

~~EQD 189~~ #777

Aaron Worstell
08/16/2004 01:17 PM
MDT

To: Miranda Thomas/Partner/NPS@NPS
cc: John Bunyak/DENVER/NPS@NPS
Subject: Fw: URGENT-- Input by COB tomorrow August 6 on Survey re: ORV use in parks

Hi Miranda-

Attached is the e-mail I mentioned. As you can see, questions 4, 5, and 6 get at characterizing ORV activity. However, the questions may not solicit enough information to do an air quality analysis that includes annual emission estimates (if that is what you want). In general, particularly if using the interim impairment guidance I mentioned, it is useful to have annual emission estimates for certain air pollutants. The concern in many areas with ORV use may be the dust (particulate matter) generated. Otherwise, if there is minimal ORV use, the "tail pipe" emissions could be considered a subset of on-road vehicle emissions (with the understanding that "ORV" refers to only licensed vehicles).

After a little additional thought, here is a preliminary list of what I think is needed:

1. Number, type, and year of ORV
2. Any modifications to emission control systems
3. Number of miles driven (or time)
4. Surface type (beach, dirt road, gravel road, etc.) --- needed to estimate dust emissions
5. Season of use
6. Regarding number 1, assuming ORV statistics are not kept, a survey of representative use days (weekend, peak weekend, etc.) could be extrapolated to annual use

I would imagine the vehicle activity data needed for air quality purposes is for the most part also needed to assess other impact topics.

The activity data would be combined with emission factors (e.g., 100 grams of carbon monoxide per vehicle mile traveled) to estimate emissions. This is more or less the approach that was taken with PWCs and snowmobiles (excepting that these were on a per hour basis). Whether this level of detail is needed for the ORV analysis is a question EQD may want to consider.

Aaron J. Worstell
Environmental Engineer
National Park Service
Air Resources Division
PO Box 25287
Denver, Colorado 80225
(303) 969-2809
(303) 969-2822 fax
aaron_worstell@nps.gov

----- Forwarded by Aaron Worstell/DENVER/NPS on 08/16/2004 12:45 PM -----



Aaron Worstell
08/05/2004 11:51 AM
MDT

To: John Bunyak/DENVER/NPS@NPS
cc:
Subject: Re: Fw: URGENT-- Input by COB tomorrow August 6 on Survey re: ORV use in parks

John-

I think that the survey should also ask if and to what degree resource impacts were considered in an environmental compliance document if that is the mechanism by which use is allowed. (This is a little different than question 8 which seems to be asking whether impacts from existing use are observed / recognized).

It may also be useful to know how any recent air or noise regulations may effect ORV impacts. EPA, and I believe CARB, have within the past few years developed a number of regs that address ORV air and noise pollution. However, this is unlikely a question for the parks???

See my edit.



ORV Survey 2004 AJW.doc

Aaron J. Worstell
Environmental Engineer
National Park Service
Air Resources Division
PO Box 25287
Denver, Colorado 80225
(303) 969-2809
(303) 969-2822 fax
aaron_worstell@nps.gov
John Bunyak



John Bunyak
08/05/2004 11:24 AM
MDT

To: Aaron Worstell/DENVER/NPS@NPS
cc:
Subject: Fw: URGENT-- Input by COB tomorrow August 6 on Survey re: ORV use in parks

Aaron: please take a look at this and let me know what you think. This is the first I have heard of this survey and don't have any other details. Note short deadline. Thanks. John.

----- Forwarded by John Bunyak/DENVER/NPS on 08/05/2004 11:22 AM -----



Carol McCoy
08/05/2004 10:10 AM
MDT

To: Rebecca Beavers/DENVER/NPS@NPS, John Bunyak/DENVER/NPS@NPS, Peter Dratch/FTCOLLINS/NPS@NPS, Sandra Hamilton/DENVER/NPS@NPS, Gary Rosenlieb/FTCOLLINS/NPS@NPS, Dave Steensen/DENVER/NPS@NPS
cc: Julia F Brunner/DENVER/NPS@NPS, Sharon Kliwinski/WASO/NPS@NPS, Jacob Hoogland/WASO/NPS@NPS, Bill Jackson/FTCOLLINS/NPS@NPS, Loyal Mehrhoff/FTCOLLINS/NPS@NPS, Chris Shaver/DENVER/NPS@NPS, Dave Shaver/DENVER/NPS@NPS, Mike Soukup/WASO/NPS@NPS, Kym Hall/WASO/NPS@NPS, Jim C Woods/DENVER/NPS@NPS
Subject: URGENT-- Input by COB tomorrow August 6 on Survey re: ORV use in parks

Hi. Recently Mike Soukup requested staff help on NR concerns related to ORV use. Sharon, Julia and I are coordinating that effort and we need your input. Specifically, Kym Hall in our Assistant Secretary's Office (previously the NPS lead on regulatory matters) is working on a survey, in coordination with others, for Randy Jones to send to parks next week. She has given us an opportunity to provide input to her on the current draft survey. As a result, I need the benefit of your input by COB tomorrow, Friday, August 6th on the attached survey. Sorry about the short turn around.

