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Introduction

This Appendix summarizes public comments submitted on the *Draft Merced Wild and Scenic River Revised Comprehensive Management Plan and Supplemental Environmental Impact Statement* (hereafter referred to as the Revised Merced River Plan /SEIS). The Revised Merced River Plan/SEIS was released for public review on January 14, and the National Park Service accepted comments through March 22, 2005. Written public comments were received at public meetings, by fax, email, and U.S. mail. During the comment period, 147 public comment letters were received. This report provides (1) a summary of public concerns expressed in the public comments received; and (2) a specific response to each identified concern.

Public Comments and Responses

Public comments received during the public comment period were reviewed and analyzed using the park's Comment Analysis and Response Database system. Analysis of public comment letters is comprised of a series of stages which require review by staff and members of the Management Team during review and processing. For example, each letter received is read to determine the discrete points the author is expressing. Each discrete sentence or paragraph is then "coded" in order to associate that "comment" with a particular resource topic or element of the plan (such as air quality or the plan's relationship to other projects).

Once all letters have been coded for individual comments, similar comments are grouped together and a "concern statement" is generated, which is intended to capture the main points of what the comments are addressing. Concern statements are worded in a way that affords the National Park Service the opportunity to respond to a requested action. Concern statements are then screened to determine whether or not further clarification needs to be made in the document or whether they call for a modification of the proposed action. In the case of the later, these types of concerns would be brought to park management for deliberation. Finally, the planning team prepares responses presenting the National Park Service's reasoning as to how and why public concerns will be incorporated into the planning process.

As a direct result of public input, all comments are made available for review on the park's web site. The posting of public comments is a result of requests made during the scoping process for this planning effort, and will continue for future planning efforts. The Comment Analysis and Response Report generated through the comment analysis and response process is included in this appendix.

For further information about how the Final Revised Merced River Plan/SEIS changed between Draft and Final, please see "Summary of How This Document Has Changed In Response to Public Comment" following the Abstract of this document.

Results of Draft Review Comments

As a result of the public comment period, the park received comments from 114 individuals, 25 organizations, 6 government agencies, 2 tribes and 1 university, including public testimony given by individuals at public meetings. A total of over 900 separate comments were received. The analysis of these comments generated about 400 general concern statements, which were categorized and considered for incorporation in the planning process. Some of the main

concerns raised during the public comment period and addressed in this Final Merced River Plan/SEIS include the following:

- The relationship between the *General Management Plan* and the Merced River Plan in the context of proposed user capacity limits.
- The process for ensuring that the *Yosemite Valley Plan* and projects associated with it are reviewed for compliance with this Revised Merced River Plan/SEIS.
- The relationship between existing elements of Yosemite National Park's User Capacity Management Program, proposed visitor limits, and the Visitor Experience and Resource Protection component.
- Criteria used for the selection of Visitor Experience and Resource Protection indicators and standards and suggestions for additional indicators and standards.
- Clarification of what types of management actions would be implemented associated with the Visitor Experience and Resource Protection and what management actions would require further National Environmental Policy Act review and public involvement.
- Clarification on how visitor use limits would be implemented.
- Clarification regarding the interim facility limits and how the park would make a determination on maintaining or removing these limits.
- Concerns from culturally associated American Indian groups relating to continued access within the river corridor for traditional practices, as well as protection and enhancement of important natural and cultural resources within the entire corridor.
- Concerns from residents in local communities and American Indian groups regarding management zoning prescriptions that allow for placement of administrative facilities within El Portal and Wawona.
- Specific and general desires relating to management of Yosemite National Park's natural, cultural, physical, and social resources.
- Concerns regarding the complexity of the document and the user capacity program in particular.

The issues and concerns not addressed in this document include the desire to have the Revised Merced River Plan/SEIS address all elements of the existing Merced River Plan, the desire to have the document address specific projects, such as campgrounds or road realignments, the desire for the National Park Service to commit to a day use reservation system or other specific management actions in this document, and support or opposition of numerous specific activities or park implementation projects. All comments received during the comment period have been duly considered and are now part of the administrative record for this project.

How To Use This Document

This Response to Public Comments summary is divided into sections based upon the topics identified in the Table of Contents.

Each section includes one or more statements of public concern. These public concerns attempt to present common themes identified from comments in a statement that captures what action

the public feels the National Park Service should undertake. [Note: Because all public concerns are presented, oftentimes these statements may offer contradictory direction.] Each public concern is, in turn, followed by supporting quotes from public comments referenced to original letters.

Each supporting quote is followed by an attribute which identifies the number assigned to the original letter it came from, whether the comment was made by an individual or an organization, a general description of the organization type, and a reference to the letter number and the comment number within the letter. This information appears as a parenthetical clause in the following format: organization or individual, city and state of letter – relevant planning effort – letter number. For example, "(Individual, Merced, CA - #7-3)" is a letter from an individual in Merced, California, and assigned the letter number 7; the supporting quote is from the third coded comment in the letter.

Finally, each public concern statement, and its supporting quote, is followed by the National Park Service Response.

Concerns, Comments, and Responses

Planning Process and Policy

Concern 135: The Revised Merced River Plan user capacity program should be revised to be conceptually valid and legally sufficient.

"...[National Park Service] alternatives are not conceptually valid or legally sufficient in terms of addressing visitor capacity in the Merced WSR area."
(Individual, Fort Collins, CO, Comment #73-5)

Response: The Final Revised Merced River Plan/SEIS has identified and evaluated a range of reasonable and feasible alternatives to address user capacity in Yosemite National Park based on the VERP framework. The VERP framework is a tool developed by the National Park Service to address user capacities and ensure the protection of natural and cultural resources and the visitor experience (Hoff and Lime 1997). The action alternatives evaluated in this document all adopt quantitative measures considered to be sufficient to ensure the program's effectiveness as a current measure of user capacities, consistent with the requirements of the Wild and Scenic Rivers Act. They are also intended to address the issues outlined in the Ninth Circuit Court of Appeals October 2004 ruling.

Concern 61: The National Park Service should include the issue of day use parking and campground restoration in the Revised Merced River Plan.

