

**Comment Form**

Park: Gulf Islands National Seashore

Project: Personal Watercraft (PWC) Use at Gulf Islands National Seashore

(ID: 40970)

Document: Preliminary Alternatives, Maps, and Scoping Newsletter

(ID: 51620)

\* indicates required fields

City: \* WASHINGTON State/Province: \* DCPostal Code: \* 20001First Name: DAVID Middle Initial: WLast Name: DICKERSONOrganization: PERSONAL WATERCRAFT INDUSTRY ASSOCIATION (PWIA)☐ Member ☒ Official RepresentativeAddress 1: 444 N. CAPITOL ST, NWAddress 2: SUITE 645Country: USAE-mail: DDICKERSON@NMMA.ORG☐ Keep my contact information private

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**Please note:** The preferred method for commenting is to use the electronic form located at: <http://parkplanning.nps.gov>. Click on the link 'Plans/Documents Open for Comment', then select the document on which you wish to comment.

If you cannot use the electronic form, you may send this hard copy form and/or your letter to:

Gulf Islands National Seashore

Attn: S & RM Division, PWC Project

3500 Park Road

Ocean Springs, MS 39564

Before including your address, telephone number, electronic mail address, or other personal identifying information in your comments, you should be aware that your entire comment (including your personal identifying information) may be made publicly available at any time. While you can ask us to withhold your personal identifying information from public review by checking the box "**keep my contact information private,**" we cannot guarantee that we will be able to do so.



Personal Watercraft  
Industry Association

December 12, 2013

**VIA CERTIFIED U.S. MAIL**

Gulf Islands National Seashore  
Attn: Jolene Williams  
Attn: S&RM Division, PWC Project  
3500 Park Road  
Ocean Springs, MS 39564

Re: Comments on Scoping for National Park Service PWC Environmental Impact  
Statement, Gulf Islands National Seashore

Dear Ms. Williams:

The Personal Watercraft Industry Association and its member companies Bombardier Recreational Products Inc. (BRP), Kawasaki Motors Corp., and Yamaha (collectively, "PWIA") appreciate the opportunity to submit these comments in response to the National Park Service's ("NPS") November 2013 public scoping notice for the Personal Watercraft Use Plan/Environmental Impact Statement ("EIS") for Gulf Islands National Seashore ("Gulf Islands" or "the Park"). These written comments supplement comments provided by Michael Belitzky on behalf of the PWIA at the recent public meetings on November 18 and 19, 2013. The PWIA's members are manufacturers or distributors of personal watercraft ("PWC"), and have unparalleled experience and institutional knowledge regarding PWC. The PWIA is an affiliate organization of the National Marine Manufacturers Association ("NMMA"), the leading trade association representing the recreational boating industry in North America.

The PWIA was founded in 1987 and is a longtime advocate for safe and responsible PWC operation. The PWIA supports reasonable and fair regulations, strong enforcement of boating and navigation laws, and mandatory boating safety and education for all PWC operators. There are 1.3 million registered PWC in the United States today, with only a small fraction of that number registered near or operated in the Gulf Islands area in Florida and Mississippi. The recent economic downturn in the U.S. economy has had a significant impact on the boating industry, with production and sales volume for PWC decreasing in the past several years. Recent economic trends have altered the nature and trajectory of the PWC market since the last Environmental Assessment ("EA"). The overwhelming majority of PWC sold today are three-passenger models, making them affordable and family-friendly vessels to experience and enjoy the outdoors at Gulf Islands and elsewhere.

The PWIA commends and supports NPS in undertaking this process under the National Environmental Policy Act ("NEPA"). The scoping notice states that "NPS intends to address the deficiencies identified by the court by preparing an EIS for PWC use at Gulf Islands, which will include supplemental documentation, impact analyses not present in the earlier EA, and may include additional alternatives." In fulfilling this task, it is important to note at the outset that the court did not make affirmative findings contrary to the NPS' substantive conclusions in the

prior EA or the final rule for Gulf Islands. Specifically, the court refrained from finding that continuation of PWC use poses any significant impacts, or even impairment, to the Park, and did not prejudge the results of the new EIS. Rather, the court questioned, under NEPA and its implementing regulations, the procedures and metrics utilized for presenting impacts in the prior EA.

