



Citizens for Access to the Lakeshore (CAL)

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January 27, 2006

Mr. Bernard Fagan, Room 7252 by U.S. Mail
Office of Policy
National Park Service
1849 C Street NW
Washington DC 20240
and
waso_policy@nps.gov by email

RE: Our Comments Regarding the Proposed Update of National Park Service Management Policies

Dear National Park Service:

Citizens for Access to the Lakeshore (CAL) was founded in 2002 in response to the four proposed alternatives to a General Management Plan being considered by the National Park Service for Sleeping Bear Dunes National Lakeshore in Northwest Michigan. Since our founding, CAL has monitored for, and responded to attempts, if any, by the National Park Service (NPS) to diminish public access where it is not necessary to protect the Lakeshore's resources. We were instrumental in alerting the families and generations who had ancestral ties to the area plus the local populace in two counties what was being considered and proposed:

- Closing county roads;
- Eliminating access to the Lakeshore's beaches;
- Destroying valuable historical and cultural resources by allowing them to "molder"; and
- Turning the Lakeshore into a limited access Preserve where flora and fauna species that had thrived for two hundred years might be removed if they did not have sufficient "pre-European" pedigree.

All this was being proposed for a Park that had been carved out of two small state parks and a vast amount of private property, some taken willingly, some not, in the 1970's, with the federal promise to maintain the Park for the benefit, recreation and enjoyment of all citizens and future generations. If the 2002 alternatives had been necessary to protect and preserve the Park, the local populace would have been all for it, but there was not then, has never been, and most likely never will be, a threat of over-use of this particular Park by the human population. The proposals were simply based on an anti-human species, anti-human history, prejudice and ideology. There was considerable outcry by the local populace who appealed to our elected officials. In October 2002, U.S. Secretary of Interior Gale Norton requested the Park Service to withdraw that General Management Plan. We believed then, and still believe, that Park Service personnel were led to develop these outrageous proposals by the tone and language of the 2001 National Policies. **Believing that access to and preservation of our Lakeshore's natural, historical and cultural features were directly threatened by the 2001 Policies, we wholeheartedly support the Park Service's new draft which we believe are a vast improvement without diminishing any of the protection provided by the 2001 Policies.**

ON PARK SERVICE TESTIMONY TO CONGRESS

We fully support and congratulate you on the many changes proposed to the 2001 Management Policies. We fully support Deputy Director Steve Martin's December 14, 2005 Oral Statement to the Subcommittee on National Parks, House Committee on Resources, U.S. Congress on the Organic act and its Implementation through Daily Park Management. We believe the draft Policies will accomplish desirable goals of "clarity of guidance" to Park Service personnel, a better definition of "professional judgment", which means, according to Deputy Director Martin, "not managing our parks in isolation but working with others and engaging them in cooperative conservation." We fully support the distinction made and long overdue between "impairment" and "impact", and that the mission of "appropriate use" by the public is "not to be overlooked" while at the same time protecting the resources. The draft Policies, in our view, return the Park Service to its mission of protecting the Parks so that they can be used and enjoyed by current and future generations. We believe the Park Service has, for some years, falsely interpreted its mission in the fashion of a zealot, believing that only its agency and

personnel were imbued with sufficient concern for the natural and cultural resources of this common property of the American people, our National Parks, and falsely had concluded that the U.S. citizenry who pay for the Parks were not sufficiently concerned and would destroy the Parks if not restricted severely from using and enjoying them. We believe the draft Policies show and demand heightened respect from Park Service personnel to the citizenry and their elected representatives in the Executive and Legislative Branches, and return the Park Service closer to its true mission of protecting the Parks, not so that they would never be used by the human species, but for the purpose of allowing the human species appropriate access and usage of the Parks. We also fully support statements made by NPS Director Fran Mainella in her December 14, 2005, letter to the Chair of the Congressional Subcommittee on National Parks. As our organization is made up of concerned citizens of a local community close to a National Park, we are glad that not only the draft Policies, but also Director Mainella's letter "*recognizes the importance of parks to local communities*".