"In a letter (August, 2004) responding to the Scoping of the Revised Merced River Plan / EIS (RMRP), the Board of Directors of the Yosemite Sierra Visitors Bureau (YSVB) advised you (NPS) that the scope of this plan should not be so narrowly defined as to exclude the issues of adequate parking for a growing day use visitor experience and restoration of low cost, low impact campgrounds in previously disturbed areas of Yosemite Valley."
(Individual, Oakhurst, CA, Comment #49-1).

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to correct the deficiencies in the original Merced River Plan/FEIS. As such, the capacity of campgrounds in the Merced River corridor has been considered within the alternatives. However, this document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. Based on the above, the specific issues raised in this concern are at the wrong planning level for this document.

Concern 276: The National Park Service should accurately state the purpose and need of the Revised Comprehensive Management Plan.

"The purpose and need of the alternatives is inaccurately stated. The D. R. MRP does not tie user capacity to protecting and enhancing Outstandingly Remarkable Values. The premise of the whole plan is flawed and violates WSRA."
(Conservation Organization, Yosemite, CA, Comment #111-59)

Response: The purpose and need for the Revised Merced River Plan/SEIS is clearly articulated in Chapter I of the document. Each of the action alternatives identified and discussed in the document have been developed to specifically address the 2004 Court Order directing the National Park Service to revise the original 2000 Merced River Plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. In addition, each of the action alternatives evaluated in this document incorporate measurable indicators and standards that will be monitored to ensure that the Merced River's Outstandingly Remarkable Values will be enhanced and protected.

Concern 222: The National Park Service should focus on redeveloping existing infrastructure, or place new development in already developed sites, over developing new sites.

"Human population is increasing, thus leading to inevitable development. However, the key issue is HOW this development takes place. ...I do know that it is not always necessary to build MORE, but rather build SMARTER. By this I mean, rather than dozing for more sites for structures and pavement, affecting the vitality and beauty of the valley, why not remodel the existing infrastructure?"
(Individual, Sonora, CA, Comment #90-1)

"Please ensure that your final plan restricts future development in the El Portal area to already developed sites (ie, Rancheria, Trailer Court, Motor Inns, & "downtown" by the Post Office."). In keeping with our unique "small-town" lifestyle, future development should be small scale, locally-owned, and primarily geared towards the needs of residents."
(Individual, El Portal, CA, Comment #132-5)

"Add housing and administrative units at the trailer court, the sewer plant/warehouse, and by in-filling already impacted available space in Rancheria Flat and the Motor Inns. There may also be a few existing lots in old El Portal that could be made available for long-term employees to build new homes, compatible, of course, with the cultural landscape of the area."
(Individual, El Portal, CA, Comment #132-8)

Response: The Revised Merced River Plan was directed by the court to address the El Portal boundary and a user capacity program. The plan is programmatic and will guide future planning efforts, but does not specify the removal or construction of specific buildings. Potential decisions on redevelopment and locations for new development will be evaluated in future project implementation plans.

Concern 230: The National Park Service should continue to remove facilities out of the Valley.

"This combined with the continued removal of certain facilities out of the Valley would lessen the pressure on the river corridor."
(Conservation Organization, Oakland, CA, Comment #75-3).

Response: The National Park Service's long-term goals as outlined in the *General Management Plan* include the relocation of non-essential offices and housing from Yosemite Valley. The Revised Merced River Plan, however, is a programmatic plan that will guide future planning efforts, but does not dictate any specific action. The Revised Merced River Plan was directed by the court to address the El Portal boundary and a user capacity program. The plan is programmatic and will guide future planning efforts, but does not specify the removal or construction of specific buildings. Potential decisions on the removal of facilities from Yosemite Valley and locations for new development will be evaluated in future project implementation plans.

Concern 236: The National Park Service should reduce development and emphasis on commercial interests in order to protect the visitor experience and natural resources.

"The amount of people using the river corridor seems to be the center issue. The easiest example of how the river is NOT protected is the rafting that is a major abuse of this fragile stretch of the Merced River (ORV) with actual impact to the river banks, the river bottom (walking rafts thru shallow areas stirring up natural sediments) as hundreds of colorful rafts and people parading by create an absence of the natural beauty and peace that I expect to find at a river in a National Park."
(Individual, El Portal, CA, Comment #72-4)

"[M]ore thought [should be] put into what we really need to have a visitor friendly Yosemite National Park. I would like better alternatives that will address the need to preserve and protect the park without the enhanced commercial aspects."
(Individual, El Portal, CA, Comment #72-8)

"Yosemite is one of the most visually and aesthetically stunning locations in the world--the Merced River one of the most treasured Rivers. Yet this plan reflects that the Park Service does not understand the special values and the special experience to be had. Instead, the Park Service continues to treat the Merced River Plan as a bureaucratic annoyance to get out of the way so it can proceed on the continuing juggernaut of construction, commercialization, and pavement."
(Conservation Organization, Yosemite, CA, Comment #111-6)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to correct the deficiencies in the original Merced River Plan/FEIS. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. Based on the above, the specific issues raised in this concern will be evaluated in future implementation plans to the extent applicable.

Concern 238: The National Park Service should chose user capacity management actions which involve less construction.

"Solution which involve less construction are better."
(Individual, Fresno, CA, Comment #78-4)

Response: The actual management action(s) selected would depend on the particular setting and situation encountered and may or may not involve construction activities. The selected management action(s) would be subject to the appropriate level of environmental review and public involvement, as well as going through public involvement processes, such as VERP quarterly updates and annual report. However, the 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to correct the deficiencies in the original Merced River Plan/FEIS. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.

Concern 300: The National Park Service should not allow commercial development in El Portal.

"I would not like to see any more commercial development here [in El Portal]. I feel that it would irreparably change the quiet undiscovered nature of El Portal and the river corridor here. We have something so special here; it is like no place in the world in its lack of commercial offerings. I would like to see more protection for El Portal specifically and for the whole River Corridor in general."
(Individual, El Portal, CA, Comment #133-4).

Response: The National Park Service is committed to working with the community in El Portal to determine potential development actions. The National Park Service will work to balance values important to the community while providing for the administrative needs of Yosemite National Park, for which the El Portal Administrative site was established. Paramount in this decision-

making process will be protecting and enhancing the outstandingly Remarkable Values of the river. The Revised Merced River Plan is a programmatic plan that will guide future planning efforts, but does not dictate any specific action. The National Park Service was directed by the court to revise the El Portal boundary and to address a user capacity program. The El Portal boundary will guide future planning efforts by designating management zones where development would be allowed to occur within the Wild and Scenic River boundary provided that Outstandingly Remarkable Values are protected. Areas zoned 3C (park operations and administration) indicate areas that allow for development, but this does not necessarily mean all of those areas will actually be developed. More specifically, the plan does not outline specific types of development that will occur in El Portal. Specific decisions on potential commercial development in El Portal will be evaluated in the El Portal Concept Plan. This plan will require an Environmental Impact Statement, which will include public involvement through the public scoping and comment period process.