The PWIA looks forward to working with the agency and other stakeholders during this process to rectify the perceived prior procedural shortcomings, including offering the PWIA's access to current PWC studies and data to inform NPS' review. The PWIA believes that this renewed process will produce a well-supported environmental analysis and rule reflecting the compatibility of PWC and other uses at Gulf Islands. For present scoping purposes, the PWIA respectfully requests that NPS consider the following specific comments in developing the draft EIS. The PWIA will contribute and comment further to the EIS process as it continues.

#### **A. The EIS Should Utilize Current, High-Quality, and Accurate Information.**

The prior EA was published in 2004, and the Finding of No Significant Impact ("FONSI") and final rule for PWC use at Gulf Islands were issued in 2006. Since that time, NPS has the benefit of observing over *seven years* of PWC use at the Park. During that time there have also been developments in the law and in industry technology. Unlike in many NEPA contexts where the agency must resort to predicting new impacts from newly contemplated actions, NPS' actual experience with PWC use in Gulf Islands since 2006 permits a NEPA analysis that is principally descriptive in nature. Moreover, this passage of time offers the opportunity to incorporate new PWC data and examine their relative expected impacts at the Park. The absence of observed significant impacts attributable to PWC during this extended period, coupled with prior administrative record materials suggesting minimal impacts, would strongly bolster the new EIS.

NPS should base its EIS and selected alternative on the best available current PWC and Park data. Under Council on Environmental Quality ("CEQ") regulations, NPS must use best available scientific information. 40 C.F.R. §§ 1500.1(b), 1502.22. Likewise, NPS Director Jarvis' September 2012 Order on "Integrity of Scientific and Scholarly Activities" directs NPS to use the "most appropriate, best available, high quality scientific and scholarly data and information" and to "clearly differentiate among facts, personal opinions, assumptions, hypotheses, and professional judgment."<sup>1</sup> Thus, to the greatest extent practicable, the EIS should proceed on the basis of concrete data and experience rather than generalizations, hypotheticals, anecdotes, or public perception.

This data is readily available or obtainable. The prior EA from 2004 had to project the numbers and effects of PWC once reintroduced to the Park, typically for a 10-year period, and the court took issue with how the agency arrived at some of those projections. With 2013 nearly over, NPS can now rely on more reliable actual data in lieu of projections, and the EIS should present an analysis of any actually measureable incremental effects attributable to PWC since PWC were reintroduced to the Park. NPS may draw from its actual experience during the period

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<sup>1</sup> Director's Order #79: Integrity of Scientific and Scholarly Activities, *available at* [http://www.nps.gov/policy/Director's\\_Order\\_79.pdf](http://www.nps.gov/policy/Director's_Order_79.pdf) at 3-4).

when PWC were initially used (1980s to 2002), when PWC were banned (2002 to 2006), and when PWC were reintroduced (2006 to present), and compare those findings to its original estimates. If the actual data closely aligns to projections, that will bolster NPS' original findings and earn greater deference to the forthcoming EIS. The EIS similarly would be strengthened if effects did not change significantly upon reintroduction of PWC in 2006. If the projected and actual findings turn out to be different, that also will allow NPS to adjust its analysis accordingly. Moreover, if the existing 2006 rule is preserved, direct and indirect impacts regarding increased PWC use should be muted in the EIS considering that PWC have already been operating in the Park for several years under that rule.

Thus, for scoping purposes, NPS should collect and consider data from the several recent years of PWC use at the Park, including any actually observed air, water, sound, and biological impacts directly attributable to PWC; currently observed or measured discharges from PWC and other boats; actual visitor experiences of PWC and non-PWC Park users; numbers and models of PWC; origins and usage trends for PWC at the Park; and other relevant topics. If NPS has not already gathered such information since passage of the Gulf Islands PWC rule, NPS should take the time now to collect such data and test its prior findings. Among other sources, NPS may consider PWC information developed in the NEPA process for the remanded PWC rule for Pictured Rocks National Lakeshore that is underway. Indeed, a consensus point among public scoping comments in that separate process for Pictured Rocks was reliance on best available information, and NPS recognized this issue in its Summary Report. NPS may also conduct direct studies and observations of PWC use and effects (or the lack thereof) at Gulf Islands during the 2014 season. Such steps are prudent to fully respond to the district court opinion, even if they result in publication of the draft EIS after the tentative Spring/Summer 2014 date listed in the scoping notice.