ON THE INCLUSIVENESS OF THE REVIEW TEAM

Contrary to allegations made by the New York Times that the Draft Policies were "*written*" solely by one person, we understand, from testimony by Park Service personnel to Congress, that the policies were actually drafted by a Review Team. We commend NPS leadership for creating a Policies Review Team including NPS Director Fran Mainella, NPS Deputy Directors Steve Martin and Don Murphy, Interior Deputy Assistant Secretary for Fish and Wildlife and Parks Paul Hoffman, and numerous NPS regional directors, park managers and rangers.

ON FALSE ALLEGATIONS IN THE MASS MEDIA

Contrary to allegations made by the New York Times, we believe the draft Policies clarify, emphasize and promote protection of the natural and cultural resources of the National Parks; clarify how to measure for potential impairment and degrees of impairment, and provide much better direction to NPS personnel about the various options they have at their disposal to respond to such threats. The Times is fond of referring to unnamed "*former*" Park Service personnel as if all NPS personnel, former and current, are outraged by these Policies, but it was personnel with long careers in the Park Service who made up the bulk of the Review Team who developed the draft Policies. Also, the Times does not substantiate with any attempt at specificity its claims that the Parks would be destroyed by the new Policies; instead it waves the bloody shirt to incite fear falsely, pandering to human nature's tendency to see witches where none exist and to put the falsely accused to the stake in the name of self-righteousness. In addition, in a December 30, 2005 editorial, the Times editorial writers stated they have no doubt "*the American people.....will soundly reject these proposed revisions during the commend period.*" Our organization does not pretend to represent the entire American people that the Times feels it has such a pulse on, but we are definitely grass roots, American, and located in the "*Heartland*". Our members comprise a diverse array of people with many interests, and many are members of other organizations, including the Sierra Club. We have among our membership registered Democrats as well as Republicans. Yet we are united in our commitment to the preservation of Sleeping Bear Dunes National Lakeshore in Northwest Michigan and to protecting the purposes for which it was formed, including access to and enjoyment of this Park by current and future generations, and we are opposed to bureaucratic attempts, and there have been many, to restrict public access where it is not necessary to protect or preserve the natural, historic and cultural resources. So – we may be tiny relative to the huge foundation and grant-supported national advocacy groups, but, contrary to the Times' prediction, we are definitely one "*voice*" of the American people who support the Park Service Review Team's modest but important changes to improve the tone and ameliorate those aspects of the 2001 Policies that insulted the American people (in our view) with a patriarchal demagoguery against the American people and the entire human species, as if "*people*" had never been, and could not be, responsible stewards of any lands without draconian restrictions.

ON THE PRINCIPLES OF THE REVIEW TEAM

We fully support, agree with, and congratulate the NPS review team for formulating and sharing the principles that guided their review process, and we single out for special praise their statement of the following principles:

- "*The prevention of impairment will remain a key tenet of park management*" (as opposed to the current interpretation to strive for no "*impact*", which is not even possible to accomplish, as even non-human flora and fauna, and all nature, are constantly changing on their own.
- "*We will place more emphasis on consultation and cooperation with local/state/federal entities.*"
- "*The NPS legacy goals, cooperative conservation, and civic engagement will be guiding principles.*"
- "*The tone will be improved throughout the document so that there is no misunderstanding about the NPS's commitment to public enjoyment of park resources and values.*"

ON THE DRAFT POLICIES

Our Comments relate to the new policies in their entirety. However, for the sake of conciseness and brevity, many of the quotes utilized in our Comments come from the Park Service's "*Summary of Key Improvements in Draft Management Policies 2006*", except for Section 6 on "*Wilderness Stewardship*", which we quote directly and more extensively.