Concern 304: The National Park Service should move non-essential offices and housing from the Valley to gateway communities, rather than to El Portal, to avoid adverse impacts to Outstandingly Remarkable Values.

"Keep truly essential employee offices and housing in Yosemite Valley, but move the rest to gateway communities that are more appropriate for expansion and development...Cramming more housing, administration, commercial services, and parking lots into this narrow corridor is not compatible with a Wild and Scenic river, and would certainly impact the river's Outstandingly Remarkable Values. The limits on the numbers of employees and residents within the El Portal protection boundary should remain at or near their present levels."
(Individual, El Portal, CA, Comment #132-9)

Response: The National Park Service's long-term goals as outlined in the *General Management Plan* include the relocation of non-essential offices and housing from Yosemite Valley. The Revised Merced River Plan, however, is a programmatic plan that will guide future planning efforts, but does not dictate any specific action. It is a working manual for guiding decisions relating to land use and activities in the river corridor. More specifically, the Revised Merced River Plan was directed by the court to address the El Portal boundary and a user capacity program. As such, the plan does not specify the removal or construction of specific buildings. Potential decisions on the removal of facilities from Yosemite Valley and the consideration of gateway communities for their relocation will be evaluated in future project implementation plans.

Concern 313: The National Park Service should develop other areas of the park besides the Valley and Wawona.

"Develop other areas besides Valley and Wawona."
(Individual, Saratoga, CA, Comment #122-4)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts for the Merced River corridor. It does not dictate any specific actions, nor does it guide actions in areas that are distant from the corridor. It is a working manual for guiding decisions relating to land use and activities in the river corridor. More specifically, the Revised Merced River Plan was directed by the court to address the El Portal boundary and a user capacity program. As such, the plan does not specify the removal or construction of specific buildings.

Potential decisions on the development of areas outside of Yosemite Valley and Wawona are not assessed in a programmatic plan such as this one. Development considerations will be evaluated in future project implementation plans.

Concern 336: The National Park Service should remove the golf course in Wawona and other unnatural lawns.

"The golf course in Wawona should be removed. Pesticides are used to maintain a golf course. Golf courses are the ultimate boo boo for resource protection. These chemicals (purported to be natural and safe – c'mon folks, get into the water systems. Pesticides and rivers and streams do not go together."
(Individual, Fresno, CA, Comment #128-15)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to correct the deficiencies in the original Merced River Plan/FEIS. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. Based on the above, this concern is not within the scope of this document. Potential decisions on the management of the Wawona Golf Course may be evaluated in future project implementation plans.

Concern 353: The National Park Service should focus its efforts on restoration projects which enhance the environment over projects that degrade the environment.

"I was horrified to see the trees cut next to the Yosemite Lodge and at the front of the Upper Pines campground last spring. These projects seem senseless to me, especially when other projects can be implemented that enhance the environment, rather than destroy it."
(Individual, San Francisco, CA, Comment #121-6)

"[I]n the flood plain, restoration of the permanently lost campgrounds there has progressed at a snail's pace. The area has looked like a waste land. Why has the park service not focused on restoring this area to its most natural condition, especially given that this is a great opportunity to have a development-free area that shows off beautiful riparian and meadow habitats that attract a diversity of birds and other wildlife?"
(Individual, San Francisco, CA, Comment #121-7)

Response: The National Park Service is committed to restoration efforts throughout the park. Recent projects include the restoration of Cook's Meadow, the Merced River at Eagle Creek, and the Happy Isles Fen, as well as the removal of Cascades Diversion Dam and the Happy Isles Gauging Station Bridge. Ongoing restoration projects include the removal of exotic species and bank stabilization efforts within the Merced River corridor.

The Revised Merced River Plan is a programmatic plan that has, and will continue to, guide future planning efforts, but it does not dictate any specific action. It is a working manual for guiding decisions relating to land use and activities in the river corridor. More specifically, the Revised Merced River Plan was directed by the court to address the El Portal boundary and a user

capacity program. Potential decisions on upcoming restoration projects will be evaluated in future project implementation plans.

Planning Process

Concern 245: The Revised Merced River Plan should disclose that Outstandingly Remarkable Values, such as biologic and hydrologic, are not discrete and are dependent on the larger surrounding ecosystem.

"In addition, it is important to disclose that ORVs, such as biologic and hydrologic, are not discrete. Many are dependent upon the larger surrounding ecosystem and/or species for their health and existence; and therefore need to be protected and managed as such."
(Individual, Comment #93-13).

Response: Although Merced River Plan, as amended by this document, focuses on the river, the National Park Service recognizes that in some instances issues affecting the river's Outstandingly Remarkable Values may not start and stop at the river corridor boundary. In some instances management actions will be designed to address Outstandingly Remarkable Values both inside and outside the corridor. As a result, the VERP program has been designed not only for application in the river corridor but for the park as a whole, since this is eventually how user capacity management program will be applied throughout Yosemite.

Concern 306: The Revised Merced River Plan should clearly address User Capacity to meet the requirements of the Wild and Scenic Rivers Act.

"The DRMRP does not fulfill the court's directive to clearly address User Capacity and thus meet the requirements of the Wild and Scenic Rivers Act."
(Individual, Merced, CA, Comment #117-1)

Response: The action alternatives identified in this Revised Merced River Plan/SEIS have been developed to satisfy the 2004 Court Order requiring the National Park Service to revise the original Merced River Plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. These alternatives identified and evaluated in this document have been developed as a means to achieve this directive, compliant with the requirements of Wild and Scenic Rivers Act, and relevant National Park Service management policies and procedures.

Clarity of Planning Documents

Concern 7: The Revised Merced River Plan should be revised to improve consistency and clarity.

