

NATIONAL PARK SERVICE
U.S. Department of the Interior

Glen Canyon National Recreation Area



Record of Decision (Amended)
Off-Road Vehicle Management Plan

January 2025

Arizona and Utah

Recommended:

Date:

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KERNS

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Interior Regions 6, 7, & 8

AMENDED RECORD OF DECISION

Glen Canyon National Recreation Area

Final Off-Road Vehicle Management Plan Environmental Impact Statement

1.0 INTRODUCTION

The US Department of the Interior, National Park Service (NPS), has prepared this amended Record of Decision (ROD) on the Glen Canyon National Recreation Area Final *Off-Road Vehicle Plan / Environmental Impact Statement* (plan/EIS).

The ROD for this project was originally approved by the NPS Regional Director for Interior Regions 6, 7 & 8 (Intermountain Region) on September 7, 2018 (2018 ROD). Since that time, NPS has determined a need to revise the selected alternative. The selected alternative has been revised to prohibit street-legal ATVs and OHVs on 16.27 miles of GMP roads and on the approximately 8-mile section of Poison Springs Loop in the Orange Cliffs Special Management Unit (total of approximately 25 miles).

Conventional motor vehicles are still allowed on these GMP roads. Approximately 190 miles of GMP roads remain open to conventional vehicles, street-legal ATVs and OHVs in that portion of Glen Canyon lying outside of the Orange Cliffs Special Management Unit. The newly-selected alternative does not open or close any GMP roads or previously designated off-road routes and areas.

This amended ROD was prepared in accordance with the requirements of the National Environmental Policy Act of 1969, as amended (NEPA), its implementing regulations (40 CFR 1500–1508),¹ the Department of the Interior’s NEPA regulations (43 CFR 46), and the 2015 NPS NEPA Handbook. This amended ROD conforms with the 1978 regulations that were in effect at the time that the DEIS, FEIS, and 2018 ROD were completed. This amended ROD includes a summary of the purpose and need for action; a synopsis of alternatives considered and analyzed in detail; a description of the newly-selected alternative and a summary of the impacts of that alternative, the basis for the decision; and a description of the environmentally preferable alternative. Aside from the description in the newly-selected alternative, the summary materials in this amended ROD are largely a recitation of background already provided in the 2018 ROD and are not modified by this decision.

This amended ROD contains elements that require promulgation of regulations to be effective. NPS published a draft rule on September 16, 2024, proposing to amend Glen Canyon’s existing motor vehicle regulations at 36 CFR 7.70(f). Promulgation of a final regulation will occur in conjunction with the execution of the amended ROD.

¹ The NPS is aware of the November 12, 2024, decision in *Marin Audubon Society v. Federal Aviation Administration*, No. 23-1067 (D.C. Cir. Nov. 12, 2024). To the extent that a court may conclude that the Council on Environmental Quality (CEQ) regulations implementing NEPA are not judicially enforceable or binding on this agency action, the NPS has nonetheless elected to follow those regulations at 40 C.F.R. Parts 1500– 1508, in addition to the NPS’s procedures and regulations implementing NEPA at 43 CFR 46, to meet the agency’s obligations under NEPA, 42 U.S.C. §§ 4321 et seq.

2.0 BACKGROUND

Glen Canyon encompasses 1,254,306 acres in northern Arizona and southeastern Utah and includes portions of Garfield, Kane, San Juan, and Wayne Counties in Utah and Coconino County in Arizona. Glen Canyon encompasses Rainbow Bridge National Monument and shares boundaries with other national park system units, including Grand Canyon National Park, Capitol Reef National Park, and Canyonlands National Park. The southern boundary of Glen Canyon runs contiguous to the lands of the Navajo Nation and Glen Canyon adjoins approximately 9.3 million acres of federal lands administered by the Bureau of Land Management (BLM), including the Grand Staircase Escalante National Monument, Vermilion Cliffs National Monument, and the Paria Canyon-Vermilion Cliffs Wilderness.

The use of motorized vehicles to reach off-road destinations in Glen Canyon predates the establishment of the recreation area in 1972 (PL 92-593). After Lake Powell began to fill behind the completed Glen Canyon Dam in 1963, the public began driving off-road to access the new lake for recreational activities. This off-road use continued following the establishment of the national recreation area in 1972.

A comprehensive planning process begun by NPS after the establishment of Glen Canyon resulted in the publishing of a general management plan (GMP) in 1979. The GMP designated a system of open roads for vehicle travel and closed several existing unpaved roads in the backcountry. The 1979 GMP also established management zones for the recreation area that described resources and allowable recreational uses for each zone. After an evaluation of several alternatives for wilderness suitability under the 1964 Wilderness Act, NPS published a Wilderness Recommendation in 1980 proposing 588,855 acres for designation as wilderness within Glen Canyon.

Following a rapid increase in visitation to Glen Canyon during the 1970s, NPS determined that site-specific planning for off-road use was warranted. Increasing use at shoreline locations was leading to management concerns, including visitor conflicts, safety issues, resource degradation, and unsystematic off-road use. In response, NPS developed a management plan for Lone Rock Beach (1981 *Lone Rock Beach Development Concept Plan and Environmental Assessment*) as well as a management plan for 20 accessible shoreline areas on Lake Powell (1988 *Environmental Assessment and Management I Development Concept Plans for Lake Powell's Accessible Shorelines*). Twelve of the 20 accessible shoreline sites were developed to provide for off-road driving.

In 1986 the *Paiute Farms/San Juan Marina Development Concept Plan Environmental Assessment* (NPS 1986) evaluated the development of a marina that was subsequently constructed and then destroyed by a flash flood several years later. Off-road use at this former marina site continues in order to access the San Juan Arm of Lake Powell at this location. In addition, the 2006 Uplake Development Concept Plan (NPS 2006b) designated an area at the Hite Boat Ramp to continue its use for primitive shoreline camping, which is accessed by off-road use between the public boat launch ramp and the former Hite marina site. An additional area bordering the Navajo Nation, Nokai Canyon, is not authorized for off-road use but is currently being accessed and has not been addressed in past planning efforts.

In December 1993, NPS completed an Environmental Assessment for a Backcountry Management Plan in the Orange Cliffs Special Management Unit. This plan evaluated, among other things, management objectives for the Orange Cliffs and culminated in the Canyonlands National Park and Orange Cliffs Unit of Glen Canyon National Recreation Area Backcountry Management Plan (January 1995), hereinafter referred to as the “1995 BMP.” The primary goal of the 1995 BMP is to balance the public’s demands to see, access and enjoy the backcountry with NPS’s mandates to preserve and protect Park resources. To that end, the plan guides management decisions for the

Orange Cliffs, further develops zoning concepts contemplated in the 1979 GMP, and provides visitor use management tools, among other things. The Plan recites provisions of Glen Canyon's enabling legislation, which specifically refers to the Orange Cliffs and its position as a critical backdrop to Canyonlands National Park. As the park implemented provisions of the 1995 BMP, it further refined the network of open roads in Orange Cliffs and closed certain roads.

In 2005, NPS was challenged by Friends of the Earth, the National Parks Conservation Association, and Wildlands CPR (known collectively as Bluewater Network) in federal court over failure to comply with Executive Orders 11644 and 11989 and 36 CFR 4.10(b), which provide, among other things, that NPS must promulgate a special regulation before authorizing off-road vehicle use (see *Friends of the Earth, Bluewater Network Division, et al. v. United States Department of the Interior, et al.*, Case 1:05-cv-02302-RCL). Although the NPS had implemented off-road vehicle (ORV) management plans for various parts of Glen Canyon in 1981 (Lone Rock Beach) and 1988 (20 accessible shoreline areas on Lake Powell), Glen Canyon did not promulgate a special regulation to designate off-road routes and areas. The litigation was resolved under a settlement agreement, dated May 12, 2008, which requires Glen Canyon to prepare an ORV plan and promulgate a regulation if off-road use is allowed. Glen Canyon prepared the 2017 plan/FEIS and Record of Decision under the terms of the settlement agreement.

