012 needlessly exposes park resources to a decade's worth of additional damage, and must be moved up. But even so-called "cleaner and quieter" four-stroke jet skis are still toxic to plants and animals and do nothing to improve the craft's horrific safety record or reduce its impact on wildlife.

Given the damage they cause, personal watercraft should be totally eliminated throughout Lake Mead and Lake Mohave. In addition, I call upon the Park Service to move up its phase-out date for two-stroke motor operation on park waters.

Sincerely,

Barbara Daily
[REDACTED]

LAME-03043
page 1 of 1

Author: "Gloria" [REDACTED] at NPS

Date: 06/26/2002 10:39 PM

Normal

BCC: LAME LMP at NP-LAME

TO: <lame_lmp@nps.gov> at NPS

Subject: Free to use PWCs

----- Message Contents

Please do not ban personal watercraft. Make more no wake zones, not bans. Small craft are big fun and big revenue to national park's lakes and surrounding areas.
Gloria Dunbar

LAME-08655
page 1 of 1

Name: JAMIE FAULKNER

Date 06/08/02

LAME-01890
page 1 of 1

Address: [REDACTED]

City, St. [REDACTED]

Zip [REDACTED]

Superintendent

Lake Mead National Recreation Area

601 Nevada Way

Boulder City, Nevada 89005

Subject: Lake Mead National Recreation Area Lake Management Plan

In reviewing the Lake Management Plan draft, I have the following comment to offer.

This letter is to show my appreciation for your Draft/Lake Management Plan. However, I cannot agree with all portions thereof. Your "alternative C" is very well written, but I "disagree" with the closures you propose on Lake Mead. You are attempting to close off the best fishing waters on the Lake. I would not like to see any portions of the lake closed. However, if you must close them in some way, my second choice would be to make them "wakeless zones". At least this way the general public would have some access to these waters. I have talked to a lot of people recently, but I have not talked to anyone who is in favor of these closures. These closures are a form of discrimination against, not only fisherman, but the physically impaired as well. It is also discrimination against the general public. These are public waters, and as long as they are, the entire lake should be open for public access.

Sincerely,



JAMIE FAULKNER

Author: "Alan James" [REDACTED] at NPS
Date: 06/24/2002 10:14 PM
Normal
BCC: LAME LMP at NP-LAME
TO: "Superintendent Dickinson" <lame_lmp@nps.gov> at NPS
Subject: COMMENTS: DRAFT PLAN FOR LAKE MEAD
----- Message Contents

LAME-06898
page 1 of 1

June 24, 2002

William Dickinson, Superintendent
Lake Mead NRA
601 Nevada Highway
Boulder City, NV 89005

Dear Superintendent Dickinson,

Thanks for the opportunity to comment on the National Park Service's (NPS) Lake Management Plan (LMP) for Lake Mead National Recreation Area.

In general, I support Alternative B, the conservation option, but I strongly oppose the plan's proposal to effectively open the entire lake to personal water craft or jet skis.

In fact, I favor the outright ban of jet skis in units of our National Park System and am appalled at the idea of giving them the complete run of the NRA. Jet skis are high-speed thrill machines. Their impact on park resources is serious and well-documented. Much of that documentation comes from NPS science.

Jet skis are dirty, dangerous and destructive of park values and of visitors' experiences. In brief:

- Jet skis pollute air and water, dumping nearly a third of the gas-oil mixture they use unburned into the environment.
- They are unsafe for both wildlife and for humans. Nationwide, according to the U.S. Coast Guard, jet skis are involved in 30 percent of all boating accidents, 40 percent of all boating injuries. But they account for less than 10 percent of all water craft registrations.
- Where they are allowed, jet skis are the dominant use, much like a cigar smoker in a small room. They completely destroy any opportunity for peace, quiet and the contemplative experiences that most visitors to our national parks seek in the first place.

The National Park Service Organic Act gives the NPS a dual mandate, but it isn't a conflicting one. You are obliged to protect park resources unimpaired and to provide for public use only in such ways as will meet that clear standard of resource protection.

As written, Alternative B, with its personal water craft management provisions, flatly fails to achieve the standard.

I urge adoption of a revised Alternative B, amended to eliminate personal water craft throughout Lake Mead and Lake Mohave. Thank you for the opportunity to comment. I look forward to hearing from you.

Sincerely,

Alan James

LAME-01165
page 1 of 1

Dear Superintendent:

I am a PWC owner who wishes to maintain access to Lake Mead National Recreation Area.

I am writing in support of Alternative C in the Lake Mead National Recreation Area Lake Management Plan.

Please note that while I am in favor of Alternative C, I oppose the proposal to ban all carbureted two-stroke engines in 2012. Please remove this proposal before finalizing the Lake Management Plan.

Thank you

Name: BOB & BARBARA JORGENSEN

Address: _____

City/State/Zip _____

LAME-00998
page 1 of 1

Name: Beth Larson
Address: _____

Date 5-20-02

Superintendent
Lake Mead National Recreation Area
Boulder City, NV. 89005

SUBJECT: LAKE MEAD NATIONAL RECREATION AREA LAKE MANAGEMENT PLAN

In reviewing the Lake Management Plan Draft, I have the following comment to offer.