In addition, NPS should obtain and give greater weight to the experiences of local citizens who regularly visit Gulf Islands. There are many longtime area residents who can offer valuable perspectives on the effects of PWC use, several of whom attended the public scoping meetings. The State of Florida additionally has determined that PWC and other forms of boating should be treated alike. Fla. Stat. § 327.60(d). Actual experience is far more credible than the views expressed by national groups predisposed to a blanket ban on PWC use anywhere in the Nation and who may seek to attribute significant new impacts to continued PWC use at Gulf Islands before the EIS is even scoped and completed.

**B. NPS Should Consider the Significance of PWC Impacts Holistically and in Furtherance of Consistent Park Management.**

The EIS should assess any impacts from PWC not in a vacuum, but through a holistic and practical approach incorporating existing conditions and uses throughout the Park. Per CEQ regulations, NPS should evaluate the significance of any PWC effects in the proper "context" of diverse existing Park uses and low "intensity" from the few total PWC in the Park. 40 C.F.R. § 1508.27. Motorized boating has a long history at the Park since its inception in 1971. Park uses have included PWC since the 1980s. It is well-established that PWC make up a very small fraction of total boating in Gulf Islands, and an even smaller percentage of total users. Based on information conveyed by the NPS, personal watercraft is estimated to comprise 0.5% and 4% of

recreational boating in the Florida District and Mississippi District of the Park, respectively. 71 Fed. Reg. 26232, 26233 (May 4, 2006).

Park and surrounding uses have continued to diversify over time. As the court recognized, “GUIS was the most heavily visited seashore in the national park system at the time that the EA was produced in 2004. It was also one of the ten most visited areas in the entire national park system, welcoming an average of 4.9 million people per year.” 721 F. Supp. 2d 7, at \*13-14. Largely family-oriented activities at the Park include, but are not limited to, swimming, non-motorized boating, and PWC use. Other motorized boat uses include commercial fishing vessels, commercial cruises carrying several passengers, and other large ships. The allowed boat types include specialized fishing boats with drafts as shallow as 5”, even when equipped with 150hp engine. These shallow-draft vessels can access areas of the park that are shallower than can be accessed by PWC under manufacturer guidelines. In addition, other surrounding sources affect the visitor experience at the Park. For example, the Florida District of Gulf Islands is located minutes from the Naval Air Station in Pensacola, Florida, which is the home base to military overflights, including by the United States Navy’s flight demonstration squadron, the Blue Angels. Blue Angels aircraft, estimated to emit up to 150 decibels in areas closest to an aircraft’s flight path, perform numerous shows and make frequent flights over the Florida District of the Park.

While the PWIA understands that this EIS is focused on PWC use at Gulf Islands, the prevalence of motorized boating and other existing uses is highly relevant in providing the proper context to assess both the baseline conditions and the likely effects of PWC on the environment and visitors’ expectations. The issue is not introduction of PWC into an area composed entirely of “pristine” wilderness, as that term was used by the court, but rather the aggregation of PWC with existing and diverse high recreational usage at the Park. As NPS has stated in Section 1.4.7 of its 2006 Park Management Policies, “[v]irtually every form of human activity that takes place within a park has some degree of effect on park resources or values, but that does not mean the impact is unacceptable or that a particular use must be disallowed.” The “Purpose” stated in the scoping notice also recognizes that the Park should be managed by “providing a variety of visitor experiences.” The PWIA fully recognizes and supports the protected resources and values at Gulf Islands, as do PWC users and other visitors who enjoy those Park amenities. But this does not mean that continued PWC use will significantly affect the environment or foreclose other Park uses. Indeed, the Park is open to all people, and not every deviation from a natural state, every additional user, or every individually perceived annoyance is a significant impact.

In fact, continued PWC use fulfills management objectives at Gulf Islands. The Park’s enabling legislation establishes Gulf Islands “to preserve for public *use and enjoyment* [of] certain areas possessing outstanding natural, historic, and *recreational* values.” *Id.* (emphasis added). 16 U.S.C. § 459h(a) (Pub. L. 91-660). The statute nowhere restricts recreation to a specific subset of activities that excludes PWC. As NPS has previously determined, PWC use has a long history at Gulf Islands and is consistent with the Park’s purposes and other uses within the Park. As the district court found, Park visitors may operate a variety of watercraft including “ski boats, personal watercraft, runabouts, day cruisers, sailboats, houseboats, canoes, kayaks, and rowboats.” 721 F. Supp. 2d 7, at \*13-14. Indeed, like other parks, Gulf Islands is not static;

uses invariably change over time with shifting demand, technology, and other factors. Targeting one type of boating for inordinate burdens or even a potential ban is directly contrary to NPS' mandate to maintain the Park for a variety of recreation uses.<sup>2</sup>