The plan/FEIS addressed the future management of accessible shoreline areas and their suitability for use by conventional motor vehicles, as well as by non-conventional vehicles, such as off-highway vehicles (OHVs) and street-legal all-terrain vehicles (ATVs). The plan/FEIS also evaluated the designation of ORV routes in other areas of Glen Canyon such as at Ferry Swale.

The NPS signed the original ROD in September, 2018. In 2021, the NPS promulgated special regulations addressing the off-road vehicle travel in Glen Canyon and on-road street-legal ATVs and OHVs on roads within the Orange Cliffs (86 FR 3804). These regulations are codified at 36 CFR 7.70(f) and address the use of conventional motor vehicles, OHVs, and street-legal ATVs. The regulations established rules for the use of motor vehicles on paved and unpaved GMP roads and off roads in designated areas and routes.

National Parks Conservation Association filed a Complaint challenging the special regulations on January 19, 2021. More than two years later, Southern Utah Wilderness Alliance filed a Complaint on March 15, 2023, also challenging the special regulations. The U.S. District Court for the District of Columbia consolidated the two matters, and the parties to those cases executed a Settlement Agreement on March 26, 2024 (2024 Settlement), requiring, among other things, that NPS propose certain revisions to the 2021 rule.

This revised ROD documents the decisions made by the NPS to amend the ORV Plan, as well as revisions that will be implemented in Glen Canyon's special regulation at 36 CFR 7.70(f). The regulatory changes from the 2018 decision are narrow; however, to provide context for those changes, the NPS has included analysis and explanation so the reader can better understand the rationale for the changes and how they fit into the ORV Plan as a whole.

3.0 PURPOSE AND NEED FOR THE PLAN/FEIS

The purpose of the plan/FEIS was to evaluate off-road use by conventional and non-conventional motor vehicles and on-road use by non-conventional motor vehicles and develop management actions that preserve Glen Canyon's scientific, scenic, and historic features; provide for the recreational use and enjoyment of the area; and promote the resources and values for which the area was established as a unit of the national park system.

A plan/FEIS remains necessary for the following reasons:

- To evaluate the impacts associated with off-road use in Glen Canyon and determine what management actions should be taken.
- To determine whether the NPS will authorize off-road use in accordance with Executive Orders 11644 and 11989 (off-road vehicles on public lands), NPS laws, regulations (36 CFR 4.10), and policies to minimize impacts to Glen Canyon.
- To evaluate the impacts resulting from on-road use by non-conventional motor vehicles in Glen Canyon, and determine what management actions should be taken.
- To assess on-road and off-road motor vehicle uses to ensure they are acceptable uses and do not result in unacceptable impacts, consistent with 2006 NPS Management Policies.
- To address changes in vehicular access at visitor use areas due to fluctuating lake levels.

4.0 TERMINOLOGY

Vehicle technology is changing rapidly. State codes, likewise, can alter the definition of a vehicle. As such, the NPS desires to maintain flexibility in its approach to managing vehicle types so that management can remain responsive to future changes in recreation technologies, State codes, production standards, and other factors beyond the control of the plan/FEIS. The following definitions explain the terms commonly used throughout the plan/FEIS.

4.1 Park Road

The NPS defines a park road as the main-traveled surface of a roadway open to motor vehicles, owned, controlled or otherwise administered by the NPS. See 36 CFR 1.4; see also Park Road Standards (NPS 1984). Routes and areas are not “park roads.” 36 C.F.R. 4.10(a).

4.2 General Management Plan (GMP) Road

Roads (paved and unpaved) open to motor vehicle travel as designated in the Glen Canyon 1979 General Management Plan (NPS 1979). All other roads are closed to public motor vehicle travel. GMP roads in Glen Canyon are the same as park roads. See 36 C.F.R. 7.70(f)(1). The GMP roads considered in the FEIS are those roads that were both depicted on 1979 GMP Maps and open to the public at the time the Notice of Intent was published in 2007. As described on pages 90-91 of the FEIS, the ORV plan does not open or close any GMP roads. Similarly, the newly-selected alternative does not open or close any GMP roads.

4.3 Off-road Use

The term "off-road use" or "off-road travel" refers to the driving of any motor vehicle off of paved or unpaved roads. Operating a motor vehicle off of any GMP roads or outside any parking area within the National Park System is illegal unless it is authorized by a special regulation.

4.4 Motor Vehicle

The NPS defines a motor vehicle as "every vehicle that is self-propelled and every vehicle that is propelled by electric power, but not operated on rails or upon water, except a snowmobile and a motorized wheelchair." See 36 CFR 1.4.

4.5 Off-road Vehicle (ORV)

The NPS defines ORVs broadly as "any motorized vehicle designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, marsh, swampland, or other natural terrain." See Executive Order 11644.

4.6 Conventional Motor Vehicle

The term "conventional motor vehicle" is used in the plan/FEIS to refer to motor vehicles designed primarily for use and operation on streets and highways and licensed and registered for interstate travel, which may also be used off-road. They are distinguished from non-conventional vehicles (see next definition). Examples of conventional motor vehicles include, but are not limited to automobiles, vans, highway motorcycles (including dual-sports motorcycles licensed for use on a highway), sport utility vehicles, recreational vehicles (RVs), pickup trucks, or buses for which the primary purpose of manufacture is transportation and/or commerce. Conventional motor vehicles do not include OHVs, ATVs, or snowmobiles. See 36 C.F.R. 7.70(f)(1).

4.7 Non-conventional Motor Vehicle

The term "non-conventional motor vehicle" is used throughout the plan/FEIS to refer to vehicles primarily designed for off-road use. Examples of non-conventional motor vehicles include, but are not limited to, ATVs, OHVs, dirt bikes, sand rails, side-by-sides, and dune buggies. When necessary to distinguish a road or area designated for a specific category of motor vehicles, non-conventional motor vehicles are further divided into two categories: (1) OHVs and (2) street-legal ATVs. Snowmobiles are not included in this term.

4.8 Off-highway Vehicle (OHV)

Off-highway vehicle (OHV) means any motor vehicle designed primarily for off-road travel that is not licensed and registered for interstate travel. See 36 C.F.R. 7.70(f)(1). When used in this plan/FEIS, the term "OHV" includes all vehicles described in the applicable state statute with the exception of snowmobiles, ground effects and air cushion vehicles (i.e. "hovercraft"), street-legal motorcycles, and street-legal ATVs. Glen Canyon is within two states (Arizona and Utah) with distinct vehicle codes that define OHV operator and vehicle requirements.

4.9 Street-legal All-terrain Vehicle (ATV)

Street-legal all-terrain vehicle (ATV) means an ATV that qualifies under Arizona or Utah motor vehicle code to be operated on state roads and highways. Glen Canyon overlaps two state jurisdictions (Arizona and Utah) with distinct vehicle codes.

4.10 Off-road Vehicle (ORV) Area

The plan/FEIS uses the term "ORV area" to refer to an area designated for off-road motor vehicle use under 36 CFR 4.10.

4.11 Off-road Vehicle (ORV) Route

The plan/FEIS uses the term "ORV route" to refer to a route designated for off-road motor vehicle use under 36 CFR 4.10.

5.0 ALTERNATIVES CONSIDERED

The alternatives analyzed in the plan/FEIS are the result of internal and public scoping. The NPS held seven meetings to inform the public about the preliminary alternatives for the plan/FEIS. These alternatives meet the management objectives of the recreation area while also meeting the overall purpose

of and need for the proposed action. Alternative elements that were considered but were not technically or economically feasible; did not meet the purpose and need for the project; created unnecessary or excessive adverse impacts on resources; and/or conflicted with the overall management of Glen Canyon or its resources were dismissed from further analysis.