This letter is to show my appreciation for your Draft / Lake Management Plan. However, I cannot agree with all thereof. Your "alternative C" is very well written, but I "disagree" with the closures you propose on the lake. You are attempting to close off the best fishing waters on the lake. I would not like to see any portions of the lake closed. However, my second choice would be to make them "wakeless zones."

This way the general public would have all access to these waters. I have talked to a lot of people recently, but have not talked to anyone who is in favor of these closures. These closures are discrimination against, not only fisherman, but the general public as a whole.

These are public waters, and as long as they are, the entire lake should be open for **TOTAL PUBLIC ACCESS** for everyone to enjoy, not one specific group or organization, the public as a whole.

Sincerely,
Beth Larson

LAME-00982
page 1 of 1

Name: Candace McVey
Address: [Redacted]
City, St: [Redacted]
Zip: [Redacted]

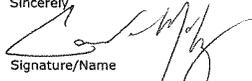
Date: 5/20/02

Superintendent
Lake Mead National Recreation Area
601 Nevada Way
Boulder City, Nevada 89005

Subject: Lake Mead National Recreation Area Lake Management Plan

In reviewing the Lake Management Plan draft, I have the following comment to offer.

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Sincerely,

Signature/Name

[Redacted]

[Redacted]

LAME-00999
page 1 of 1

Name: Douglas Schuessler
Address: [Redacted]

Date: 5/24/02

Superintendent
Lake Mead National Recreation Area
601 Nevada Way
Boulder City, Nevada 89005

The purpose of this letter is to express my concerns regarding the Lake Mead National Recreation Area Lake Management Plan. The National Park service is recommending Alternative C. I have strong objections to certain aspects of this plan.

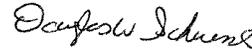
My objections deal primarily with managing certain remote locations on Lake Mead and Lake Mohave as primitive or semi-primitive areas. Under these definitions, public accessibility to these areas would be seriously compromised or eliminated. The Virgin River Area, Gyp Beds, Grand Wash and the Colorado River between Hoover Dam and Willow Beach represent what many people feel are the finest fishing areas available in the Lake Mead National Recreation Area.

Under the current proposal, Alternative C, accessing these waters in the vessels allowed under the plan (motors 65 hp or less) would pose serious safety concerns for anyone, including the physically challenged, that would attempt to navigate to these remote locations on lakes noted for windy conditions and rough water.

My preference would be to leave the management of these areas unchanged at this time. However, an alternative to restricting these primitive and semi-primitive areas to non-motorized craft or craft with motors less than 65 horsepower would be to make these areas "wakeless speed areas". Another alternative may allow these areas to be managed as a primitive or semi-primitive area on odd days with unrestricted access on even days. This alternative would be similar to how hunting is managed in the Overton arm area of Lake Mead during November, December, and January.

The Lake Mead National Recreation Area is a public waterway **funded with our tax dollars**. No one single user group or special interest should be afforded rights or privileges at the expense or exclusion of other park users. Lake Mead and Lake Mohave, in their entirety, should be open for safe public access.

Sincerely,



Signature/Name

Author: "Hannah Wend" [REDACTED] at NPS
Date: 06/24/2002 8:11 PM
Normal
BCC: LAME LMP at NP-LAME
TO: "Superintendent Dickinson" <lame_lmp@nps.gov> at NPS
Subject: COMMENTS: DRAFT PLAN FOR LAKE MEAD
----- Message Contents

LAME-05903

page 1 of 1

June 24, 2002

William Dickinson, Superintendent
Lake Mead NRA
601 Nevada Highway
Boulder City, NV 89005

Dear Superintendent Dickinson,

Thanks for the opportunity to comment on the National Park Service's (NPS) Lake Management Plan (LMP) for Lake Mead National Recreation Area.

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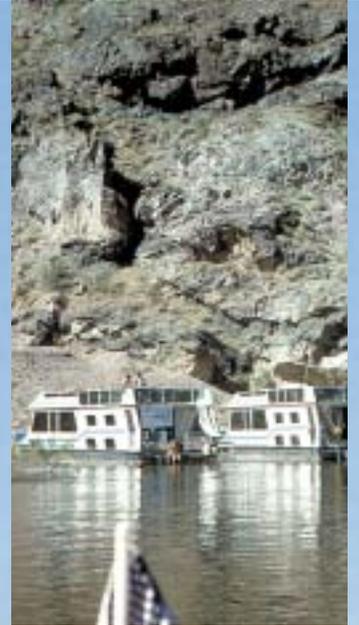
Sincerely,

Hannah Wend



As the nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering wise use of our land and water resources, protecting our fish and wildlife, preserving the environmental and cultural values of our national parks and historic places, and providing for the enjoyment of life through outdoor recreation. The department assesses our energy and mineral resources and works to ensure that their development is in the best interests of all our people. The department also promotes the goals of the Take Pride in America campaign by encouraging stewardship and citizen responsibility for the public lands and promoting citizen participation in their care. The department also has a major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.

NPS D-284A (January 2003)



United States
Department of the Interior
National Park Service