"After many hours of study and review I have found this document extremely difficult to comprehend. Pertinent data comparing the alternatives are inconsistent, scattered in tables, footnotes and appendices and are almost impossible to decipher. The comparisons may be in there somewhere embedded in a two-inch thick document but I believe they are not presented in a manner suitable for meaningful public review."
(Individual, El Dorado Hills, CA, Comment #27-1)

"Overall, our central belief is that the final plan should provide greater clarity and specificity than what is now provided in the draft plan. No matter how good the intentions of Park management are (and we believe they are good), much of the public that is concerned with this plan is inherently suspicious of Park management and will likely oppose any plan unless it clearly specifies or limits future management actions. The public fears a worst case scenario - a crowded, over-developed Merced River corridor, where Nature takes second place to visitor capacity. Your burden with this plan is to clearly demonstrate how the worst case scenario cannot come true."
(Conservation Organization, Twain Harte, CA, Comment #29-1)

"The Draft Merced River Plan is a mass of contradictions, illogical statements, confusing and inconsistent jargon, and so-called "information" presented in such a way as to defy analysis. The document is internally inconsistent, rendering meaningless any public attempt to comment on content."
(Conservation Organization, Fresno, CA, Comment #30-1)

Response: The Final Revised Merced River Plan/SEIS has been revised to address concerns regarding clarity and consistency. The document has been reorganized to provide a separate background chapter on user capacity and elements common throughout the park's user capacity management program, followed by a chapter presenting the alternatives. The terminology in the document has also been clarified to more simply convey the information. However, it should be noted that this plan addresses a complex issue—user capacity—in a park that is equally complex. In Yosemite National Park, a spectrum of uses occurs in widely diverse areas resulting in varying environments being affected throughout the Merced River corridor.

Additionally, some concerns were raised over the perceived lack of comparability of the alternatives. The Revised Merced River Plan/SEIS proposes different *approaches* to addressing user capacity. Yosemite's existing user capacity tools and the VERP program are common to all of the action alternatives, yet some of the new proposed limits (and methods) vary among the alternatives. In accordance with the National Environmental Policy Act, the environmental effects of the alternatives are comparable and are analyzed and presented in the document in comparative form. Readers can understand from the environmental consequences discussions in Chapter V the differing effects of each of the alternatives on various aspects of the human environment.

Concern 12: The Revised Merced River Plan should be revised to improve the clarity of the Visitor Experience and Resource Protection component within each Alternative.

"God knows you are really trying to keep us informed and I do thank you for the attempt, but the February 2005 edition trying to explain the alternatives for the VERP whatever is really not helpful. It is crouched in the language of bureaucracy that drives me nuts -- trying to say something and not saying anything. You ask US to be specific in our responses and you feed us this mumbo-jumbo."
(Individual, Comment #3-1)

Response: The Final Revised Merced River Plan/SEIS has been revised to address concerns regarding clarity related to the user capacity component of the alternatives. The draft plan presented a detailed discussion of the user capacity issue within the alternatives chapter. As a result, the alternatives chapter was long, which made this chapter difficult to grasp for some readers. In response to this concern, the Final Revised Merced River Plan/SEIS has separated out the user capacity discussion—including the user capacity elements common to all action

alternatives-- into its own stand-alone chapter (Chapter II). Thus, the alternatives are now presented on their own in Chapter III. The terminology in the document has also been clarified to try to more simply convey the information.

Concern 13: The Revised Merced River Plan should include a summary to clearly explain the alternatives and crucial elements of the plan.

"While I appreciate the in-depth effort performed by Yosemite National Park (YNP or NPS hereinafter) to meet the 9th Circuit Court of Appeal's concerns and instructions, it is essential to clearly explain in an Executive Summary those crucial elements that will inform commentator's consideration and opinions.

The key YNP zoning definitions that apply to the Merced River Corridor and that permit the reader to understand and compare the four Alternatives (as they view the maps on pages 85, 91, 97, and 105 of the pdf) are unfortunately absent from the Executive Summary -- and from the entire text and glossary. I finally found the zone definitions in Appendix A – it would have been helpful to state that location very early in the Executive Summary."
(Individual, Berkeley, CA, Comment #4-1)

"[T]he document in its present form requires at least a brief supplemental summary comparing the alternatives in a more easily understandable manner. A clearly stated summary statement comparing alternatives...would insure a more meaningful public review process."
(Individual, El Dorado Hills, CA, Comment #27-2)

"In the future, is there any possibility of providing Plans for Yosemite in 100 pages or less, such as a Summary of the various Alternatives?"
(Individual, Lincoln, CA, Comment #131-2)

Response: The Final Revised Merced River Plan/SEIS has been revised to address concerns regarding the clarity of the document. The Executive Summary in the Final Revised Merced River Plan/SEIS has been rewritten. It now captures a more complete overview of the approach taken in the alternatives, as well as summarizing their crucial elements and differentiations. The user capacity elements of the plan contains many components The Final Revised Merced River Plan/SEIS has been revised to make the text and the tables for the user capacity element more concise and clear. The tables and figures from the alternatives chapter were repeated in the Executive Summary in order to provide greater clarity and detail. The Executive Summary also presents the rationale for selecting the environmentally preferable alternative.

Concern 30: The Revised Merced River Plan should more clearly present the assumptions used for calculating daily use limits.

"As to the 18,241 figure in the 1980 GMP being used as a target, it is my understanding that figure was arrived at by counting sleeping and parking spaces in 1980. The figures for both are substantially lower now than they were then, so the 18,241 is no longer relevant. Logically, the corresponding number would be much smaller now, unless a larger number of day users being brought in by bus were assumed. (The YVP did indeed make that assumption. It is unclear what the MRP is assuming.)"
(Individual, San Francisco, CA, Comment #31-5)

Response: The Final Revised Merced River Plan/SEIS has been revised to more clearly present the assumptions used for calculating daily use limits in the tables in Appendix C. Assumptions presented with regard to interim facility limits, segment limits, and management zone limits are presented in the footnotes of each table in Appendix C. Additionally, clarification of the relationship between the 1980 *General Management Plan*, existing conditions, and the use limits presented in the Revised Merced River Plan has been clarified in the tables in Chapter III, in Chapter V, and in Appendix C.

Concern 34: The National Park Service should provide consistent information between fact sheets and the Revised Merced River Plan document regarding potential gate closures when use limits are reached.