While the FEIS describes existing conditions as the No Action alternative, the FEIS impact analysis for the action alternatives discloses both adverse impacts of on-road and off-road vehicle use, and resource benefits attributable to reduced motorized vehicle access. That analysis often describes those impacts as ongoing because of the history of motorized uses at Glen Canyon. The history of motorized uses and the Utah and Arizona state regulatory regimes for motorized vehicles are attributes that the NPS had to consider when describing the existing environment and comparing potential alternatives.

5.1. Alternative A: No Action

The no-action alternative represents the continuation of existing management policies and actions related to the use of ORVs in Glen Canyon and represents no change from the current level of management direction and level of management intensity. This approach is consistent with CEQ's guidance on formulating a "No Action" alternative. *See* Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations, Question 3.A, 46 Fed. Reg. 18,026, 18,027 (Mar. 23, 1981). Specifically, when updating a land management plan, the no-action alternative should be no change from current management direction or level of management intensity. Projected impacts from other management alternatives are then compared to this baseline. *Id.* As discussed above, ORV use and related ORV impacts occurred in what is now Glen Canyon before the recreation area was established. Also described above, the NPS has managed ORV use in Glen Canyon pursuant to the 1979 Glen Canyon GMP and other planning documents and management policies. Thus, the no-action alternative included impacts from ORV use under existing management, including ORV use on certain routes and areas that was not authorized because these routes and areas were not designated for ORV use by special regulation under 36 CFR 4.10(b). As discussed in the FEIS, and above, certain parties challenged this unauthorized use, which resulted in a 2008 settlement of the litigation. These facts are unique to Glen Canyon and this particular planning and rulemaking process. The NPS did not attempt to create a no-action alternative or baseline of no ORV impacts because that would have been contrary to the guidance described above, and would not constitute actual, current conditions. *See also* FEIS, A-40, A-43.

5.1. Alternative B: No Off-Road Use

Under alternative B, the remote, undeveloped, and lightly traveled nature that characterizes much of Glen Canyon would be maintained by limiting the operation of motor vehicles only to designated roads. Nearly 669,000 acres of Glen Canyon are classified as "Natural" under Glen Canyon's management zones, where maintaining isolation and natural processes is the primary management objective. There would be no designated ORV routes or areas and existing off-road use areas would be closed and restored to natural conditions.

5.3. Alternative C: Increased Motorized Access

Under alternative C, ORVs would be managed in a manner that would expand the recreational opportunities in Glen Canyon by increasing the number of ORV routes and areas. Alternative C is designed to enhance the visitor experience by identifying and designating specific areas capable of supporting off-road use and on-road OHV and street-legal ATV use, while prohibiting such uses in areas

where natural and cultural resources and visitor experience may be adversely impacted.

5.4. Alternative D: Decreased Motorized Access

The isolated and primitive characteristics of the Glen Canyon backcountry would be enhanced by limiting areas open to off-road use and by prohibiting the operation of OHVs and street-legal ATVs throughout Glen Canyon. These actions are intended to enhance the protection of Glen Canyon resources and values, as well as to promote recreation opportunities that are based on a sense of solitude, remoteness, and natural conditions. Alternative D would reduce the number of available ORV areas and routes.

5.5. Alternative E: Mixed Use

Alternative E is designed to protect resources and enhance the visitor experience by identifying and designating specific areas capable of supporting off-road use while prohibiting such uses in areas where resources and values may be at risk.

6.0 NEWLY-SELECTED ALTERNATIVE

The NPS will implement the following elements of Alternative E: Mixed Use, actions common to all action alternatives including the no-action alternative, and actions common to all alternatives, with the addition of elements of Alternative D: Decreased Motorized Access as they relate to Travel on certain GMP Roads. Additional details of each management action may be found in the plan/FEIS.

6.1. Travel on GMP Roads

Street-legal ATVs will be authorized to operate on paved GMP roads in Glen Canyon, with the exception of the Lees Ferry access road and paved roads in the Lees Ferry developed area. The speed limits on paved GMP roads will not change and will remain as currently posted.

OHVs and street-legal ATVS will be allowed on unpaved GMP roads in Glen Canyon, with the exception of the following roads:

- All GMP roads in the Orange Cliffs Special Management Unit,
- Unnamed road near Dry Mesa/Sheep's Canyon (near Hite, sometimes referred to as Dry Mesa Road) • 4.31 miles
- Road #2/95 Spur (near Hite, also known as Dirty Devil Spur • 1.14 miles
- Cove Canyon Spur Road (near Hite) • 0.65 miles
- Flint Trail Spur Road (near Hite, also known as Waterhole Flat Spur #1 Road & Dark Canyon Overlook Road) • 0.72 miles
- Ticaboo Mesa Road (near Bullfrog) • 1.45 miles
- Muley Point Road • 0.51 miles
- Johns Canyon Road (near Muley Point) • 7.49 miles

The speed limit on unpaved GMP roads will remain 25 mph or as posted. Permits are not required for street-legal ATVs or OHVs to travel on GMP roads.

6.2. Lone Rock Beach

Lone Rock Beach will remain open by permit to conventional motor vehicles, OHVs, and street-legal

ATVs. A portion of Lone Rock Beach will continue to be designated as a vehicle-free zone, or an area where motor vehicles of any type are not permitted, to provide a unique experience for tent campers who prefer to be separated from all motor-vehicle users. This vehicle-free zone was designated during the seasons of highest use; and the NPS will continue to vary the size and location of vehicle-free zones based on the water level of the lake.

All operators of motor vehicles must obey all Arizona state traffic laws while on Lone Rock Beach. The speed limit on Lone Rock Beach will remain 15 mph or as posted. Motor vehicle operators must conform to all applicable state licensing, registration, and insurance requirements.

6.3. Lone Rock Beach Play Area

Lone Rock Beach Play Area (approximately 180 acres) will remain open by permit to conventional motor vehicles, OHVs, and street-legal ATVs. All motor vehicles operating on the dunes will continue to be required to obtain an ORV permit and display a red or orange whip safety flag and otherwise follow the requirements of Utah law for operating an OHV on dunes (U.C.A. §§ 41-22-10.7). Expanded quiet hours for the Play Area (sundown to sunrise) are implemented, while retaining the Superintendent's discretion to enact stricter quiet hours as necessary.

6.4. Accessible Shoreline Areas

Off-road use at Warm Creek shoreline area is permanently closed. Fourteen shoreline areas are authorized for use by conventional motor vehicles and street-legal ATVs year-round, only by permit, subject to water level closures. No OHV use will be allowed when an area is closed. Eight shoreline areas (Blue Notch, Bullfrog North and South, Crosby Canyon, Dirty Devil, Farley Canyon, Red Canyon, Stanton Creek, and White Canyon) are authorized for use by conventional motor vehicles year-round but is closed to street-legal ATV use from November 1 through March 1. No OHV use is allowed during the seasonal closure period.

Portions of Bullfrog North and South and Stanton Creek ORV areas are designated as vehicle-free zones to provide a unique experience for tent campers who prefer to be separated from all motor-vehicle users. The NPS designated the vehicle-free zones during the seasons of highest use; the NPS will vary the size and location of vehicle-free zones based on the water level of the lake. All use at these areas will be allowed by permit only and is subject to water-level closures. The speed limit at accessible shoreline areas is 15 mph or as posted. Quiet hours between 10:00 p.m. and 6:00 a.m. are established to prevent excessive noise. Motor vehicle operators are required to conform to all applicable state licensing, registration, and insurance requirements.

