

Back Country Horsemen of Central Arizona
P.O. Box 4486
Chino Valley, AZ 86323
WWW.BCHCAZ.ORG



April 10, 2010

Steve Martin
Superintendent, Grand Canyon National Park
Attn: Stock Use EA
Grand Canyon National Park
P.O. Box 129/1 Village Loop
Grand Canyon, AZ 86023

RE: Mule Operations and Stock Use Environmental Assessment

Dear Steve,

The Grand Canyon National Park is a "Park." A Park is defined by Webster's as, "...a large area known for its natural scenery and preserved for public recreation by a State or national government." The "Mule Operations and Stock Use Environment Assessment," recommends a significant reduction in mule and stock use within Grand Canyon itself. This significantly affects recreation and access by private stock users as well as park visitors.

The National Park Service Guide on NEPA, the DO-12 under Section 6, M states the NEPA should be Holistic. "*Topics such as how resource use in a park will affect an entire region or ecosystem, how to preserve resources while allowing for appropriate public use and enjoyment, or how a decision now will affect park management options in the very long-term future are the kinds of issues NEPA was designed to emphasize.*" The GCNP, "Mule Operations and Stock Use Environmental Assessment," states its purpose is to ... "*examine environmental impacts associated with this proposal **to make changes** to stock use and mule operations in the Grand Canyon National Park.*" An intent to "make changes," rarely means expanding use. A reduction in use is implicit. This is a narrow and pointed objective which prejudices the outcome in its stated purpose, and conflicts with the NEPA objective of broader resource preservation for appropriate public use and enjoyment.

Section 1.5 "Timing of the NEPA further states, "*Usually if a plan or project is so specific that it is the only reasonable option, this means you have waited too long to begin NEPA, because all of the important decisions have been made without benefit of environmental analysis. In this case, you may be violating NEPA by using the process "to rationalize or justify decisions already made" (1502.5).* Based strictly on this criteria, the GCNP EA on Mule and Stock Use should be

rejected in its entirety since it clearly is being used to justify a predetermined action.

NEPA was never intended to be the sole basis for a decision by Federal Agencies including the National Park Service. *“NEPA was enacted for a simple reason: to make sure that agencies fully consider the environmental costs and benefits of their proposed actions before they make any decision to undertake those actions.”* It nowhere states the NEPA is to be the sole consideration or the only basis for a decision.

The Mule Operations and Stock Use EA was triggered by a management decision to reduce stock use within the Grand Canyon. It's important to understand that the decision to reduce mule and stock use was not the conclusion of a larger, impartial study. The decision was made and the NEPA conducted afterwards to support the conclusion. As a former finance and operations executive in private industry this seems a curious approach to making major policy, public safety and economic decisions. All living creature have an impact on the environment, not just mules and horses. To single out mule and horses without considering the impact of 200,000 humans visiting the Grand Canyon annually is profoundly biased. The issue is how far is it legitimate to go in restricting one form of access and use in the Grand Canyon over another, when only one is narrowly evaluated?

The NPS NEPA Guidelines also state, *“While NEPA is only triggered when there is a physical impact on the environment, the CEQ regulations require analysis of social and economic effects in both an EA and an EIS. Social and economic impacts should be analyzed in any NEPA document where they are affected.”* Consistent with the “social” effects stated above, the impact on visitor safety would seem to be a minimum consideration in any management decision to reduce the use of mules and stock in the Grand Canyon. Are visitors less or more safe having to hike down into the Canyon as opposed to riding a mule or horse? Also, recreation choices vary widely by age, gender, health and disability. Consideration of the potential adverse impact on visitors who fall into a “protected class,” is a minimum consideration in all other aspects of American life. Why, when it comes to recreation and access to public lands, is consideration of how protected classes of citizens may be adversely affected and denied safe access suddenly irrelevant? Who might otherwise visit the Canyon floor and will now be denied access to the interior of the Canyon because access by mules or stock will be reduced?

