

Appendix J: Commercial Visitor Service Analysis for Rock Climbing and Canyoneering in Arches National Park

As an element of the Climbing and Canyoneering Management Plan, a commercial visitor service analysis was created to determine whether commercial rock climbing and canyoneering were appropriate and necessary in Arches National Park. Commercial visitor services in National Park Service (NPS) units are subject to provisions of the NPS *2006 Management Policies* (NPS 2006) and NPS Concessions Management Improvement Act of 1998. Commercial services also must be consistent with provisions of current park management plans, including the *1988 Arches Backcountry Management Plan* (NPS 1988), the *1989 Arches National Park General Management Plan* (NPS 1989), and the *1993 Arches and Canyonlands National Park Commercial Visitor Services Management Plan* (NPS 1993). The NPS interdisciplinary team discussed and analyzed these commercial services utilizing the following policies, laws, and management plans¹.

- NPS 2006 Management Policies

10.2.2 Commercial Services Planning

A park commercial services strategy must be in place to ensure that concession facilities and services are necessary and appropriate, financially viable, and addressed in an approved management plan. Commercial services plans may be developed to further implement a park's commercial services strategy and to guide decisions on whether to authorize or expand concessions. A decision to authorize or expand a park concession will consider the effect on, or need for, additional infrastructure and management of operations and be based on a determination that the facility or service:

- is consistent with enabling legislation, and
- is complementary to a park's mission and visitor service objectives, and
- is necessary and appropriate for the public use and enjoyment of the park in which it is located, and
- is not, and cannot be, provided outside park boundaries, and
- incorporates sustainable principles and practices in planning, design, siting, construction, and maintenance, and
- adopts appropriate energy and water conservation, source reduction, and environmental purchasing standards and goals, and
- will not cause unacceptable impacts.

10.3.1 Commercial Use Authorizations

Commercial use authorizations may be issued only to authorize services that (1) are determined to be an appropriate use of the park; (2) will have minimal impact on park resources and values; and (3) are consistent with the purpose for which the unit was established, as well as all applicable management plans and park policies and regulations.

¹ Bolded words are called out for emphasis and are not necessarily emphasized in the referenced document.

6.4.4 Commercial Services

Wilderness-oriented commercial services that contribute to achieving public enjoyment of wilderness values or provide opportunities for primitive and unconfined types of recreation may **be authorized if they meet the “necessary and appropriate” tests** of the Concessions Policy and Wilderness Acts and if they are consistent with the wilderness management objectives contained in the park’s Wilderness Management Plan.

- NPS Concessions Management Improvement Act of 1998 (*Title IV of the National Parks Omnibus Management Act*)

It is the policy of Congress that the development of public accommodations, facilities, and services in units of the National Park System shall be limited to those accommodations, facilities, and services that:

- (1) *are necessary and appropriate* for public use and enjoyment of the unit of the National Park System in which they are located; and
- (2) are consistent to the highest practicable degree with the preservation and conservation of the resources and values of the unit.

- 1964 Wilderness Act

Section 4(c)

Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise...within any wilderness area...

Section 4(d)6

Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.

- Park Management Plans

1988 Arches Backcountry Management Plan

Commercial backcountry tour services are authorized upon the basis of an assessment of need for the particular services.

1989 General Management Plan

The GMP only addresses concession services, those commercial services that require a concessions contract. *Authorized concession services (guided tours by bus, van, jeep, horseback, and bicycle) are satisfactory and, in fact, are underutilized. There will be no concession facilities in the park.*

1993 Commercial Visitor Services Management Plan

Commercial visitor services shall be authorized based on demonstrated public need for service compatible with park values. Requests from entrepreneurs to create a market and/or provide a service shall not constitute public demand.

This plan outlined the management for saddle horse and pack stock tours, backcountry vehicle tours, and overnight backpacking tours. This plan did not address the following past and present commercial visitor services: rock climbing, canyoneering, photography, and day hiking.