Travel on accessible shoreline areas is for the purpose of traveling from a GMP road to the shoreline of Lake Powell and back. This draws a clear distinction between the purpose of off-road vehicle use in shoreline access areas and the purpose of off-road vehicle use in Lone Rock Beach, Lone Rock Beach Play Area, and Ferry Swale. Lake elevations that trigger the opening or closure of accessible shoreline areas will be published in the amended special regulation found at 36 C.F.R. 7.70(f).

6.5. Ferry Swale and Other ORV Routes

To facilitate access to adjacent BLM lands and provide connectivity with GMP roads and existing trailheads, conventional motor vehicles, OHVs, and street-legal ATVs are allowed by permit to operate on approximately 21 miles of designated ORV routes in Ferry Swale and other areas of Glen Canyon. The speed limit on these routes, for all vehicles, is 25 mph or as posted. Other GMP roads in Ferry Swale are

addressed above in the section "Travel on GMP Roads."

6.6. Other Management Actions

The following management actions were included in the 2018 ROD and not affected by the newly-selected alternative. These actions are described in the common to all alternatives in the FEIS. Additional details of each management action may be found in the plan/FEIS.

Clarification of the Management of Glen Canyon Lands below Lake Powell Full Pool: The Lake Powell shoreline area below full pool (3,700-foot elevation contour) is not open to off-road use by any motor vehicle unless designated for off-road use. Designated ORV routes and areas will be clearly marked using fences, barriers, signs, flagging, mapping, and other visitor use management techniques.

Conventional Motor Vehicle Operator Requirements: All conventional motor vehicle use must comply with applicable NPS and state statutes and regulations regarding conventional motor vehicle use.

Use Area Rules: All rules applicable to public use, recreation, and travel at Glen Canyon will remain in effect.

Administrative Uses and Other Authorized Uses: Administrative uses will continue, including use by government officials, lease holders, permit holders, or any other individual with authority from the NPS to operate at Glen Canyon.

NPS Authority to Alter or Adopt State Motor Vehicle Laws: The NPS will review any future change to state law that may affect motor vehicle operation and use in Glen Canyon for conformity with the plan/FEIS. Unless the NPS provides otherwise, under 36 CFR 4.2, NPS adopts non-conflicting state laws. Restrictions on OHVs and street-legal ATVs on certain roads are examples of the NPS providing specific regulations that preempt state motor code.

The following management actions were included in the 2018 ROD and are not affected by the newly-selected alternative. These actions are described in the common to all action alternatives in the FEIS. Additional details of each management action may be found in the plan/FEIS.

Designation of Roads Open to OHV and Street-Legal ATV Use: GMP roads that are identified as either open or closed to OHV and street-legal ATV use will be adequately marked.

Communications Strategy: The multiple government jurisdictions, the transboundary nature of roads, and the lack of active management from the NPS has resulted in confusion about which regulations apply throughout Glen Canyon. To address this confusion, a communications strategy will be developed that would include partnerships, online based applications, informational brochures, and media.

Motor Vehicle Operator and Equipment Requirements: All motor vehicle use must comply with state motor vehicle and operator requirements. Operators of conventional and non-conventional motor vehicles are responsible for complying with all applicable NPS and state statutes and regulations pertaining to the lawful operation of motor vehicles in Glen Canyon. In addition, the NPS will establish a new sound limit prohibiting operation of a motor vehicle that emits more than 96 decibels of sound.

Closing Undesignated ORV Routes and Areas and Restoring Them to Natural Conditions:

The NPS has closed routes and areas not designated for off-road use. The NPS will continue to use a number of different techniques to close and restore routes and areas where unauthorized off-road use has previously occurred.

Temporary Closures

Glen Canyon may temporarily close areas designated open under the plan/FEIS. These areas will be temporarily closed for resource protection purposes, including cultural and natural resource surveying and monitoring. Any temporary closures will be published in the Superintendent's Compendium and will be posted at the closed area.

Off-road Use Permit System

- A permit system will be implemented, in part, as a means to better manage the ORV management plan. Requiring a permit for operators desiring to travel off-road in Glen Canyon will provide a means to monitor use and educate operators about rules and regulations, safety, and resource protection.
- The permit system for the ORV program will recover NPS's costs of providing necessary services associated with the program. These costs include monitoring, signs, and education programs, as well as the administrative costs associated with administering the permit system.
- Permits will be required for all off-road use at accessible shoreline ORV areas, Lone Rock Beach, Lone Rock Beach Play Area, and designated ORV routes in Ferry Swale and other areas. An off-road vehicle permit would not be required for the following routes: Middle Moody Canyon Trailhead (2 miles), East Gypsum Canyon Overlook (1.2 miles), Imperial Valley (.75 miles), and Gunsight Springs Trailhead (1 mile). This provides continuity for users who travel between GMP roads and these routes, since a permit is not required to travel on connecting GMP roads.
- Permits may be revoked for violation of applicable Glen Canyon regulations or terms and conditions of the permit.
- Permits will be available for sale on-site at several permit issuing station within Glen Canyon, by mail, and on-line via a web-based system. The E-Government Recreation One Stop Initiative focuses on creating a web-based resource for the public that offers a single point of access to information and reservations for federal recreational opportunities.
- ORV permits will be issued on a per vehicle basis. The ORV permit will allow the permitted vehicle to access all designated ORV routes and areas within Glen Canyon.
- Permits will be available for sale for a short-term visit or on an annual basis.
- The annual number of ORV permits issued is not limited at this time.

6.7 Measures to Monitor, Avoid, Minimize, or Mitigate Off-Road Motor Vehicle Impacts

The NPS developed strategies to minimize the impacts from off-road use as proposed in the plan/FEIS. These strategies are to continue and are not modified in the newly-selected alternative. The objectives are

to improve site design and control, reduce incidents of disturbance to lands, restore disturbed areas, track findings and accomplishments, and increase public awareness of the environmental impacts related to off-road use. These efforts ensure the actions described in the plan/FEIS will prevent unacceptable impacts. A detailed list of actions are listed in Attachment B herein.

Mitigation

Most mitigation measures were developed and incorporated to avoid impacts to park resources or to minimize the extent of the impacts by limiting the degree or magnitude of the proposed motor vehicle uses. The majority of these mitigation measures were designed to confine the impacts attributable to the use of ORVs to designated areas. The NPS designed other mitigation measures to limit conflicts between visitors seeking recreational opportunities that may not be compatible with the use of ORVs. Additional mitigation measures were designed to preserve the wilderness characteristics of proposed wilderness areas within Glen Canyon or to comply with existing laws such as the Endangered Species Act. The NPS will also mitigate environmental impacts through rehabilitating user-created routes and ORV areas that will be closed as a result of implementing the plan.

Monitoring

Monitoring procedures will be developed to identify resource impacts, assess and document the extent of disturbance, and mitigate impacts or restore areas affected by off-road use and disturbance. The NPS will monitor potential indicators to determine whether to take additional management actions.

Monitoring techniques would include staff observations and documentation of potential indicators described in the plan. Some indicators, such as the presence of illegal user-created routes (tracks outside of designated ORV routes and areas and off of GMP roads) and expansion of areas designated for off-road use may be monitored periodically by aerial photography. Glen Canyon staff would regularly monitor the number of motor vehicle accidents, vandalism, and other compliance issues resulting from on-road and off-road use of motor vehicles.

Monitoring and Mitigation for Cultural Resources Under the Programmatic Agreement Among the National Park Service, the Arizona State Historic Preservation Office, and the Utah State Historic Preservation Office Regarding Off-road Vehicle Management Plan for Glen Canyon, Pursuant to the National Historic Preservation Act (NHPA)

Archeological surveys were conducted to sample the study areas under discussion in the plan/FEIS. After consultation with the State Historic Preservation Office (SHPO), the Tribes, and other interested parties, additional archeological surveys may be conducted if deemed necessary based on the analysis of this data in conjunction with relevant environmental variables. Surveys may be conducted to identify resource areas of traditional importance to the Tribes as deemed necessary following consultation with the Tribes, the SHPO, and other interested parties. Cultural resource identification efforts and mitigation strategies for National Register-eligible sites and landscapes are stipulated as provisions of a programmatic memorandum of agreement.