With regard to safety, in 2009, 9 hikers died in the Grand Canyon. While this may be an unusually high number, it is not uncommon for hikers to be injured and require evacuation. In the history of the Grand Canyon there have been no deaths and few injuries involving mule or stock users. With the proposed reduction in stock and mule use, will marginally fit and or older individuals now feel they have no choice but to hike down into the Grand Canyon in order to experience it; and die or be seriously injured, where previously they would have ridden a mule safely and without incident? What is an acceptable death and injury rate in the view of Park Management? What is the cost of the

helicopter rescues of hikers? While not borne by the NPS, this cost is still relevant in the decision making process. What is the environmental impact of the noise of these rescue helicopters on wildlife? These are important questions since the decision to reduce mule and stock use did not address the impact on hikers or their safety in the Grand Canyon. There are reportedly 200,000 hikers annually and only 20,000 mule and stock trips. This is a huge difference!

Trail erosion and conflicts between hikers and stock, figure importantly in the decision to reduce mule and stock use in the Canyon. The report cites poor trail maintenance as a major cause with some major trails cited as not having significant trail work done in the 80 years the Park Service has managed the Grand Canyon! There is no major road in this Country that can withstand that degree of gross neglect without falling into disrepair even greater than that experienced by the Grand Canyon trails. The real problem with deteriorating trails is lack of maintenance and repair. Long haul trucks and buses cause greater wear and tear on our highways than cars. However, there's not been a call to remove or limit their use of roads in part because they are an economical, efficient and safe way to transport goods and people. The lack of motorized access into the Grand Canyon results in the mules and stock being the long haul trucks and buses of the Canyon. Since these trails are so vital to Canyon access perhaps they are better regarded as non motorized highways eligible for federal highway funds? Federal highway funds are being used to develop bikes paths, are the Grand Canyon trails any less important as transportation routes? Maintaining the corridor trails to handle the traffic makes more sense than limiting their use by safe and efficient pack and saddle animals.

Accusations of introduction of non-native species by horses and their manure is frequent. This is another falsehood, Dr. Stith T. Gower, Dept of Forest Ecology & Management at the University of Wisconsin concluded in his 2006 study of this issue, "Non-native species composition and percent of total plants species did not differ between horse and hiker trails, and non-native plant species were only found within one meters of the trail. The results of this and other studies demonstrate that horse hay and manure contains seeds of non-native plant species, **but native and non-native plant species rarely become established on horse trails because of the harsh environmental conditions.**" This study was conducted in eastern forests where soils and rainfall are far more conducive to germination and spread of vegetation than in the Desert Southwest. The EA states current requirements, on page 138, "*To prevent the introduction of nonnative plants into the park only certified weed free forage can be used in the park. Stock groups must be prepared to display proof of certification tags. No forage can be taken beyond a trailhead into the backcountry. Pelletized feed, hay cubes and grain products can be used on the backcountry . Prevent the spread of noxious weeds by cleaning stock trailers and the hooves, coat, mane and tail of stock before entering the park. Also feed weed free forage or processed feed to stock for a few days before.*" These requirements are clearly not based on science and should be rejected. It further begs the question of how many more environmental conclusions in the EA are

stated as fact and are not based on science. These weed free requirements are occasionally imposed in other National Parks and public lands and need to be banned. They serve no purpose but to harass and intimidate stock users. I'm a master gardener and the daughter of a conservation minded hunter and fly fisherman. I have great respect for nature and the environment. However, it is offensive when environmentalists state as fact, that which is nothing more than their personal opinion and not based on science.

Complaints about manure are also mentioned in the EA. Horse manure does not spread disease is not regarded as a bio hazard as is human feces which abounds on Canyon trails and was not addressed in the EA. They do not spread Salmonella, Giardia or Cryptosporidium (see same article). Horses are dead end hosts, just as are humans, for EEE, WEE and West Nile Virus. As an example of extreme exposure to horse manure, consider the large animal veterinarian who often is "armpit deep under a horse's tail. Nevertheless, there has never been a documented case of veterinarians contracting illness as a result of this rather extreme exposure to horse manure." Deer, however, do spread the deer tick that is responsible for Lyme disease." Horse manure is a clean, natural, biodegradable product used by landscapers, vineyards, farmers and big companies like Scotts to provide topsoil, fertilizer and other gardening products. Poop is part of the natural cycle of life.

Allowing 200,000 ill prepared and unequipped people into the Grand Canyon on foot suggests management views the Grand Canyon hazards as no worse than those found in a theme park. Public safety would be better served to require an orientation before venturing down Canyon trails, limiting the volume of people using the trails and expanding the use of mules so that many can experience the Canyon from a safer mode of transportation. Many people visit the Grand Canyon to experience it in a historical context of which the mules are an integral part. The proposed EA drastically changes the character of a National Park of which mules and horses, and not just the mule barn, are a significant piece of history and ongoing essential and safe mode of transportation.