PWC use is also consistent the Park's current draft General Management Plan ("GMP").<sup>3</sup> In undertaking the new draft GMP, NPS noted that "[n]ature, history, and recreational opportunities abound at the national seashore [and that] Congress established Gulf Islands National Seashore in 1971 with the purposes of providing recreation for visitors and protecting the wildlife, barrier islands, fertile coastal salt marshes, dense maritime forests, historical structures, and archeological sites along the northern shores of the Gulf of Mexico." 2011 GMP at 226-27. "Common activities" at Gulf Islands include water-related activities such as "use of powerboats, canoes, sailboats, sailboards, fishing boats, *personal watercraft*, and kayaks." *Id.* at 227 (emphasis added). Moreover, "[a]lthough boating is not mentioned in the national seashore's enabling legislation, it is recognized as a mode of access for many visitors." *Id.* at 227, 230. Specifically, the draft GMP states that "operation of personal watercraft (PWC) is allowed at Gulf Islands National Seashore with restrictions as described below by district." *Id.* at 230. Thus, continued PWC access to the Park is entirely consistent with the GMP.

Accordingly, the EIS should explain in detail the full range of uses at the Park and where within the Park those uses take place, illustrating upfront that the entirety of the Park is not predominated by passive uses incompatible with PWC. Likewise, in formulating any PWC alternatives and mitigation measures, the EIS should consider the actual utility of certain PWC restrictions if motorized boats of greater size and in greater numbers may operate in those same areas. In the same vein, NPS should create a scheme utilizing consistent standards for similar activities so as to minimize operational costs. Relatedly, the analysis of cumulative impacts of PWC use should account for the PWC share of overall recreational use at the Park. When viewed in their proper context, NPS may again find that the effects of PWC at Gulf Islands are insignificant under NEPA.

### **C. NPS Should Recognize and Incorporate Appropriate Existing Standards.**

Other laws and standards guide PWC use at Gulf Islands beyond NPS' PWC use rule, some of which have been enacted or updated since the time of the prior EA study. These additional standards should substantially alleviate the court's concerns and obviate additional restrictions in the PWC rule for Gulf Islands. Florida and Mississippi state laws impose strict standards on PWC use and safety in state waters. Florida restricts the time during which PWC can be used and Mississippi imposes restrictions on usage areas. Additional requirements include restrictions on speed and wake jumping when operating PWC outside the flat wake zone, boating safety certification and personal floatation devices requirements, age limitations (age 14 to operate an owned PWC in Florida and age 12 to operate an owned PWC in Mississippi), among other restrictions. Violators are subject to fines and temporary prohibitions on their PWC

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<sup>2</sup> As Secretary Jewell noted in her confirmation process, "I will redouble efforts to ensure that our open spaces, trails and parks are accessible and relevant to all people from all backgrounds." See [http://www.doi.gov/ocl/hearings/113/confirmationstatementjewell\\_030713.cfm](http://www.doi.gov/ocl/hearings/113/confirmationstatementjewell_030713.cfm).

<sup>3</sup> See <http://www.nps.gov/guis/parkmgmt/general-management-plan.htm>.

use in the Park. Fla. Stat. § 327.39 (2013); Miss. Laws § 59-21:85-153 (2013). The scoping notice properly includes compliance with existing state regulation of PWC operations as common elements for all preliminary action alternatives.

NPS should also consider state laws that prohibit the enactment of rules that specifically target personal watercraft and do not apply to other boats. Florida law specifically forbids such discriminatory rules. *See* Fla. Stat. § 327.60(d) (2013) (“[A] county or municipality shall not enact . . . any ordinance or local regulation . . . [d]iscriminating against personal watercraft.”). This mandate at the state level deserves comity in the NPS’ current Gulf Islands process.