Monitoring and Mitigation for Endangered Species Under the Glen Canyon Off-road Vehicle Management Plan and Environmental Impact Statement Biological Assessment, pursuant to the Endangered Species Act (ESA)

The NPS outlined a series of conservation measures (Attachment B herein) for the protection of

species listed under the Endangered Species Act as part of the 2018 ROD. These measures were submitted to the United States Fish & Wildlife Service (USFWS) as part of a biological assessment in compliance with Section 7 of the Endangered Species Act. The measures will continue to be implemented to mitigate most effects on endangered species. These measures will be carried out by trained NPS staff and project personnel using USFWS protocols. The implementation of these measures will avoid take of listed species that may be found in the vicinity of the proposed action area. The NPS will continue to include protection measures for listed species – Southwestern Flycatcher, California condor, Mexican Spotted owl, yellow-billed cuckoo, Siler pincushion cactus, Brady's pincushion cactus and Jones cycladenia, as part of the educational materials developed for the ORV permit and the communication strategy.

Alternatives Not Selected

The NPS did not select alternative C because it fails to provide an opportunity for visitors who do not want to encounter street-legal ATVs and OHVs on roads and because it fails to protect the soundscape within Glen Canyon's Natural Zone. Also, alternative C is inconsistent with plans for the Orange Cliffs Management Unit, which emphasize that recreational opportunities in this area must be consistent with the remote and solitary nature of the area which is not consistent with OHV and street-legal ATV use. Alternative A and B were not selected because the prohibition of all OHVs on roads was determined to be unnecessary for the protection of Glen Canyon resources at this time and is not consistent with the 1979 GMP. Alternative D was similarly not selected because the prohibition of all street-legal ATVs and OHVs on roads was determined to be unnecessary for the protection of Glen Canyon resources at this time and is not consistent with the 1979 GMP.

7.0 RATIONALE FOR NOT SUPPLEMENTING FEIS

The NPS has determined that supplementation of the FEIS is not necessary. Supplementation is only necessary if there are substantial changes to the proposed action that will introduce new or changed significant environmental effects, or where significant new information becomes available concerning the action's environmental effects. In this instance, Glen Canyon has not made changes to the selected alternative that necessitate supplementation. The newly-selected alternative is a minor variation of alternative E which was selected in the 2018 ROD. The newly-selected action is qualitatively within the spectrum of alternatives that were discussed in the FEIS since the alternative elements included in the new selected action include elements from alternative E and alternative D in the FEIS.²

Additionally, the newly-selected action will not result in new or changed significant environmental effects. The effects of the newly-selected action were previously disclosed in the impact analysis for alternative E and alternative D. The changes to the selected action only affect OHV and street-legal ATV use on 25 miles of the 295 miles of unpaved roads, or approximately eight percent of the road mileage in Glen Canyon.³ As described below, most resources will experience beneficial effects compared to the

² Consistent with the NPS NEPA Handbook, Sec. 202, the NPS has documented this in a separate Memorandum to File.

³ Modifications to the management of accessible shoreline areas and the Lone Rock Beach Play Area described in Sections 6.3 and 6.4 serve as clarifications and implement management protocols that were within the Superintendent's discretion under the 2018 ROD and special regulation found at 36 C.F.R. 7.70(f). The NPS does not consider them significant and believes these clarifications also result in beneficial environmental effects.

effects of the 2018 ROD. However, the new action may result in adverse impacts to visitor experience and socioeconomics, but those are not expected to be significant, and those adverse impacts were disclosed in the FEIS. Finally, there is no new information that requires additional study or evaluation. The only resource where new information could inform a more detailed analysis would be related to socioeconomic impacts. Consistent with NEPA caselaw, changes in socioeconomic impacts would not alone warrant supplementation and the NPS does not expect that impacts resulting from the changes would result in significant adverse impacts to socioeconomic resources.

The impacts of the newly-selected alternative would be the same as those for the 2018 ROD except for the changes to the 25 miles of roads that would be closed to street-legal ATVs and OHVs. As described above, under the newly-selected alternative, the Poison Springs Loop road in the Orange Cliffs Unit would be closed to OHV and street-legal ATV use along with 16.5 additional miles of GMP road segments outside of the Orange Cliffs Unit. The impacts of no street-legal ATV or OHV use on roads was thoroughly analyzed under alternative D in the FEIS. Alternative D prohibited street-legal ATVs and OHVs on all GMP Roads. As described in the methodology section of the FEIS, pages 312-326, street-legal ATVs and OHVs are typically louder than conventional motor vehicles. The impacts of the prohibition of street-legal ATVs and OHVs on roads in Glen Canyon are depicted on Figures 41a and 41b on pages 330 and 331 of the FEIS. The newly-selected alternative would have direct beneficial impacts to the soundscape compared to the selected action in the 2018 ROD. Under the newly-selected alternative there would be no noise within 5,460 feet of these road segments attributable to street-legal ATV or OHV use. The reduction in noise would also benefit the opportunity for solitude and primitive characteristics of proposed wilderness adjacent to all these road segments. See FEIS pages 441, 443, 457, 459, 460. The newly-selected alternative would have beneficial impacts to health and safety, as described on FEIS page 417, because conventional motor vehicle users would not be sharing the road with street-legal ATVs and OHVs that are generally smaller and have increased susceptibility to injury and damage in a collision. Finally, as described in the FEIS, no adverse impacts to soils, vegetation, cultural resources, or paleontological resources would be expected from the prohibition of OHVs and street-legal ATVs on GMP roads. See FEIS pages 246, 261 386, and 428. Similarly, there are no adverse impacts to wildlife and special status species from the prohibition of street-legal ATVs and OHVs on these roads. Wildlife and special status species along these roads may benefit from the reduction in noise from louder OHVs and ATVs. See FEIS pages 270-271, 278, 289-90, and 306-307.

The impacts on socioeconomic resources associated with prohibiting street-legal ATVs and OHVs on these roads are expected to be limited because of limited demand and the remoteness of the area. Prohibiting these vehicles on the specific road segments is unlikely to considerably affect visitation and visitor spending in Glen Canyon since the change would only impact 25 miles of roads. See FEIS pages 397, 398 and 405. Currently there are no authorized guiding companies that use street-legal ATVs and OHVs on the roads that would be closed to those uses.

The newly-selected action will potentially have adverse impacts to visitors wishing to tour Glen Canyon by OHVs or street-legal ATVs on these specific road segments. See FEIS page 370. As noted in the 2018 ROD, page 15, the Poison Springs loop in particular provides connectivity to roads with similar uses outside Glen Canyon. Potential visitors on street-legal ATVs and OHVs on connecting roads outside Glen Canyon would need to turn around at the boundary. However, as disclosed in the FEIS, those visitors could still access and enjoy the benefits of using these vehicles on other GMP roads within Glen Canyon and visitors could still access these roads with conventional motor vehicles. The Poison Springs Loop and other 16.5 miles of road segments all are adjacent to lands within the GMP Natural Zone. Visitors seeking solitude and natural quiet in these areas would experience beneficial effects because as noted above, it is likely that less noise will occur in these areas. See FEIS pages 370 - 372 and 457.