"I found a fair amount of reference to the possible need to impose "restrictions" and "limits", but scant reference to a day use reservation system. Specifically, the NPS new Fact Sheet which is intended to provide an "overview" of the MRP, issued February, 2005, poses the hypothetical question, "Will the park dose the gates if limits are reached?" It responds to the question by saying, "Turning people away at entrance gates or otherwise closing park entrances is NOT being proposed in the preferred alternative" Yet in Table 11-9 (page 11-52) of the preferred alternative, under "Rationing and Allocation", one "tool" listed is "Limit overall number of users through entrance station quotas" Their appears to be a substantial conflict between the statement in the Fact Sheet and the statement in the MRP."
(Individual, San Francisco, CA, Comment #31-9)

"And one quick example, a fact sheet issued in February 2005, providing an overview of the MRP poses a hypothetical question. "Will the park close the gates if limits are reached?" In response to the question by saying, "Turning people away at entrance gates, or otherwise closing park entrances, is not being proposed in the Preferred Alternative." Yet on table 29, page 252 of the Preferred Alternative, under rationing and allocation, one tool listed is: "Limit overall numbers of users through entrance station quotas."
(Individual, Ahwahnee, CA, Comment #41-2)

"In some cases there are contradictions between the fact sheets and the draft plan. There are several instances when it is very difficult to cross-reference the fact sheets to the draft plan. When there are discrepancies, should people be commenting on the fact sheet or the plan? Also these sheets were discovered on a table during the road show. Since they were not mailed out how are we sure that the people who received copies of the draft plan via mail were even aware that these fact sheets exist?"
(Conservation Organization, Oakland, CA, Comment #69-6)

Response: The National Park Service recognizes this public concern. Fact sheets on park planning projects are provided to briefly highlight and summarize some of a project's major elements. These 1- to 2-page informational hand-outs are intended only to summarize information that is presented in an Environmental Assessment or Environmental Impact Statement. All fact sheets are available to the public at monthly Open Houses and public meetings for park planning projects. The online link for fact sheets is posted prominently on the park's web site at *www.nps.gov/yose/planning*. The park's electronic newsletter and Planning Update newsletter often highlight where the public can go on the web site to receive additional information. While the fact sheets are intended to summarize key elements of a specific project and highlight planning or project timelines, it is the planning document itself (i.e., the EA or the EIS, for

example) that must be the focus of public comment. In the future, the National Park Service will work to more closely articulate plan elements with consistency and accuracy.

Concern 57: The Revised Merced River Plan should use the term "limit" in place of "quota" in the final document.

"We suggest use of the term "limit" in place of "quota." While we acknowledge that one definition of "quota" is "the highest number of people permitted admission," we also feel that a more common use of this term is "a production assignment". We believe that using the term "limit," in place of "quota" throughout the document will be both more clearly understood by the public, and more consistent. Alternative 2 proposes "facility limits." Rather than using a different term for alternative 3 ("segment quotas") and alternative 4 ("management zone quotas"), "limit" should be used throughout ("segment limits" and "management zone limits")."
(Conservation Organization, Twain Harte, CA, Comment #29-10)

Response: The Final Revised Merced River Plan/SEIS has been revised to address this concern. Terminology in the Final Revised Merced River Plan/SEIS has been revised, where possible, to use more common descriptions. The term "limit" has been used in the place of the term "quota," except when referring to the Wilderness Trailhead Quota System, which is an existing program in the Yosemite Wilderness.

Concern 137: The Appendix A for the Revised Merced River Plan should be relocated to the introduction section of Chapter II.

"I recommend you relocate Appendix A to the introduction part of the alternatives section in the main body and then develop and contrast your alternatives around them. This approach would allow you to adequately and clearly focus on specific areas within the WSR, their special Outstandingly Remarkable Values and different uses and variation across the year, and the broader ecological environment which sustains them."
(Individual, Fort Collins, CO, Comment #73-9)

Response: The Final Revised Merced River Plan/SEIS has been revised to address this concern. The information on management zoning prescriptions and the maps detailing the management zones adopted in the 2000 Merced River Plan have been moved up into Chapter II. This information can now be found in Chapter II, User Capacity and the Visitor Experience and Resource Protection Framework.

Concern 138: The Revised Merced River Plan should be revised to display the management objectives for each zone in table II-14.

"Most importantly, I recommend you take your Table II-14 Comparison of Alternatives and list the management zones only for the Merced WSR area down the first column, and then display the alternative user capacities for each geographic unit or even subunits within. By displaying the management objectives for each management zone in this table and the significant Outstandingly Remarkable Values, the public could better track the logic and understand the close relationship between management objectives and user capacities."
(Individual, Fort Collins, CO, Comment #73-10)

Response: The Comparison of Alternative Key Assumptions table was table II-14 in the Draft Revised Merced River Plan/SEIS, and has been changed to table III-11 in the Final Revised Merced River Plan/SEIS. In addition, table II-2 shows the management zone prescriptions, including the objectives for each zone. Because management zone objectives are addressed in table II-2, it was determined to not include the same information in two tables as requested by the commentor.

Concern 140: The Revised Merced River Plan should clarify what is included in references to the Merced Wild & Scenic River area versus inside the park in general.

"It is difficult for the reader to keep track of when you are referring to inside the Merced WSR area versus inside the Park in general (e.g., wilderness trailhead quota). Is the river corridor you often refer to always in the WSR?"
(Individual, Fort Collins, CO, Comment #73-14)

Response: The Final Revised Merced River Plan/SEIS has been revised to address this concern. The National Park Service has revised the document, where appropriate, to provide better clarification between the Merced River corridor and Yosemite National Park as a whole.

Concern 141: The Revised Merced River Plan should remove information that is not direct and significant to the management of the Merced Wild & Scenic River area.

"Relatedly, it does not appear that many items in the Superintendent's Compendium, nor many of the trailheads in the quota system, apply to the WSR area. It may be possible to considerably enhance the clarity of the SEIS and its usability by removing the information that is not truly direct and significant to the management of the Merced WSR area."
(Individual, Fort Collins, CO, Comment #73-15)

Response: User capacity management in Yosemite National Park is comprised of many components, including the Superintendent's Compendium and the Wilderness Trailhead Quota System (though it is noted that not all trailheads listed in table II-1 are within the Merced River corridor). Although all of the information within each of those components may not directly guide management of the Merced River corridor, they do guide decisions within the larger ecosystem in which the Merced Wild and Scenic River is a part. They therefore indirectly play a role in the management of the river. The document has been revised, where possible, to address this concern.