In 2007, after issuance of the Gulf Islands PWC rule, NPS promulgated its final rule on “Boating and Water Use Activities.” 72 Fed. Reg. 13694 (Mar. 23, 2007), codified at 36 C.F.R. § 3.1 *et seq.* These rules set out additional nationwide standards applicable to PWC and other boats, addressing, among other things, safety and noise concerns. They also incorporate non-conflicting state laws and regulations, thereby promoting a system of consistent rules to facilitate understanding and compliance. *See* 36 C.F.R. § 3.2(b). Regarding noise, NPS adopted prescribed decibel levels and testing standards from the National Association of State Boating Law Administrators (“NASBLA”) Model Act for Motorboat Noise and the NMMA (which includes the PWIA) Model Act, a standard first endorsed by the boat manufacturing industry in 1992 and thereafter has been adopted by more than 30 states and the NPS. The NPS rule limits PWC and other boats to “(1) 75dB(A) measured utilizing test procedures applicable to vessels underway (Society of Automotive Engineers SAE--J1970); or (2) 88dB(A) measured utilizing test procedures applicable to stationary vessels (Society of Automotive Engineers SAE--J2005).” The Gulf Islands scoping notice correctly identifies these standards. Notably, these noise thresholds are below the decibel levels assessed in the court’s opinion. The court further noted, but did not accord any importance to, the reduction in decibel levels when utilizing a 200-foot buffer zone.

The PWIA’s member companies have not only met, but exceeded, these noise requirements by complying with another sound emission standard, ISO 14509. The ISO 14509 limitation is 75dB, measured 75 feet from shore, at a test speed of 40 miles per hour. ISO 14509 is effectually different from SAE-J1970, which sets a 75dB recommended practice during shoreline testing at wide open throttle with no distance measurement. All PWIA member manufacturers meet the ISO 14509 noise standard. Advances in PWC hull design technology include the following features to achieve reduced sound emissions: engine mount isolation, quieter four-stroke technology engines, advanced water jacketing, water lock boxes/mufflers, and exhaust exits at the air/water interface.

With respect to air emissions, the Environmental Protection Agency regulates emissions from PWC and other marine outboard engines under the same regulation. 40 C.F.R. Part 1045. EPA promulgated its most recent emissions standard in 2008, applicable to PWC model year 2010 and beyond. PWC are also subject to EPA evaporative emission standards at 40 C.F.R. Part 1060, most recently promulgated in 2009. Since 1998, PWC have achieved a 75% reduction in hydrocarbon and nitrogen oxide emissions. Today, PWC emit 16 gr/KW-hr of hydrocarbon and nitrogen oxides, compared to 300gr/KW-hr prior to 1998. All PWC manufacturers also meet the California Air Resource Board (“CARB”) PWC emission requirements. With the implementation of the EPA final rule in 2010, both CARB and EPA emission standards are



harmonized. At this time all new PWC engines are certified to meet both CARB Three Star and EPA 2010 standards, making them some of the cleanest engines on the water today. Finally, NASBLA has promulgated additional model acts that may serve as useful references for standards in conducting the EA study.

Nevertheless, NPS should recognize and implement these standards consistent with their underlying purposes and NPS' regulation of all other boats. Many of these standards, such as EPA engine emission standards, were never intended to serve as a basis for restricting where existing individual PWC and other boats could be used. Thus, as described further below, NPS should not cite and employ these standards in a manner that denies PWC access to the Park that is granted to all other boats, regardless of the year of manufacture or emission level.

**D. The Areas Open to PWC Should Be Maintained or Expanded Consistent with Other Park Uses.**

The scoping notice lists five basic "preliminary alternatives": prohibit all PWC use (Alternative A); manage PWC use similar to other watercraft (Alternative B); allow PWC use in accordance with the 2007 NPS special regulation (Alternative C); allow PWC use with new resource protection measures and consistent flat-wake zones (Alternative D); and allow PWC use with increased seagrass protection (Alternative E).

The PWIA strongly favors preliminary Alternative B (subject to the reservation in the next section) which would allow PWC use with appropriate issuance measures to ensure safety and environmental protections consistent with other boating. This alternative is most equitable and best supported by evidence at Gulf Islands to date. At a minimum, NPS should retain the existing regulation pursuant to preliminary Alternative C (subject to the reservation in the next section). The several years of PWC use at Gulf Islands demonstrate the absence of significant PWC-specific effects on the environment, and there is no legitimate documented reason to further restrict PWC use in that area. In fact, innovations in PWC technology and legal developments have lowered, and will continue to lower, the potential for adverse impacts. PWC safety is advanced by additional equipment safeguards and mandatory age and education programs. With regard to any alleged local complaints against PWC use, which based on existing information do not appear to be prevalent, NPS should investigate and collect actual data to factor into its analysis.