Because of the short timeframe for parks to respond, any new questions to be added to the survey need to be very focused and relatively easy to answer. Questions requiring more research on a park's part may be asked at a later date. So if you have such a NR related question, please feel free to supply it to me but flag it as a question requiring a more involved response.

In the event you suggest that new questions be added to the current survey as opposed to tweaking an existing question, please include an explanation as to how the information derived from your suggested question will enhance NPS policy deliberations on how to proceed in handling ORV use in parks.

In advance, thanks for your help. So you know, Mike, Abby and the division chiefs are discussing the NR directorate's role in helping the Director discern what actions to take with respect to ORV use in parks.

Carol

Carol McCoy
Chief, Planning, Evaluation and Permits Branch
Geologic Resources Division
Natural Resource Program Center
National Park Service
w-303/969-2096; fax-303/987-6792
carol _ mccoy@nps.gov

----- Forwarded by Carol McCoy/DENVER/NPS on 08/04/2004 02:33 PM -----



Kym Hall
08/04/2004 02:12 PM
EDT

To: Carol McCoy/DENVER/NPS@NPS
cc:
Subject: Survey

Carol,
As we discussed. Kym



ORV Survey 2004.doc

Kym A. Hall
Special Assistant to the
Assistant Secretary for
Fish and Wildlife and Parks
(202) 208-4206 phone
(202) 208-4684 fax

August 2, 2004

To: RD, AD OPS, and Superintendents

From: Deputy Director, National Park Service

Subject: Off-road Vehicle Use in NPS Areas

Reply Due: XXXXX

WASO Visitor and Resource Protection (VRP) is conducting a Servicewide review of off-road vehicle (ORV) activity in NPS areas in response to a "petition for rulemaking" from the Bluewater Network. The Bluewater Network submitted the petition to the Department of the Interior in December 1999. It is important that we gather information on exactly what types of use is occurring throughout the System to effectively respond to the petition. This may be a duplication of some information previously requested under other surveys or submitted to Bluewater Network but we appreciate your complete responses again at this time.

In addition, there may be some confusion about the authorities to allow or manage ORV use. I want to remind each of you at this time about the requirements for allowing ORV use contained in 36 CFR 4.10. First, use may only occur on routes that have been designated by the park superintendent through promulgation of a special regulation. A special regulation may include the preparation of an environmental compliance document (NEPA), must be published as a proposed rule in the Federal Register and take public comment on the proposed rule, and must include the publication of a final rule in the Federal Register. Second, routes may never be designated through the authority of 36 CFR 1.5 and 1.7 (Superintendent's Compendium). Routes previously designated through rulemaking may be managed or temporarily closed using the authority of the Superintendent's Compendium. Third, preparation of a Management Plan addressing ORV use is not sufficient authority to designate routes for use. Finally, routes may only be designated in national recreation areas, national seashores, national lakeshores and national preserves. Please examine your existing use and be sure that it complies with the requirements in 36 CFR 4.10.

Please answer the following questions and elaborate whenever possible.

1. Is off-road vehicle (ORV) a component of your enabling legislation?
2. Do you allow ORV use in your unit? If no, skip to question XX.
3. By what mechanism/authority do you allow use? (ie, special regulation, compendium, management plan).
 - x. If use is allowed under an environmental compliance document / special regulation, what resource impact topics were addressed (air, water, geological, wildlife, etc.)? What was the impact level for each of those impact topics (negligible, minor, moderate, or major)? Were the impacts assessed in a quantitative manner?
4. Where are ORV allowed to operate? (road – administrative or public, gravel route, trails, beaches, etc.)
5. What were the annual use figures for the last 5 years (or best estimate)?
6. Are you conducting monitoring of ORV use? If so, what are the results of that monitoring?
7. Do you have illegal/unauthorized use that you are aware of?
8. As a result of illegal/unauthorized use, are there recognizable environmental impacts, resource degradation, or visitor use conflicts? Any other enforcement concerns? What documentation is available for this information?
9. Are any of the use areas - authorized or unauthorized – in designated wilderness?