Concern 142: The Revised Merced River Plan should use standardized and defined vocabulary when defining elements of alternatives.

"I find your choice of the phrases to define your alternatives to be curious and misleading: alternative 2 offers "interim facility limits", alternative 3 offers a "fixed user limit", and alternative 4 offers a "fixed maximum use level." These terms are not contrasted or defined in your glossary and can influence the public's understanding."
(Individual, Fort Collins, CO, Comment #73-16)

"Particularly curious to me is the difference between interim and fixed. In all three alternatives there is discussion that monitoring will be undertaken and mitigating management actions implemented. This is appropriate. With new information or circumstances gained from monitoring, I believe all decisions in this SEIS are interim in a literal sense. Thus, your "fixed" alternatives (3 & 4) are no more fixed than your "interim." I think these terms are confusing, do not add anything of substance, and should be dropped, or at least clarified and contrasted in detail in the main text and glossary. Otherwise, I suspect that the public reviewers will be drawn to the illusion that interim is a softer concept and allows more change than fixed."
(Individual, Fort Collins, CO, Comment #73-17)

Response: The Final Revised Merced River Plan/SEIS has been revised to try to more simply convey the information on the various measures include within each user capacity alternative. Additional terms relating to various user capacity components have been defined in the Glossary.

Concern 173: The Revised Merced River Plan should clarify the duration of "interim limits" and clarify when the Revised Merced River Plan is actually completed.

"'COMPLETION' NOT DEFINED. The Revised Merced River Plan is mired in double-speak. The Plan admits that the Park "is in the process of pilot-testing indicators and standards and gathering baseline data" (Page 11-21). It goes on to state that "Alternative 2 would set interim limits on visitor use through specific facility limitations and implementation of. . . VERP. . . These interim limits would remain in place for up to 5 years or until the National Park Service is confident that. . . VERP. . . Is providing sound guidance. . . " (Page II- 3 1). Yet the following statements are unclear as to when done is done: Page 1-6 states: "The National Park Service will fulfill its requirement to revise the. . . Plan for the Merced River when the Record of Decision [ROD] on the Final. . . Is signed. . . In 2005." . Page 1-8 states: "This Revised Merced River Plan/SETS amends the Merced River Plan and will provide a framework for decision-making on future management actions within the Merced Wild and Scenic River corridor." . Page 1-9 states: "The Yosemite Valley Plan was developed and adopted in accordance with the Merced River Plan. Upon completion of the Revised. . . SETS, the National Park Service will review actions approved in the Yosemite Valley Plan to determine whether any revisions. . .would result in any changes to the Yosemite Valley Plan." Does fulfilling a requirement by signing the ROD in 2005 mean the Revised Plan is "done?" Is the mere signing of the ROD the trigger that instantly amends the 2000 Merced River Plan and the 1980 General Management Plan (GMP)? What does "completion of the Revised" River Plan mean? A signed ROD? Or does "completion" follow the lifting of the 5-year interim facility limits with full documentation as to how VERP has provided the required guidance on visitor use levels while guaranteeing protection of the Merced River Outstandingly Remarkable Values? Without a clear understanding as to when done is done, it is impossible for the public to put this Plan in perspective with respect to its relationship to other plans."
(Individual, Oakhurst, CA, Comment #55-12)

"The DEIS is confusing relative to the duration of "interim limits." The quotes below illustrate this issue. The interim facility limits proposed will remain in place until VERP is fully implemented II-31 para 2. These interim limits would remain in place for up to 5 years or until the National Park Service is confident that the VERP program is providing sound guidance on appropriate visitor use levels within the river corridor II-31 para 4. Until the VERP program is fully operational, interim user limits expressed as facility constraints and bus quotas would be put in place to ensure protection of the river's Outstandingly Remarkable Values II-32 para 1. These facility limits would be put in place while the VERP program was being refined and implemented, a process which could take up to 5 years II-33 para 1. The interim facility limits established in Alternative 2 would remain in place for up to 5 years, until the VERP program is refined and provides robust data on desired conditions II-37 para 1."
(Individual, Fresno, CA, Comment #82-10)

Response: The National Park Service will fulfill its requirement to comply with the Ninth Circuit Court of Appeal's ruling that it "must prepare a new or revised CMP that adequately addresses user capacities and properly draws the river boundaries in El Portal" when the Record of Decision on the *Final Merced Wild and Scenic River Revised Comprehensive Management Plan and Supplemental Environmental Impact Statement* is signed by the National Park Service Pacific West Regional Director and it is subsequently published in the Federal Register in 2005. Language clarifying this issue has been added to text on page I-6.

This document also further clarifies concerns related to interim limits in Alternative 2. The document now states in Chapter III that the interim limits would last for the next 5 years, while the VERP indicators and standards continue to be field tested and improved. At the end of the 5-year interim period, the National Park Service would evaluate the VERP program's effectiveness in providing park managers with the information needed to manage visitor use in a manner that protects and enhances the Outstandingly Remarkable Values. Based on this evaluation, park managers would present a report to the public documenting how the VERP program has provided the required guidance on visitor use levels and whether facility limits should be continued, modified, or eliminated. If changes proposed at this time would result in substantially different environmental consequences than were identified in the Final Revised Merced River Plan/SEIS, an appropriate level of National Environmental Policy Act compliance would be completed.

Concern 175: The Revised Merced River Plan should include maps of all parking spaces considered in the plan.

"The DEIS claims there are 2,097 day use parking spaces in Yosemite Valley. The NPS should provide maps of all parking places considered in this total in the Draft SEIS... Details should be provided, even in this "interim" period, on what constitutes a sound parking space."
(Individual, Fresno, CA, Comment #82-12)

Response: The National Park Service recognizes this request and has made these maps available upon request.

Concern 177: The National Park Service should clarify why it selected specific months for determination of limits on buses.

"How did the NPS select the appropriate "interim limits" for commercial buses? The current number of bus parking spaces in Yosemite Valley (38) is used to manage 92 commercial or transit buses per day. Data from commercial bus use from August 1996, and transit bus use from August 2000 were used to determine the maximum allowable. Why were these months selected?"
(Individual, Fresno, CA, Comment #82-14)

Response: The Final Revised Merced River Plan/SEIS has been revised to more clearly present why specific months were selected to determine limits on buses in both the tables presented in Chapter III and Appendix C. The National Park Service has based Interim Facility Limits for buses on historic peak highs for visitor use associated with commercial and transit bus use because those levels can currently and have historically been accommodated in Yosemite Valley.