INTRODUCTION SECTION

We support the entire Introduction. In particular, we commend the review team for:

- Putting an explanation of terms and concepts and their placement in the Introduction rather than relegated to lesser importance in the glossary at the end, and the review team's understanding that terms and concepts *"inform the decision-making process."*
- The definition and clarification of *"appropriate use," "unacceptable impact," "impairment,"* the relationship between the words *"conserve, preserve and protect";*
- The introduction of the concept of *"third-party enforceability,"* clarifying that NPS Management Policies are not *"promulgated as a rule-making"* and thus do not and are not intended to carry the force and effect of law, but are *"intended only to improve the internal management of the Park Service";*
- That *"The importance of civic engagement is now an important aspect of the management policies;"*
- That *"The various publics we serve deserve to be more included in park management decisions."*

CHAPTER ONE, THE FOUNDATION

We fully support Chapter One. In particular, we commend the review team for:

- Providing more clarity about what constitutes *"impairment"* and how NPS personnel are to make that determination and the options at their disposal to react to possible impairment and prevent it, including the necessity for civic engagement and the use of the *"best available scientific, scholarly, and technical information,"* and the necessity that NPS personnel *"be able to articulate the reasoning behind their decisions."*
- The addition of a new section to *"stress the importance of civic engagement."*

CHAPTER TWO, PARK PLANNING

We fully support Chapter Two. In particular, we commend the review team for:

- Its clarity about the need to include public participation in decision making processes on planning.

CHAPTER THREE, LAND PROTECTION

We have no comments on Chapter Three at this time.

CHAPTER FOUR, NATURAL RESOURCE MANAGEMENT

We have no comments on Chapter Four at this time.

CHAPTER FIVE, CULTURAL RESOURCE MANAGEMENT

We support the Chapter's continuation of the strong cultural resource protection commitments of the 2001 Policies and support the additional text clarity, the clarification about the World Heritage List, and the relocation for greater emphasis to Chapter One of text *"pertaining to the knowledge and skills of professional staff"*.

CHAPTER SIX, WILDERNESS STEWARDSHIP

We fully and enthusiastically support Chapter Six. We commend the Review Team for including the National Wilderness Steering Committee in the drafting of this chapter. We make the following supportive statements on each section:

Title: We commend the Review Team for changing the previous title *"Wilderness Preservation and Management"* to *"Wilderness Stewardship"*.

Cover Page Summary Statement and 6.1 General Statement:

We believe the Summary Statement is a vast improvement over 2001. We believe the previous emphasis encouraged and even demanded that Park Service personnel somehow find more and more lands suitable for inclusion in the national wilderness system despite the lands' current conditions or historical uses. We believe the new draft Summary Statement (and this entire Section) affirms the Park Service commitment to the national wilderness system, but in a manner, tone and wording truer to the intent and language of the 1964 Wilderness Act. The draft policies emphasize the NPS great responsibility as *"steward"* of those lands designated by Congress as wilderness areas. Because it makes clear that the NPS bears the highest degree of responsibility for wilderness of any federal agency, and that the majority of wilderness designated land is within the National Parks rather than on other federal holdings, we support the addition of the following sentence: *"The Park Service has stewardship responsibility for more designated wilderness than any other land management agency."*

The Wilderness Review Process

This entire section and subsections are an improvement in titling, organization, language, clarity and emphasis and provide much clearer guidelines for Park Service personnel's role and decision-making in responding to and

enforcing the actual law of The 1964 Wilderness Act. It does not ignore the reality (as the 2001 Policies did), that over the past forty years, most Park lands have already been scrutinized for eligibility in the wilderness system. The tone of the 2001 Policies approached the issue of Wilderness Suitability as if it was a brand new question and implied that Park Service personnel better get busy finding some “wilderness” in their Parks. The tone of the new draft Policies indicates comprehension that the “wilderness review process” has long been underway, and instead of implying that more “suitability” should be found, clarifies simply that “Park superintendents are responsible for completing the wilderness review process for their park or park addition when it is directed by law, requested by the Secretary, or at the Director’s discretion in response to issues identified through park planning.” We believe the entire section provides much greater clarity on procedure, process and criteria.

6.2.1 Assessment of Wilderness Eligibility

Improves the terms: “*eligibility*” is a clearer term than “*suitability*”, and the new language provides clarity that an eligibility assessment must be an objective factual determination based on criteria of the 1964 Wilderness Act rather than a “*brief memorandum from the regional director to the Director that makes a managerial determination of the suitability of the park lands for wilderness designation,*” per the 2001 Policies. The new language removes any possible misinterpretation by Park Superintendents and Regional Directors that the Policies are pushing them to name more and more land “*suitable*” for wilderness, even when it was found previously to be “*non-conforming*” or a departure from the traditional usage, but rather gives Park Service personnel more clear criteria upon which wilderness eligibility is based pursuant to the 1964 Wilderness Act.