Overview

Services authorized under concessions contracts and commercial use authorizations are considered commercial services because the entities holding these authorizations are businesses engaged in commerce, they provide a service to the public, members of the public who use these services experience Arches National Park directly as a result of this commercial support.

Six land units totaling 70,008 acres are recommended for designation as Wilderness in Arches National Park². These units, except for roads and the visitor center area comprise of 91% of the entire park. 120 climbing routes and 10 established canyoneering routes in the park are all within recommended wilderness. Therefore, in order to determine if commercial services are allowed in wilderness, both the necessary and appropriate aspects must be considered.

The above policies, laws, and plans establish that commercial visitor services may be authorized only if they are determined to be both *necessary* and *appropriate*. NPS 48 (Concessions Policies) defines these terms as follows –

- Necessary – Required to meet the needs of the visitor / public.
- Appropriate – Compatible with the park’s natural, cultural, and/or recreational resources, recognizing the purpose of the established area.

Public Scoping

During the public scoping process the NPS did receive comments expressing gratitude for the guided service clients had experienced. The park also received comments from entrepreneurs expressing a desire to offer the service and suggestions on how best to regulate the service. There were also many comments regarding the appropriateness and benefits of commercial guiding as long as it was regulated and didn’t interfere with public permits, but none that demonstrated a necessity for commercial guiding. During the preliminary alternative scoping, the public thought commercial guiding was appropriate as long as it was regulated.

History of Commercial Rock Climbing and Canyoneering in Arches National Park

Guided rock climbing was authorized by commercial use license (CUL) up until the early 1990s. During the last two years that CUL’s were issued for this activity, use consisted of two guided parties with a total of nine clients. As a result, a determination was made by park management that guided rock climbing was no longer necessary in the park and that the service was available on neighboring BLM land; therefore, no permits would be issued for this activity³.

In 2002, the park began issuing incidental business permits for guided canyoneering to one company. It is unknown how many companies were providing canyoneering services outside of park boundaries at that time. In subsequent years the park has received notice that two additional companies wanted to guide visitors in canyoneering in Arches. In 2009, the park placed a moratorium on commercial canyoneering in order to conduct a Climbing and Canyoneering Management Plan and commercial visitor service analysis. Since the moratorium, the park has only received one visitor complaint, and many letters from the previous clients of the one guide company that was affected by the moratorium regarding their displeasure of the moratorium⁴.

Rock Climbing and Canyoneering Visitor Use in Arches National Park.

² 2012-2011 Wilderness Report. www.wilderness.net

³ Southeast Utah Group Commercial Day Use Policies. Revised July 1, 2008.

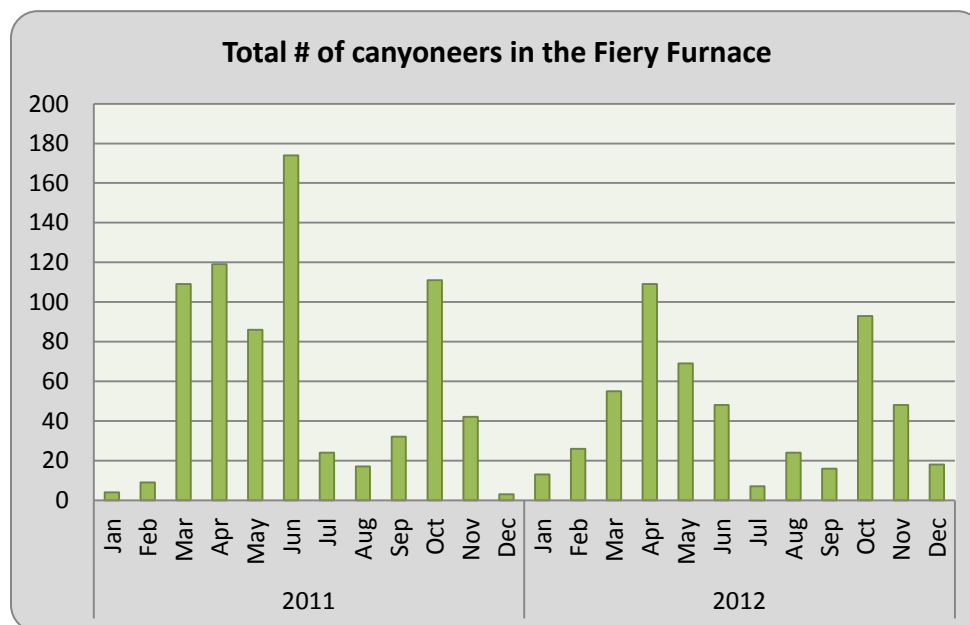
⁴ Submitted at the request of Desert Highlights in 2009.