Concern 178: The Revised Merced River Plan should expand the information presented in Appendix D and bring a discussion forward in the text of the document including footnoted information.

"Appendix D (User Capacity Alternative Assumptions) must be made more accessible to the reader. The information in Appendix D is critical to an understanding of the proposed alternatives. The Appendix should be expanded and brought forward into the text of the SEIS. Tables D-1, D-2, D-4, and D-5 should all be in the same format, and should be set up alongside one another for easy comparison."
(Individual, Fresno, CA, Comment #82-15)

"Table D-1 presents Estimated Daily Visitor Capacity information. Footnote "f" in this table is confusing. Is this truly the AVERAGE occupancy of lodging and campsites or the MAXIMUM POSSIBLE? I suspect the latter. The text that is footnoted should not exceed the size of the table. Suggest putting important footnoted information in separate tables to increase readability."
(Individual, Fresno, CA, Comment #82-16)

Response: The Final Revised Merced River Plan/SEIS has been revised to more clearly present information presented in the tables in Chapter III and Appendix C (Appendix D has been changed to Appendix C in the Final Revised Merced River Plan/SEIS). In order to simplify and reduce the complexity of the information presented for each alternative, supporting references and details have been placed in the appendices. The footnotes for tables presented in Chapter III have been revised to provide clarity as to where the reader may find more information about the assumptions used for tables in Chapter III.

Concern 179: The Revised Merced River Plan should include source information on current capacity levels discussed in table II-7 and table D-3.

"Table II-7, page II-36 lists Current Capacity Levels for Yosemite Valley with a segment total of 20,569. What is the source of this number? How was it derived? This information is not contained in Appendix D as stated."
(Individual, Fresno, CA, Comment #82-18)

Response: The Comparison of General Management Plan Visitor Use and Employee Housing Levels (1980) with Existing Conditions (2004) as presented in table II-7 in the Draft Revised

Merced River Plan/SEIS has been changed to table III-6: Comparison of Number of General Management Plan Facilities (1980) with Existing Conditions (Interim Facility Limits 2004) and General Management Plan Facilities in the Final Revised Merced River Plan/SEIS. This table, along with table C-3, has been revised to include source information.

Planning Goals

Concern 37: The National Park Service should only utilize newly constructed overnight accommodations once replaced facilities are no longer in service and eliminate the 18 month "transition period."

"It appears that the NPS intends, upon issuance of a Record of Decision (ROD) on the MRP, to proceed with the various construction projects which are presently enjoined. They would NOT immediately remove, upon completion of new construction, the units which were supposedly being replaced. In view of the extensive history of "temporary" facilities ending up being semi-permanent, this approach appears to be A BACK-DOOR WAY OF INCREASING OVERNIGHT ACCOMMODATIONS. THIS IS NOT AN ACCEPTABLE TACTIC."
(Individual, San Francisco, CA, Comment #31-6).

"Table D-2 footnote "d" should be clarified. What happens during this 18 month transition period? Will the stated maximum number of lodging units (1,262) and therefore the stated maximum number of overnight visitors is (4,213) be exceeded as a result of this "transition" period? These stated maximum levels should never be exceeded."
(Individual, Fresno, CA, Comment #82-17)

"Great concern about the transition time of 18 months that's listed for lodge unit or units when new units are instructed that the old units will remain in service for 18 months it doesn't seem reasonable that to allow -- It seems like a way to expand the amount of people that could be housed say, in the lodge. At least it isn't written in that there would be a limit on the number of people that, or number of rooms."
(Individual, Merced, CA, Comment #98-2)

Response: This concern has been clarified in the Final Revised Merced River Plan/SEIS. The language pertaining to an 18-month transition period as it relates to overnight accommodations has been changed. The National Park Service has committed to not using older facilities once newer ones are constructed and become operational.

Concern 38: The National Park Service should revise the entire Merced River Plan using User Capacity as a foundational element.

"Though the Federal Register Announcement focused on the two deficiencies, it recognized the "ENTIRE. . . CMP is INVALID" and referenced "Land management, user capacities, appropriate types and levels of recreation, and protection and enhancement of the Merced River's Outstandingly Remarkable Values" as integral to the total effort. However, when Yosemite announced the call for scoping they decidedly narrowed the focus claiming: "The Court's decision upheld the other elements of the plan, including boundaries for other segments of the river; classifications for all river segments; Outstandingly Remarkable Values; the River Protection Overlay; the Section 7 determination process, and the plan's management zoning program. As a result, these five elements are not being revisited in the SETS." Consequently, the document before us represents the Park's "spin" on the court order, making a mockery of the judicial system; it merely plugs in some interim numbers that have no environmental relevance while management charges forward with the Yosemite Valley Plan."
(Individual, Oakhurst, CA, Comment #55-2)

"User capacity including the all important types of uses (uses based on the natural and cultural values of Yosemite, versus resort/urban amenities and construction), are integral to a plan that protects the River's values, and cannot merely be slapped onto an already invalid plan -- unfortunately, that is just what NPS appears to be doing in the current release of the D. R. MRP."
(Individual, Comment #93-8)

"User Capacity: The D. R. MPR tries to address user capacity by layering it on top of the inadequate CMP. Adequately addressing user capacity must be accomplished in context of a CMP built on Outstandingly Remarkable Values, as an integral and integrated component. User capacity in this plan is not based on nor protective of Outstandingly Remarkable Values it is not adequate in any alternative."
(Conservation Organization, Yosemite, CA, Comment #111-82)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal segment based on the location of Outstandingly Remarkable Values. The Ninth Circuit Court of Appeals found that the plan was invalid due to these two deficiencies. Other elements of the Plan (e.g., the River Protection Overlay, Management Zoning, Outstandingly Remarkable Values, river classifications, and river boundaries outside of El Portal) had been challenged in an earlier phase of litigation before the U.S. District Court in Fresno. The District Court rejected challenges to those elements of the plan, and the District Court's findings in this regard were never appealed to the Ninth Circuit. Therefore, the National Park Service considers the remaining elements of the Merced River Plan to be appropriate tools that can be used to further the mandates of the Wild and Scenic Rivers Act. When coupled with the remaining plan elements, the revised User Capacity Program and the revised El Portal boundary work synergistically. Together, they form a comprehensive framework for managing the river. Because the newly revised elements of the Revised Merced River Plan/SEIS can and do function with pre-existing elements in a comprehensive manner, the remaining management elements as described in the existing Merced River Plan/FEIS are not being revisited in this plan.