8.0 CONSULTATION

8.1 ENDANGERED SPECIES ACT

The National Park Service completed consultation with the U.S. Fish and Wildlife Service (USFWS) on off-road vehicle use and on-road street legal ATV and OHV use. As described above, the USFWS concurred with the NPS determination that the project will have "no effect" on the Brady's pin-cushion cactus (*Pediocactus bradyi*) is "not likely to adversely affect" the California condor (*Gymnogyps californianus*), Jones cycladenia (*Cycladenia humilis* var. *Jonesii*), and Siler pincushion cactus (*Pediocactus sileri*), and "may affect, not likely to adversely affect" determination for the Mexican spotted owl (*Strix occidentalis lucida*), Southwestern willow flycatcher (*Empidonax traillii* *extimus*), and Yellow-billed cuckoo (*Coccyzus americanus*). The USFWS concurred with this determination for the following reasons:

- Brady's pin-cushion: The effects of the action on Brady's pin-cushion are insignificant and discountable since the selected alternative includes a closure to all street-legal ATVs and OHVs of the Lees Ferry District and all paved roads, and regular monitoring at known occupied sites. The NPS has committed to maintaining regular patrols and education of the public that the road is closed to all but conventional vehicles.
- Siler pincushion cactus: There is no known occupied habitat for the species within the action area or in the park. Some roads in existence prior to the establishment of Glen Canyon National Recreation Area cross areas of Moenkopi Formation badlands, but not the specific geologic member that the species prefers. If future surveys discover populations appropriate actions will be taken to prevent any effects. Also, there are no proposed changes to the GMP road network (widening, re-routing, etc.) that could potentially affect newly located plants. The NPS has committed to additional surveys and protection measures including closures and barriers if the species is detected in the action area.
- Jones cycladenia: Accessible shorelines with Chinle outcrops include Copper Canyon, Paiute Farms, and Blue Notch. Informal surveys have been conducted at Blue Notch, but not the other two shorelines. As part of the proposed action, additional surveys will be conducted at all suitable shorelines using recommended protocols for rare plants developed by the USFWS. If populations are found they will be excluded from the action area by the use of a barrier. If additional future surveys discover new populations appropriate actions will be taken to prevent adverse effects. The NPS has committed to additional surveys and protection measures including closures if new populations are detected in the action area.
- California condor: The species is rare in the action area, a condor-vehicle collision is extremely unlikely and the possibility is discountable, and increases in noise levels will be minimal. Also, stress related effects from noise and vehicle activity would be considered discountable and insignificant due to general avoidance by birds of areas where humans occur. Project implementation activities will be relatively short term, involve relatively few workers, and will produce relatively little noise and dust. The NPS has committed to conservation measures including among others appropriate contacts in case condors are detected in the action area, reduced speed limits, monitoring of condor activities, additional protection measures including temporary closures, and providing information to recreationists on the species status and behavior.
- Mexican spotted owl: Although the likelihood that a Mexican spotted owl would be present in the area affected by the proposed action is low, it is not discountable due to extensive overlap with suitable and designated critical habitat. Thus there would be potentially adverse impacts to individuals. Potential effects from vehicle activity (collisions) along back country unpaved roads would be extremely unlikely and are considered discountable. Any

project implementation activities (e.g. installation of signs, restoration of illegal ORV routes) will occur outside of the Mexican spotted owl breeding season. Reduced speed limits and the general lack of overlap between the road networks, known locations of owls indicates that direct effects (e.g., collisions) are discountable. The NPS has committed to Conservation Measures to help mitigate these impacts include among others additional surveys for owls starting in 2017, altering routes and area boundaries to protect owls, avoidance of all known owl nests, reduced speeds for vehicles, additional signage and information on owls for recreationists, and applying specific guidelines and protection measures including area closures within 0.5 miles for protection of owls that may be detected.

- Southwestern willow flycatcher Although the endangered southwestern willow flycatcher has been observed in the vicinity of the action area (Spence et al. 2011), its presence can be considered rare and transient, and some records may in fact represent migration of other subspecies through the region. No suitable nesting habitat occurs within 0.5 miles of the action area. Effects that alter foraging, migrating, and roosting behaviors to individuals may occur, primarily from noise and recreational activities, at some action area sites. Effects will be insignificant and discountable, as the species is rarely detected in the park. As described above, any potentially disturbing actions or project implementation activities (e.g. installation of signs, restoration of illegal ORV routes) will cause only minor effects on migrating flycatcher individuals, with no effects on breeding since suitable nesting habitat does not occur within 0.5 miles of the action area and the species does not currently breed within 50 miles of the boundaries of Glen Canyon. The Conservation Measures (Section 3.3) include among others additional survey work as warranted based on observations and application of additional guidelines and protection measures including closures if birds are detected in the action area.
- Yellow-billed cuckoo: Although the yellow-billed cuckoo has been observed in the action area at Clay Hills Crossing (Spence et al. 2011), its presence can be considered rare and transient. The species does not currently breed near the action area, nor is there any currently appropriate breeding habitat within 0.5 miles of the action area (see under Designated Habitat 9.3). However, all potential effects cannot be considered discountable due to overlap with suitable and some proposed critical habitat. Thus there would be potentially adverse impacts to individuals. Effects from vehicle activity (collisions) along back country unpaved roads would be extremely unlikely and are considered discountable. Any project implementation activities (e.g. installation of signs, restoration of illegal ORV routes) will occur outside of the cuckoo breeding season. Reduced speed limits and the general lack of overlap between the road networks, known locations of cuckoos suggests that direct effects (e.g., collisions) are discountable. Noise-related impacts to roosting, migrating or foraging individuals may occur, however these effects will be insignificant and discountable. Adherence to the Applicant Committed Conservation Measures (Section 3.3) will help mitigate these impacts, and include among others additional surveys for cuckoos starting in 2017, altering routes and area boundaries to protect documented occurrences, avoidance of all known nests, reduced speeds for vehicles, additional signage and information on cuckoos for recreationists, and applying specific guidelines and protection measures including area closures within ½ mile for protection of individual birds that may be detected. Any project implementation activities (e.g. installation of signs, restoration of illegal ORV routes) will occur outside of the yellow-billed cuckoo breeding season. In order to support the determination, the Applicant Committed Conservation Measures (Section 3.3) include among others survey work associated with accessible shoreline areas and application of additional guidelines and protection measures including closures if birds are detected in the action area.

8.2 NATIONAL HISTORIC PRESERVATION ACT

Over the course of the planning process, the NPS engaged in a robust consulting party process to develop a Programmatic Agreement for Off-Road Vehicle Use at Glen Canyon. A full list of consulting parties as well as a thorough description of the consultation process is available in the FEIS. The Programmatic Agreement is available online at: [ORV Programmatic Agreement 2015](#)

8.3 TRIBAL CONSULTATION

In support of the NPS commitment for government-to-government consultation with the 19 associated Native American tribes and bands, and as a reflection of the shared boundary of Glen Canyon and the Navajo Nation, the NPS has engaged in a continuing process of consultation with these tribes and bands. Over multiple years, the NPS corresponded by letter and met in person with Tribes, including the Navajo Nation, to fulfill the government-to-government consultation requirements. NPS modified the selected alternative between the Draft EIS and the Final EIS to address Hopi Tribe concerns. The Navajo Nation concurred that the proposed actions would not adversely affect any Navajo Traditional Cultural properties. A full description of the Tribal consultation is available in the FEIS.

8.4 COOPERATING AGENCIES

The NPS invited the five counties neighboring Glen Canyon to become cooperating agencies in the EIS process in recognition of their involvement with road maintenance, travel management and recreation planning. Four counties in southern Utah-Kane, Garfield, San Juan and Wayne- accepted the offer; Coconino County in Arizona, declined. Cooperating agencies were asked to provide input on draft alternatives, impact analysis as well as provide background information on plans for adjacent lands and socioeconomic information. These counties provided comments on internal drafts of the both the DEIS and FEIS. A full description of the consultation efforts is included in the FEIS.