Over the last three years, park rangers, while in the field, have attempted to note when and where they see canyoneering groups or climber groups in the park to help gather some visitor use numbers until the management plan was completed. According to park ranger observations from February 2010 to December 2012, a total of 992 visitors were observed canyoneering or accessing canyoneering routes with technical gear. During this same three year period, park rangers observed 920 rock climbers on climbing routes or accessing climbing routes with climbing gear. These numbers were acquired from casual visual observations and do not in any way accurately capture every climber or canyoneer in the park over this time period.

Fortunately, Arches requires a permit for day use entry into the Fiery Furnace, which was an opportunity to collect hard visitor use data for canyoneering. Starting in 2011, visitors were asked when acquiring a private permit for the Fiery Furnace if they were using ropes. Staff kept monthly tallies on permits issued, size of group and whether ropes were used or not. According to permits issued for the Fiery Furnace in the last two years, a total of 1256 visitors entered the Fiery Furnace to canyoneer (Figure 1).

These current recreational numbers reflect the non commercial opportunities for park visitors to recreate within the park as is demonstrated in Figure 1. During this period of visitor use data collection, although a moratorium on commercial canyoneering was in place, non-commercial canyoneering use still continued. This demonstrates that commercial services are not necessary for the public use and enjoyment of the park.

Figure 1



Commercial rock climbing and canyoneering opportunities outside Arches National Park

Located in the southeastern corner of Utah, Arches National Park is part of much larger physiographic region called the Colorado Plateau Province. The Colorado Plateau is a region of high plateaus, narrow canyons, and broad rounded uplands with extensive grasslands, shrublands, and woodlands. One of the main geologic units in the park, the Slickrock Member of the Entrada Sandstone, forms smooth cliffs and bare-rock slopes and fins and provides opportunities for both

rock climbing and canyoneering in Arches National Park. However, this same geologic unit also can be found outside the park's boundaries, as can other geologic units that provide similar outstanding opportunities for climbing and canyoneering. Currently, there are 14 companies who provide commercial rock climbing and/or canyoneering services to the public on lands within 2 to 30 miles of the park⁵.

Decision

Park management acknowledges that these services could be *appropriate* if regulated. However, guided rock climbing and canyoneering are not *necessary* for the public use and enjoyment of Arches National Park. Recreational visitors can and do have the opportunity to conduct non commercial rock climbing and canyoneering activities in Arches National Park as demonstrated by the counts in Figure 1 and observations throughout the park.

Since there are several commercial service companies providing guided rock climbing and canyoneering trips outside park boundaries, it is clear that these commercial services do not require a park setting – key factor in determining whether to authorize these commercial services in the park. In addition, the park's current Commercial Visitor Services Management Plan clearly states that authorization of a visitor service shall be based on demonstrated public need for the service and requests from entrepreneurs to create a market shall not constitute a public need.

The NPS understands there will still be some visitors who do not possess the skills to rock climb or canyoneer in the park and may wish they could have the opportunity to have a guide. However, the NPS feels that these individuals still have an opportunity to experience these activities nearby, outside the park boundary. Based on the above policies, laws, and plans, the history and current use in the park, the NPS has determined that commercially guided rock climbing and canyoneering are not necessary within the park and will not be authorized as commercial visitor services.

⁵ Discovermoab.com, Area Guides and Outfitters and Equipment Rentals. <http://www.discovermoab.com/tour.htm>