6.2.1.1 Primary Criteria for Determining Eligibility

The Review Team has added new policy language, and by so doing, clarifies that the very first criteria for wilderness eligibility is that the lands be “*federally owned*” and “*undeveloped*” and “*at least 5,000 acres or of a sufficient size to make practicable their preservation and use in an unimpaired condition*”. **The first two criteria (“federally owned” and “undeveloped”) were left out of the 2001 policies but are among the three primary criteria in the 1964 Wilderness Act** before any “*wilderness characteristics*” can be considered. Then, after re-establishing the primary criteria, the new Policies repeat the “*wilderness characteristics*” of the law. We believe this new policy language returns the Park Service interpretation to the intent and language of the law and we heartily concur.

6.2.1.2 Additional Considerations in Determining Eligibility

We support removal of the fourth and fifth graph of the 2001 Policies regarding lands with *existing rights or privileges (e.g., mineral exploration and development, commercial operations, agricultural development, grazing, or stock driveways)*, and “*lands containing aboveground utility lines*”. The removal of that language returns the eligibility to its first and primary criteria, that is, that the lands must be “*federally owned*” and “*undeveloped*”. The removal also removes the possible interpretation or implied threat in the 2001 language about utilities must hold or at some point enforce a “*long term intent to remove the lines*”. The removal of this language also removes possible interpretation from the 2001 Policies against maintenance of utility lines in the manner utility companies see fit, rather than the possible interpretation and implied threat that any time the Park Service found an area even potentially eligible for wilderness, henceforth the utility companies would be required to administer the lines inside that area “*under the minimum requirement procedures*” which would prohibit “*use of mechanized and motorized equipment.*” We also support the addition of language allowing that dams on waterways do not necessarily exclude an area’s wilderness eligibility.

6.2.1.3 The Assessment Process

We heartily support the improvements in this language. We heartily support the inclusion of the following language: “*The established use of motorboats, motorized watercraft, oversnow vehicles, and small aircraft do not make an area ineligible for wilderness designation. The nature and extent of any impacts from these activities, and the extent to which the impacts resulting from these activities in the future can be mitigated, would need to be addressed in subsequent wilderness studies.*” We believe this language clarifies that the Park Service may not summarily prohibit “*established*” usage just because an area might be eligible for wilderness classification. We believe this also clarifies that such usage does not, in and of itself, impair or destroy an area’s wilderness characteristics, and that the extent of any impact must be “*addressed in subsequent wilderness studies*” rather than assumed to be an impairment, in and of itself, and thus prohibited.

6.2.2 Wilderness Studies

We support the improvements, especially the addition of language that, in any Wilderness Study, *“The analysis of alternatives will include a discussion of how the Park Service intends to manage any eligible lands in each alternative that would not be included in the final proposal.”* We believe this addition makes clear that NPS alternative plans for such lands would be made public by inclusion in the Study itself.

6.2.3 Proposed Wilderness and

6.2.4 Recommended Wilderness and

6.2.5 Designated Wilderness

We support the improvements of clarity. In the 2001 Policies, *“recommended”* and *“proposed”* are often used interchangeably when, in fact, an area that has only been proposed by the Director of the Park Service has not achieved the status, per the procedural requirements in the 1964 Wilderness Act, of a *“Recommendation”* to the President or Congress. The language improvements also clarify that an area has not even achieved the status of *“proposed”*, a lesser imprimatur than *“recommended,”* until after approved by the Director of the Park Service. To this day, there is at least one National Lakeshore with a Wilderness Study which has never been approved for submission to the President by any Director of the Department of Interior who has served in the past 25 years, but which is incorrectly named, referred to, and treated by Park Service personnel as a *“Recommendation”*. We believe that *“de facto”* wilderness classification, without the review, much less the consent of the President or Congress, has occurred over the years, in contradiction of the procedural requirements of the law and in violation of the role of the people’s elected officials (President and Congress) in the approval process.