9.0 BASIS FOR DECISION

The NPS considered factors such as the extent to which alternatives meet plan objectives, how the alternatives minimized resource impacts, management flexibility, existing management plans, and Glen Canyon's enabling legislation in selecting a new selection action. The newly-selected action includes some minor changes from the 2018 ROD. Agencies are allowed to change their position and select a new direction and policy if the new direction is permissible under existing laws and regulations, if the agency believes it is a better policy or decision than the previous decision, and if the agency provides a reasoned explanation for the change. This revised ROD accomplishes each of these criteria.

The newly-selected action is consistent with existing laws and policies for off-road motor vehicle use. The NPS manages off-road motor vehicle use under 36 CFR 4.10 and NPS Management Policies, § 8.2.3.1. The newly-selected action satisfies the requirements of the regulation and policy by designating routes and areas for off-road vehicle use and minimizing adverse effects through mitigations and conservation measures. The newly-selected action, consistent with the 2018 ROD, limits off-road vehicle use to a small number of designated routes and areas. See Section 6.0 above, Lone Rock Beach, Lone Rock Beach Play Area, Accessible Shorelines, and Ferry Swale and other Off-Road Vehicle Routes. The NPS has documented how the selected action minimizes the impacts of off-road vehicle use in compliance with Executive Order 11644, in Attachment D of this ROD.

The newly-selected action is also consistent with existing law and policies for on-road motor vehicle

travel. A thorough description of and the relationship between applicable federal regulations and state regulations governing on-road OHV and street-legal ATV use is included in the FEIS, pages 10, 11, 89-90, A-93 and A-129-130. As described there, Glen Canyon, as the controlling Federal Agency over roads within its jurisdiction, may designate or restrict OHV and street-legal ATV use to certain roads. Consistent with those authorities, the newly-selected action has designated certain GMP roads where OHV and street-legal ATV use is permissible and others where those vehicles are restricted. The newly-selected action, consistent with the 2018 ROD, does not open or close any roads within Glen Canyon to conventional motor vehicle use.

Finally, the newly-selected action is consistent with Glen Canyon's enabling legislation and the NPS Organic Act and associated laws and policies. Congress established Glen Canyon to "provide for the public outdoor recreation use and enjoyment of Lake Powell and lands adjacent thereto in the states of Arizona and Utah and to preserve the scenic, scientific, and historic features contributing to the public enjoyment of the area" (16 United States Code [USC] 460dd). The newly-selected action provides for use and enjoyment of Glen Canyon through motor vehicle travel, including OHV and street-legal ATVs, on approximately 190 miles of GMP roads outside of the Orange Cliffs Special Management Unit, provides off-road access along approximately 19 miles of off-road vehicle routes, 14 shoreline areas, and Lone Rock Beach and Play Area. Additionally, conventional motorized vehicles can continue to use approximately 90 miles of open GMP roads within the Orange Cliffs Special Management Unit. These opportunities fulfill the purpose of providing outdoor recreation and enjoyment to Lake Powell and adjacent lands. The new selected action preserves the scenic and historic features of Glen Canyon by limiting off-road vehicle travel to designated routes and areas. Also, the new selected action restricts OHV and street-legal ATVs from roads that are adjacent to the more primitive areas of Glen Canyon, including the Orange Cliffs, which recreational activities should be consistent with the opportunity for solitude. As described in the non-impairment determination, Attachment A, the new selected action is also consistent with the NPS Organic Act.

9.1 ON-ROAD OHV AND STREET-LEGAL ATV USE

As described in the 2018 ROD, alternative E is consistent with current park zoning for vehicle use on roads, promotes access between adjacent lands and provides opportunities both for visitors who desire to see or drive OHVs and street-legal ATVs on roads as well as those who do not wish to see or hear non-conventional vehicles. The 2018 ROD allowed OHVs and street legal ATVs on most GMP road segments in the Park, except in the Orange Cliffs, where they were only allowed on the Poison Springs Loop and provided the Superintendent discretion to open the Flint Trail to OHVs and street-legal ATVs.

Upon further review, the NPS has determined that prohibiting OHV and street-legal ATV use on a small number of roads identified as open to these vehicles in the 2018 ROD is more consistent with the goals and objectives of the 1979 GMP and the 1995 BMP. Thus, the NPS is amending the 2018 ROD to prohibit OHVs and street-legal ATVs on approximately 25 miles of GMP roads. See Section 6.1 for a specific list of road segments.

Changes Outside of Orange Cliffs Special Management Unit

The closure of certain road segments outside of the Orange Cliffs special Management Unit to street-legal ATVs and OHVs better implements the goals of the 1979 GMP by aligning recreational uses with zoning concepts reflected in that plan. The 1979 GMP established zoning areas within Glen Canyon that have specific characteristics and prescribes allowable uses associated with each zone. The Plan describes one zone, the "Natural Zone," as harboring the recreation area's "outstanding scenic

resources, relatively undisturbed areas isolated and remote from the activities of man, or areas bordering on places with established land-use practices complementary to those of the Natural Zone.” See GMP at 5. The GMP further notes that the Natural Zone includes an atmosphere of solitude that ensures high quality recreational experiences. See GMP at 66. The Natural Zone areas provide opportunities for solitude. Two other zones – the Development Zone and the Recreation & Resource Utilization Zone – allow for increasing levels of development, recreational uses, and associated resource impacts. Most GMP roads within Glen Canyon are within the Development and Recreation & Resource Utilization Zones. The 1979 GMP recognized motorized activities and the noise associated with those activities may be encountered in both the Development and Recreation & Resource Utilization Zones. The GMP specifically notes that trail bikes and operating 4-wheel drive vehicles and dune buggies are activities consistent with the conditions in the Recreation & Resource Utilization Zone. See 1979 GMP at 8. However, noise from motorized vehicles in the Development and Recreation & Resource Utilization Zones may permeate into the Natural Zone. Providing recreational opportunities while protecting resource values in the Natural Zone is an objective of the new selected action.

The NPS thoroughly analyzed impacts to soundscapes in the FEIS. The impact analysis in the FEIS discloses that noise from OHVs and street-legal ATVs may be heard within 5,465 feet of any given road where those vehicles are used. See FEIS 353-355. The FEIS acknowledges that noise from street-legal ATVs and OHVs on roads within the Development or Recreation & Resource Zones could extend into the Natural Zone which adversely impacts the opportunity to experience solitude in these areas. FEIS at 360. Recognizing this potential impact, the NPS reviewed the GMP road network and identified roads that (1) were within 5,465 feet of the Natural Zone; and (2) did not provide important access to other infrastructure or areas designated for motorized use, such as boat ramps, shoreline access areas, or designated ORV routes. This analysis resulted in the NPS identifying seven road segments (approximately 16.27 miles) that could experience negative soundscape impacts in Natural Zone areas. The newly selected action closes these segments to OHVs and street-legal ATVs. The newly-selected action, consistent with the 2018 ROD, continues to allow street-legal ATVs and OHVs on other roads within these zones where the noise impacts from these activities will remain within those zones (Development Zone and Recreation & Resource Utilization Zone) and also preserves motorized access to designated areas and routes open to those uses, and preserves use street-legal ATVs and OHVs on most GMP roads (approximately 190 miles) within Glen Canyon.

Changes within Orange Cliffs Special Management Unit

The NPS noted in the 2018 ROD that allowing these vehicles on the Poison Springs Loop provided connectivity with roads outside the Glen Canyon boundary, creating a 100-mile loop that would be rideable by users on street-legal ATVs and OHVs. It also noted that resources along the Poison Springs Loop were not especially sensitive when compared to other areas in Orange Cliffs and had been previously impacted by livestock grazing.

