

May 8, 2008

Ken McMullen
Overflights and Natural Soundscape Program Manager
Grand Canyon National Park
823 N San Francisco St., Suite B
Flagstaff, AZ 86001

Re: Substantial Restoration Clarification

Dear Ken,

The revision of the 2006 NPS Management Policies firmly established natural soundscapes as a physical (i.e. natural) resource rather than merely an associated characteristic. Furthermore, courts have consistently interpreted the Organic Act to mean that “*when there is a conflict between conserving resources and values and providing for enjoyment of them, conservation is to be predominant.*” And yet, Grand Canyon National Park is still out of compliance after years spent mired in the overflights controversy.

The recent clarification of the definition of the substantial restoration of natural quiet (SRNQ) at Grand Canyon National Park appears to be a substantive change – one that fails to constructively address the significant challenges of this issue. Consequently, Grand Canyon River Guides questions the recent re-definition of SRNQ for the following reasons:

- 1) The newly proposed clarification of the definition essentially ignores the noise from thousands of high flying jetliners per day as a means of making SNRQ easier to achieve. Although the primary focus should be on low flying aircraft, all aviation noise *in aggregate* contributes to the degradation of the natural soundscapes in Grand Canyon. **GCRG therefore contends that high flying aircraft should be included in noise surveys, data, and all analyses related to the restoration of the “substantial restoration of natural quiet.”**
- 2) FAA goals and NPS policies and responsibilities are at odds and they never will be compatible. FAA “commitments” are eluded to, but not specified. **GCRG considers it premature to make such drastic changes without high altitude noise abatement and/or jet re-routing policies that have moved beyond mere commitments into practical application.**
- 3) The definition of SRNQ as 50% or more of the park achieving natural quiet 75% to 100% of the day, each and every day is weak at best. While we agree that the 50% concept is an absolute minimum restoration goal, GCRG is much more in favor of the “or more” concept. The 1995 NPS Report to Congress indicates that up to 80% of acreage might be achievable. **GCRG contends that it is the responsibility and**

prerogative of Grand Canyon National Park to set the bar higher because there will always be strong forces working to erode that protection.

Section 4.9 of the NPS Management Policies states that,

“The National Park Service will preserve, to the greatest extent possible, the natural soundscapes of parks.”

And furthermore,

“The Service will restore to the natural condition wherever possible those park soundscapes that have become degraded by unnatural sounds (noise), and will protect natural soundscapes from unacceptable impacts.”

Despite improvements made in the late 1980’s with the prohibition on flights below the rim, the implementation of curfews, and a cap on air tour operations, it is clear that the goal of substantial restoration of natural quiet has not been met and much more needs to be done. The NPS responsibilities to preserve this precious resource for the enjoyment of future generations are unequivocal and recently reaffirmed in the 2006 revision of the NPS Management Policies. In order to move with alacrity towards the substantial restoration of natural quiet, Grand Canyon National Park should not make concessions to facilitate meeting that goal, or the victory will be a false one.

Sincerely,

Lynn Hamilton
Executive Director

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