The new draft Policies clarify terminology related to areas under consideration for wilderness classification. The new Draft clarifies the application of management policy to areas which have not been “designated” by Congress, but are only at some stage of “Study”, “proposed,” “recommended” or “potential”. We believe this clarification should begin, over time, to alleviate the serious problem of “de facto” wilderness designation by the Agency, provided these proposed changes to the 2001 Policies are actually adopted, and provided these clarifications are protected, in future years, from undue change under political pressure brought to bear on the agency by advocacy groups who have pursued and may continue to pursue, for their own purposes, abrogation of the procedural provisions of the 1964 Wilderness Act.

6.3 Wilderness Resource Stewardship

We support the improvements to this section and its subsections and have one suggestion in Subsection 6.3.1.

6.3.1 General Policy

We commend the Review Team for the improvements in this subsection, which will help alleviate the *“de facto”* wilderness problem and also clarifies that just because an area was previously deemed possibly *“wilderness eligible”*, it is not to be assumed that impairment will occur just because it did not achieve the approvals necessary to continue its *“wilderness”* nomenclature. We heartily commend the following language: *“Lands that were originally deemed wilderness eligible, but which were not included in the wilderness recommendation sent to Congress, will no longer be managed under the provisions of these chapter 6 policies. They will, however, be managed in accordance with the same high standards to which all other NPS lands are managed, in full accord with all other provisions of these Management Policies.”*

We also heartily commend the Review Team for a significant change from that portion of the 2001 policies that we believe led Park Service personnel to interpret as a directive that they must remove and prohibit, *“where practicable”* wilderness *“nonconforming”* uses, even historic uses, within areas that are only in the various stages of wilderness study. We heartily commend the continued protection of areas that have achieved the approval status of *“proposed”* and *“recommended”* so that *“management decisions will be made in expectation of eventual wilderness designation”*, but also commend the Review Team for the other side of that coin, that *“in eligible and study lands, established, existing, and otherwise nonconforming uses may be allowed to continue at current levels pending completion of the wilderness study.”* Our only suggestion for further improvement would be to change the word *“may”* to *“shall”* in that sentence.

6.3.2 Responsibility and

6.3.3 Consistency

We have no comment on these sections.

6.3.4 Wilderness-related Planning and Environmental Compliance

We support the improvements, and commend the Review Team in particular for inserting the following language at this point, which reinforces the “public use” and “enjoyment” intent of the Wilderness Act: *“The Wilderness Act directs that these areas shall be devoted to the public purposes of conservation, recreation, scenic, scientific, educational and historical use. Wilderness planning and compliance will be developed to assure that, where consistent with the Wilderness Act, optimum opportunities for the public to use and enjoy their wilderness areas are identified and provided, while also ensuring that future generations will have the same opportunities.”*

6.3.4.1 Zoning for Wilderness

We commend the Review Team’s recognition that *“Accomplishing the six public purposes cannot always be done on the same parcel of land simultaneously,”* and that *“Zoning, on both spatial and temporal dimensions, to appropriately allocate wilderness lands to accommodate all the legislated purposes may be required.”*

6.3.4.2. Wilderness Stewardship Planning

We commend the Review Team for emphasizing that it is “stewardship” for wilderness that is the role of the Park Service and that management tools are available to exercise that “stewardship” responsibility. By using the term “Stewardship” rather than “Management”, the Park Service acknowledges its obligation to the public as its “steward” over the lands and might help ameliorate the Park Service tendency, as an authoritarian “Manager”, to dismiss public concerns over their actions.

6.3.4.3 Environmental Compliance

Calls for same compliance standards as previous Policies. We support this subsection.

6.3.5 Minimum Requirement

Same protection provided. We support this subsection.

6.3.6. Scientific Activities in Wilderness

We support this subsection.

6.3.6.1 General Policy

We support this subsection.