The newly-selected action prohibits street-legal ATVs and OHVs on the Poison Springs Loop road and eliminates the Superintendent’s discretionary authority under the 2021 rule to potentially open the Flint Trail to these motorized uses, while allowing continued use by conventional motorized vehicles. These two roads lie within the Orange Cliffs Special Management Zone, which is managed according to the 1995 BMP. That plan requires the Orange Cliffs be “maintained as a critical backdrop for Canyonlands National Park and as a major vantage point for spectacular views into the park” and be managed “to maintain a relatively primitive, undeveloped atmosphere,” and to provide “year-round access to Panorama Point” (U.S. Department of Interior, National Park Service, 1979, page 8). The plan notes that the area includes, among other resources, proposed wilderness, important desert bighorn sheep habitat and pristine plant communities. To maintain the remoteness, solitude, and scenic values, access is limited, and overnight use requires permits. The plan includes the Orange Cliffs in the planning area

because “the area adjoins Canyonlands National Park, is similar in physiography, and [was] experiencing many of the same problems with growing visitation. Thus, to increase consistency and protection for visitors to both the Maze District of Canyonlands and the Orange Cliffs in Glen Canyon, the Orange Cliffs will be managed in the same manner as the Maze District, with the exception of mandated differences such as grazing in the Orange Cliffs.” 1995 BMP, pages 8-9). The prohibition of street-legal ATVs and OHVs on Poison Springs Loop road and Flint Trail better implements the 1995 Orange Cliffs Backcountry Plan and NPS’s management objectives.

Street legal-ATV and OHVs are strictly prohibited in Canyonlands National Park, including within the Maze District. The NPS has encountered unlawful OHV and street-legal ATV use in the Maze District, which, when accessed by vehicle, is only reached after first traveling through the Orange Cliffs. The NPS has issued violations to individuals for OHVs and street-legal ATVs driving off-road in this area. The newly-selected alternative helps reduce the potential for OHVs and street-legal ATVs to travel from the Orange Cliffs into adjacent Canyonlands National Park or to travel off-road in sensitive areas of the Orange Cliffs. This increases the consistency in management between Orange Cliffs and Canyonlands, as called for by the plan.

Second, use of street-legal ATVs and OHVs is not a mandated use within Orange Cliffs. Certain uses, such as livestock grazing and potential mineral development are specifically reserved in the Glen Canyon enabling legislation. The NPS has satisfied the requirements of the enabling legislation by providing a diverse array of recreational opportunities in Glen Canyon, including year-round access to Panorama Point and continued motorized vehicle access where appropriate.

Third, the newly-selected alternative would better protect the primitive undeveloped atmosphere of the Orange Cliffs by reducing noise in this area. These benefits outweigh the limited recreational benefit of connecting the Poison Springs Loop to adjacent BLM-managed lands.

Collectively, the NPS believes that amending the ROD for better consistency with existing plans, better protecting the desired conditions of the Natural Zone and the 1995 Orange Cliffs Backcountry Plan, and managing recreational uses in the Orange Cliffs consistent with that Plan, outweighs the potential adverse impacts to visitor experience for visitors who may wish to use street-legal ATVs and OHVs on these roads. Visitors wishing to access Glen Canyon on street-legal ATVs and OHVs may still access approximately 190 miles of roads in Glen Canyon with OHVs and Street legal ATVs, and can still access Orange Cliffs with conventional vehicles.

9.2 LONE ROCK BEACH AND PLAY AREA AND ACCESSIBLE SHORELINES

The newly-selected action does not make any changes from the 2018 ROD for Lone Rock Beach and Play Area and Accessible Shorelines, except for minor clarifications for the management of these areas. This includes identifying specific lake elevations where accessible shoreline areas are open or closed, and that the purpose of accessible shoreline areas are for recreational access to Lake Powell. Alternative E best preserves the more than 50 years of access along the shoreline of Lake Powell, while also limiting disturbance to sensitive wildlife species. Lone Rock Beach and the Play Area provides access to Lake Powell in a unique manner. It is not a highly developed marina nor is it an undeveloped accessible shoreline area. Thus, alternative E provides a unique camping and recreational experience that is not offered elsewhere in Glen Canyon. The separation of motorized and non-motorized users at a number of accessible shorelines under Alternative E best provides for recreational opportunities for all types of visitors, potentially reducing conflicts and enhancing visitor experience. Alternative E would result in limited new adverse impacts along the Lake Powell shoreline as the use proposed is consistent with the historic use of the off-road vehicle areas along the shoreline. In addition, alternative E provides access but

does not allow all OHVs on shorelines, except at Lone Rock Beach, limiting the potential for these areas to become used as recreational driving areas which would detract from these areas as backcountry access points to Lake Powell. The NPS did not select alternatives B or D because these alternatives limit access to Lake Powell, under alternative B to only existing developed areas and under alternative D, to only developed areas and five shoreline areas. Providing recreational use and enjoyment of Lake Powell is part of the park's enabling legislation and providing access at multiple locations through off-road vehicle access is consistent with this purpose. Alternative C was not selected because it failed to provide wildlife protections and opened shoreline areas where impacts would be difficult to mitigate.

9.3 OFF-ROAD VEHICLE ROUTES

The newly-selected action does not make any changes from the 2018 ROD for off- road vehicle routes. Alternative E best provides connectivity with adjacent BLM routes and the telecommunications facility in the Ferry Swale area while also improving the condition of vegetation and soils by restoring 33 miles of routes. This alternative continues the historic access to the area, including a widely used overlook destination. Additionally, this alternative best continues to provide access while also protecting cultural resources in the area. The NPS did not select alternative B because it would close access to the Ferry Swale area. Alternative D was not selected because it would result in inconsistent management across NPS and BLM boundaries. Alternative C does not minimize impacts to cultural resources in the Ferry Swale area as well as alternative E.

10. ENVIRONMENTALLY PREFERABLE ALTERNATIVE

The NPS is required to identify the environmentally preferable alternative in a ROD. The NPS, in accordance with the Department of the Interior policies contained in the Departmental Manual (516 DM 4.10) and the CEQ's NEPA's Forty Most Asked Questions, defines the environmentally preferable alternative (or alternatives) as the alternative that best promotes the national environmental policy expressed in NEPA section 101(b) (516 DM 4.10). In its Forty Most Asked Questions, the CEQ further clarifies the identification of the environmentally preferable alternative, stating, "Ordinarily, this means the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources" (Q6a).

After completing the environmental analysis, the NPS identified "Alternative B, No Off-road Use," as the environmentally preferable alternative in the plan/FEIS because it establishes management measures that would reduce the impact of off-road use on the landscape. These measures included the following:

- Eliminating off-road use at Lone Rock Beach, the Lone Rock Beach Play Area, and accessible shoreline areas would eliminate soil damage and provide a better opportunity for natural resources, including vegetation, to be restored. Additionally, cultural and paleontological resources in the area would be protected.
- Eliminating illegal user-created ORV routes at Ferry Swale would provide a better opportunity for natural resources in this area to be restored. Additionally, cultural and paleontology resources (known and unknown) in the area would be protected.
- Eliminating off-road use would maintain the isolated and primitive characteristics of the Glen Canyon backcountry by limiting operation of motor vehicles to designated roads.

11. CONCLUSION

Overall, of the five alternatives considered in detail in the final plan/EIS, the selected alternative best meets the purpose and need of the final plan/EIS and is expected to support the long-term protection, preservation, and restoration of the resources and values of Glen Canyon. Adverse environmental impacts

that could occur are limited in context and intensity, with direct and indirect impacts that are not expected to be significant. None of the impacts related to the implementation of the selected alternative will violate the NPS Organic Act or any other applicable law, and implementation of the selected alternative will allow Glen Canyon to protect its resources and values for enjoyment of current and future generations.

The official responsible for implementing the selected alternative is the Superintendent of Glen Canyon National Recreation Area.