**E. NPS Should Not Enact Additional Unnecessary Restrictions on PWC Use.**

While the PWIA favors preliminary Alternative B, with its next relative preference being preliminary Alternative C, we find it inconsistent to include for those preliminary Alternatives what appears to be a new mandate for PWC to meet 2006 emission standards. No similar standard exists for other types of boats. This additional requirement unfairly discriminates against owners of older PWC. In its research, NPS should determine the impact of allowing pre-2006 models access to the park, particularly given, as noted earlier, that PWC is estimated to comprise 0.5% and 4% of recreational boating in the Florida District and Mississippi District of the park, respectively. As a national park established to provide a broad range of recreational opportunities, all models of PWC should be allowed to use the park unless it can be proven that such allowance would unduly harm the environment given the unrestricted access provided by

all other boat and engine types. Therefore, NPS in its Draft EIS should thoroughly consider alternatives that truly reflect the titles of Alternatives B and C – “Manage PWC Use Similar to Other Watercraft” and “Allow PWC Use in Accordance with 2007 Special Regulation” – without inserting additional onerous requirements.

Preliminary Alternatives D and E would single out and needlessly impose unsupported and unfair restrictions on PWC use at Gulf Islands. Given the overlapping regime of applicable laws and standards to protect various resources and values at Gulf Islands, and in the absence of evidence showing significant environmental harm to the Park due to PWC use, it is unnecessary to impose additional restrictions on PWC use beyond those in the current rule. In the forthcoming EIS, NPS need not present a greater number of alternatives or adopt greater wholesale restrictions, but should better explain the sources and basis for the alternatives studied.

To the extent NPS elects to carry certain measures into more detailed alternatives or mitigation analysis in the EIS, NPS should not select such measures unless the restrictions are fully explained and the purported benefits are supported by credible evidence. Indeed, the court did not appear to comprehend the source or marginal utility between the existing rule and the expanded use alternative in the prior EA, particularly since both options were described as having nearly indistinguishable impacts on several Park resources. The further restrictions contemplated in preliminary Alternatives D and E, going beyond the restrictions in the existing rule, would require even greater factual justification. For example, NPS must justify the unsuitability of beaching locations excluded under the latter preliminary Alternatives and any purported insufficiency of existing flat-wake zones. Furthermore, NPS should provide verified mapping and substantiate assumptions for seagrass areas before declaring any areas off-limits to PWC use. For example, it is unclear how NPS derived the shaded areas in the preliminary maps on its website, or if each of those areas is uniformly situated with regard to PWC use. NPS should also consider that PWC inherently present less of a threat to vegetation due to the absence of exposed propellers featured on other motorcraft or of paddles associated with kayaks, and that educational efforts and product limitations discourage users from going into shallow waters close to shore. Upon verifying that, consistent with the prior EA, the many years of PWC use at Gulf Islands has not impaired the Park as a whole, NPS should not close off the Park to PWC users via an unwarranted “PWC use permit” system.

#### **F. Socioeconomic Impacts Must Be Fully Considered.**

As done in its prior EA, NPS should properly consider the economic and social impacts interrelated with its environmental analysis. 40 C.F.R. § 1508.14. PWC foster family recreation and benefit local economies since many people can tow two PWC from a typical car during their single day or multi-day trip to Gulf Islands. While the court did not take issue with NPS’ prior analysis of these types of effects, NPS should ensure that its draft EA considers not only the effects of PWC use on the local population and economy, but also the socioeconomic effects of further restricting PWC use.

On one hand, NPS should consider any increased visitation to the Park and corresponding economic benefits to the Park and surrounding area if NPS preserves or expands PWC use. On the other hand, NPS should not enact new restrictions without considering their local impacts. At Gulf Islands, many PWC are based and used locally, rather than rented or transported from

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distant locations. Thus, imposition of new technology-based or other limitations could have the effect of excluding local users.

### **G. Conclusion**

Thank you for the opportunity to provide these NEPA scoping comments regarding continued use of PWC at Gulf Islands. The PWIA and its members appreciate NPS' careful consideration of these views, and support this important project. The PWIA believes that an objective reevaluation of the relevant issues in the EIS to address the court's procedural questions will support maintaining PWC among the wide range of appropriate recreational opportunities that are consistent with environmental protection and visitor enjoyment at the Park.

If you have any questions or require further information, contact Nicole Vasilaros at 202-737-9763 or at [nvasilaros@nmma.org](mailto:nvasilaros@nmma.org).

Sincerely,



David Dickerson  
PWIA Executive Director