6.3.6.2 Monitoring Wilderness Resources

We approve the Review Team’s slight alterations, especially the removal of monitoring programs of *“potential problems”...“outside of wilderness”*, as such monitoring and any resultant enforcement that might be desired or attempted over property not under its jurisdiction is beyond the authority and ability of the Park Service.

6.3.7 Natural Resources Management

We applaud the following language that is part of both the 2001 Policies and kept intact in the draft: *“Management actions, including the restoration of extirpated native species, the altering of natural fire regimes, the controlling of invasive alien species, the management of endangered species, and the protection of air and water quality, should be attempted only when the knowledge and tools exist to accomplish clearly articulated goals.”*

6.3.8. Cultural Resources

We commend the Review Team for changing this language slightly by starting out this subsection by quoting the language in the Wilderness Act itself, thus emphasizing that Congress demanded in the Act itself that wilderness designation *“shall in no manner lower the standards evolved for the use and preservation’ of such unit in the Park system”....and “Thus, the laws pertaining to historic preservation also remain applicable within wilderness.”*

6.3.9 Fire Management

We heartily support the Review Team’s inclusion of “potential for damage to property or loss of life both within and adjacent to wilderness, and availability of fire suppression resources” under the requirements of responses to wildfires that must be planned for, and find it bordering on irresponsibility that the 2001 Policies did not include such language or clarity or tone.

We also heartily support the Review Team’s addition of several conditions under which “minimum fire suppression techniques” would not be required: “emergency conditions” and “to protect natural and cultural resources and to minimize the lasting impacts of the suppression actions.”

We heartily support the concept of “minimum fire suppression techniques” but only where threats to life, property, and natural and historic and cultures features will not be negatively impacted. The 2001 Policies did not do this. We heartily support the draft improvements.

6.3.10 Management Facilities

We did not see much, if any, change. We support.

6.3.10.1 Administrative Facilities

We did not see much, if any, change. We support.

6.3.10.2 Trails in Wilderness

We did not see much, if any, change. We support.

6.3.10.3 Campsites and Shelters

We did not see much, if any, change. We support.

6.3.10.4 Signs

We did not see much, if any, change. We support.

6.3.11 Wilderness Boundaries

6.3.11.1 Legal Descriptions & Boundary Maps

We did not see much, if any, change. We support.

6.3.11.2 Caves

We did not see much, if any, change. We support.

6.3.11.3 Waters in Wilderness

We approve the additional language clarifying that all NPS management of waters in wilderness will, never-the-less, be “*subject to all valid water rights established with applicable state law.*”

This recognition of state authority was not mentioned in the 2001 Policies. We heartily approve the improved version.

6.4 Wilderness Use Management

We commend the Review Team for changing the word “*limit*” in the second paragraph to “*manage*” to clarify that usage does not necessarily need on its face to be limited, if it can be managed in a manner to protect wilderness characteristics.

In regard to management responses “*when resource impacts or demands for use exceed established thresholds or capacities*”, we commend the Review Team for adding the sentence: “*Superintendents should use the least restrictive management prescription available and practicable to meet the resource protection needs while accommodating public use.*” **We have one suggestion here: that “should use” be changed to “must use”.**

6.4.1 General Policy

We commend the addition of this sentence at the end of the paragraph:

"Certain specific risks... (in regard to Public Safety).. may be mitigated or managed if the mitigation or management of the risks does not degrade the wilderness character and resources."

6.4.2 Wilderness Interpretation and Education

The 2001 Policies demanded that Superintendents educate the public *"while providing for acceptable use limits."* We commend the improvement in tone by eliminating that phrase. We also commend the improvement in tone by eliminating the pejorative characterization of the public as *"demanding"*. We also commend the change from "generally" to *"always"* in the last sentence, that is, that *"Education...."should always be applied before more restrictive management tools."*

6.4.3 Recreational Use Management in Wilderness

We highly commend the addition of the first three sentences. Without changing anything in the 2001 Policies that would in any way fail to continue to protect and preserve wilderness resources and characteristics, the draft Policies simply clarify that the Wilderness Act was passed by Congress as representative of the American people so that the wilderness areas could be enjoyed. The new draft Policies show great concern for and appreciation of wilderness while at the same time show respect for the American people who set aside these resources through their elected representatives.