Finally, the larger problem may be that the current generation of public lands management and staff were not raised on farms or in the country and are generally not familiar with livestock. People fear and diminish what they don't understand. Learning about the environment from the perspective of a university classroom lends itself to "group think" and an unconscious bias. Virtually all of us in management positions have, at some time, gone through gender and cultural sensitivity training to ensure we did not bring ignorance or unconscious biases to the conduct of our jobs in interacting with employees and the public. For recreation and public lands managers similar training with regard to horses and mules would not only be appreciated but would ensure that arbitrary decisions that could have a significant adverse economic consequence to local communities and individuals are minimized. The equine industry, which is so dependent upon trails and public lands is too important

economically especially to rural counties and communities to continue to be treated capriciously and with indifference.

The American Horse Council sponsored an economic study done by Deloitte Consulting LLP in 2005 which validates what the industry has known for some time, that the horse industry is a highly-diverse, national, serious and economically significant industry that deserves the attention of the general public, the media and federal, state and local officials. The Equine industry is primarily recreation oriented and based on trail riding, **for which trails are required.** It has a **\$102 BILLION impact on the U.S. economy** when the multiplier effect of spending by industry suppliers and employees is taken into account. Including off-site spending of spectators would result in an even higher figure. The industry directly provides **460,000 direct full-time equivalent (FTE) jobs.** Spending by suppliers and employees generates additional jobs with a **total employment impact of 1.4 million FTE jobs. The horse industry pays \$1.9 billion in taxes to all levels of government.** Approximately 34% of horse owners have a household income of less than \$50,000 and 28% have an annual income of over \$100,000. 46% of horse owners have an income of between \$25,000 to \$75,000. Over 70% of horse owners live in communities of 50,000 or less

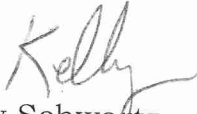
In other countries, such as Ireland, Hungary, Scotland, Costa Rica and more, with help and sometimes subsidies from their governments, they are pursuing the lucrative equestrian tourism segment of the eco or green tourism market. Here in the U.S. however, this industry has never been more threatened. From public lands management obsessed with weeds and poop to adrenaline charged mountain bikers who careen down the single track trails used by horseback riders at high speeds, horseback riders are losing or being forced off trails on public lands at an alarming rate. This family friendly, recreational activity that spans a very broad range of ages may soon be lost.

Recommendations:

- 1.) Reject the, "Mule Operations and Stock Use Environmental Assessment in its entirety.
- 2.) Reclassified the corridor trails as non motorized highways eligible for federal highway monies to improve and maintain these trails.
- 3.) Do an EA to include 200,000 tourists in the Grand Canyon annually including their plastic bottles, trash and debris, the accident rates of hikers, helicopter evacuation costs and environmental impact.
- 4.) Evaluate access in the context of demographic groups and protected classes so as not to unfairly deny access to protected classes, older, disabled or less fit adults.
- 5.) Pass "Right to Ride" legislation proposed by Back Country Horsemen of America.

- 6.) Eliminate requirements for certified weed free feed for stock in the Grand Canyon as well as all other National Parks, National Forests and public lands.
- 7.) Foster public lands management policies which encourage and protect the use of horses and mules where their use has been historical and traditional so as to better support this vital economic industry.

Respectfully,



Kelly Schwartz
President, Back Country Horsemen of Central Arizona

cc: Congressman Grijalva
Congressman McClintock
Congressman Shadegg
Congresswoman Kirkpatrick
Senator Kyl
Senator McCain
Governor Brewer
AZ State Senator Steve Pierce
Secretary of Agriculture, Vilsack
Thierry Curtis, Acting Director, U.S. Forest Service
Edward O'Brien, President, AZ Horse Council
Jim Buchanan – President, Back Country Horsemen of Arizona
AZ State Representative – Andy Tobin

Attachments: "Are Horses Responsible for Introducing Non-Native Plants Along Trails in the Eastern U.S.?"

"The Real Poop: a Discussion of Horse Manure on Trails"

"Right to Ride Legislation"

Back Country Horsemen of Central AZ and Prescott Saddle Club letter and Resolution Regarding Mountain Bikes on Prescott National Forest Non-Motorized Trails

Mountain Bike Working Group

National Survey on Recreation - Demographics