6.4.3.1 Recreational Use Evaluation

We commend the change from *"limit"* to *"manage"*. We commend that recreational uses that do not meet the purposes of wilderness will continue to be prohibited but commend highly that determination of such would no longer be an arbitrary, internal NPS decision but rather that evaluation or re-evaluation of recreational uses, particularly new or emerging activities, *"should be conducted in consultation with the public; tribal, local and state governments; and other stakeholders."*

6.4.3.2 Leave No Trace and Tread Lightly

We commend the clarification of where and how *"Leave No Trace"* principles and practices are developed, and commend continuation of that ethic.

6.4.3.3 Use of Motorized Equipment

We did not see much, if any, change.

6.4.4 Commercial Services

We commend the addition of *"visitor safety"* to *"resource protection"* and *"preservation of wilderness values"* as a possible justification for erection of a temporary structure or facility or other *"specifically approved facilities that may be required within the wilderness stewardship plan."* We approve the addition of language allowing for *"temporary caches"...* *"only if necessary for public safety or to reduce damage to wilderness resources and when such caches are not visible to the public....and will not be permitted for convenience."*

6.4.5 Special Events

We commend clarification of how and why a special permit may be issued and we commend the improvement in tone.

6.4.6 Valid Existing Rights

We commend the title change from "Existing Private Rights" and the reorganization of all rights under this subsection. **We commend the addition of "water rights" to this list of rights that need to be recognized by the Park Service.**

6.4.6.1 Rights of Way

In regard to existing Rights of Way, we commend the change to *"should be allowed to terminate"* rather than *"should be terminated,"* which was more heavy handed and implied that the NPS has authority to terminate existing rights on its own.

6.4.6.2 Mineral Development

In regard to NPS seeking to remove or extinguish valid mining or mineral rights, we support the Review Team's requiring this to be done *"cooperatively"*. The 2001 Policies do not call for such. We also support that, in regard to *"There will be no new roads or improvement of existing roads,"* the Review Team has added *"unless the claimant can demonstrate a legal right."*

6.4.6.3 Grazing and Livestock Driveways

We support the small clarifications.

6.4.7 Accessibility for Persons with Disabilities We did not see much, if any, change. We support this subsection.

CHAPTER SEVEN, INTERPRETATION AND EDUCATION

We support this Chapter and commend the Review Team for emphasizing “*the importance of skilled and well-trained staff in all NPS disciplines*” to the forefront in Chapter One.

CHAPTER EIGHT, USE OF THE PARKS

We support the Review Team’s improvements, especially:

”The need for consultation and civic engagement practices is highlighted throughout the chapter to achieve desired resource and visitor enjoyment conditions;...

”More description is given to how parks will welcome visitors, and who the visitors are and why they visit;...

”Civic engagement practices now instruct Service employees to communicate and interact with groups and individuals to attain the best possible understanding and results for the resources and the visitor;...

”A new section has been added on Recreational Pack and Saddle Stock to cover how these uses and supporting operations will be planned and designed where and when they are considered appropriate.”

CHAPTER NINE, PARK FACILITIES

We support the improvements, in particular those related to “*appropriate consultation*” in regard to transportation systems.

CHAPTER TEN, COMMERCIAL VISITOR SERVICES

We support the improvements.

IN CONCLUSION

Thank you for making the Text and related information so readily available over the Internet. Congratulations on a fine job. We hope very much the improvements to the 2001 Policies drafted by the National Park Service Review Team will be adopted as soon as possible. We are glad to participate in the NPS practice of making all submissions by organizations or businesses available for public inspection in their entirety, but we do request that our email address not be made public. Except for our email address, please feel free to provide access to or a copy of our Comments to anyone who desires to see them.

Sincerely,

Jeannette Feeheley
President, Board of Directors

(SB NPS Management Policies Jan 06.Web Site)

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Board of Directors

*Joanne Appelhof - Jerry Brace - Dan DeGood - John Harkins - Jack and Jeannette Feeheley –
- Alison and Bob Michalak - Mary Miron - Phyllis Crowell VanHammen*