Concern 41: The National Park Service should reduce overnight accommodations before restricting day users when bringing the total daily maximum down on peak visitation days.

"Since NPS seems to be proposing a major increase in overnight accommodations, the only way I could visual that NPS could bring the total daily maximum down on peak visitation days would be through a drastic curtailment of day users. This would be a reversal of previous NPS policy to accept the shift in user demand away from overnight and toward day use. Also, while offering greater profit opportunities for Delaware North, it would take business away from the gateway communities."
(Individual, San Francisco, CA, Comment #31-3)

Response: Overnight accommodations in the park in general, and in the Valley in particular, are typically reserved by the general public well in advance of their visit to the park (up to a year in advance in many cases). In addition, the number of overnight accommodations are far less in terms of the percentage of total visitors to the park on peak visitation days. Given this, and the unpredictability when peak visitation days may occur, it is unrealistic to reduce overnight accommodations on peak visitation days before placing restrictions on day users.

Concern 446: The National Park Service should recognize that the introduction of facility limits necessitates comments on site-specific implementation plans or projects, and therefore should be considered in scope.

"PROGRAMMATIC vs. IMPLEMENTATION PLAN. The document clearly states that the Revised River Plan is a programmatic plan that establishes management direction. On the other hand, implementation plans, such as the Yosemite Valley Plan, "direct specific projects as well as ongoing management activities or programs." It would appear that in order to stay within the scope of this planning effort, comments from the public would need to address the programmatic aspect of the Plan and not become distracted by specific projects or site specific analysis. Yet by introducing interim facility limits associated with specific projects, this document misleads the public. The tendency will be to focus more on individual projects (e.g., campgrounds, lodging, day visitor parking, etc.) rather than what is intended to be a resource- based analysis. And, consequently, will such confusion render numerous public comments useless because they may be considered outside the scope of this planning effort?"
(Individual, Oakhurst, CA, Comment #55-15)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts but it does not dictate any specific action. The court directed the National Park Service to revise the plan to address the El Portal boundary and user capacity. The court also stated that the National Park Service could adopt interim limits on use if the VERP program would not be fully operational immediately. The park has accepted and responded to comments regarding these interim limits.

Criteria for Selection of Planning Goals

Concern 25: The National Park Service should adopt an interim plan as described in the Madera County Supervisor's letter of June 27, 2000.

"The YSVB [Yosemite Sierra Visitors Bureau] also recommends adoption of the interim plan described in the Madera County Supervisor's letter of June 27, 2000 while re-tooling of the RMRP takes place."
(Individual, Oakhurst, CA, Comment #49-8)

Response: Because the "interim plan" as described in the Madera County Supervisor's letter of June 27, 2000 was not provided to the National Park Service during the public comment period for the Draft Revised Merced River Plan/SEIS, the National Park Service is unable to respond to this concern in its entirety.

Concern 43: The National Park Service should implement a legally sufficient User Capacity Program that more closely represents the definition of "user capacity" as described in the 1982 Wild and Scenic Rivers Guidelines rather than the Visitor Experience and Resource Protection framework.

"The 1982 [Wild and Scenic Rivers] guidelines define the concept as the quantity of recreation use which an area can sustain without adverse impact on the Outstandingly Remarkable Values and free-flowing character of the river area, without adverse impact on the quality of the recreation experience, and without adverse impact on public health and safety. Instead you've chosen to go with VERP-spin which claims user capacity is only about sustaining the desired resource and social conditions that complement the purpose of the park units and their management objectives. ". . . complement the purpose of the park units and their management objectives."
(Individual, Oakhurst, CA, Comment #28-2)

"The Ninth Circuit court order stated that the NPS is [not] precluded from using VERP to fulfill the user capacities requirement. . . ," as long as such limits "will not adversely impact the Merced Outstandingly Remarkable Values." Instead Park administrators chose to redefine user capacity as "the types and levels of visitor use that can be accommodated while sustaining the desired resource and social conditions that complement the purpose of the park units and their management objectives" (Page 11-17). Such terminology makes for warm and fuzzy language but blurs measurable objectivity and accountability."
(Individual, Oakhurst, CA, Comment #55-4)

"Astoundingly, User Capacity definitions in this D. R. CMP do not even use the operative 1982 NPS Fed Guidelines for user capacity for WSR def, instead use NPS management definitions. YVP plans to accommodate more visitors, yet no user capacity based on protection of Outstandingly Remarkable Values yet determined. That is pre-decisional."
(Conservation Organization, Yosemite, CA, Comment #111-83)

Response: Commenters refer to the 1982 National Wild and Scenic Rivers Guidelines, which define carrying capacity as "the quantity of recreation use which an area can sustain without adverse impact on the outstandingly remarkable values and free-flowing character of the river area, the quality of recreation experience, and public health and safety." Those guidelines go on to direct that "public use will be regulated and distributed where necessary to protect and enhance (by allowing natural recovery where resources have been damaged) the resource values of the river area. Public use may be controlled by limiting access to the river, by issuing permits, *or by other means available to the managing agency through its general statutory authorities*."

Managers are thus guided to maintain certain conditions on the river's Outstandingly Remarkable Values and free-flowing character. The guidelines also direct certain conditions on the quality of the recreation experience, and to public health and safety. To achieve this, park managers must first determine existing and desired conditions of the Outstandingly Remarkable Values and the recreation experience.

In the National Park Service, conceptual/programmatic plans such as general management plans and Wild and Scenic river management plans do this in a logical, trackable, transparent sequence of thinking and decision making. Park or river legislation, legislative histories, park service legislation, and other laws and regulations dictate the purpose, significance, and outstandingly remarkable values of the park or river. Based upon the purpose, significance, and Outstandingly Remarkable Values, management prescriptions or desired conditions are created. They establish the basis for determining the types, levels, and locations of recreation activities to achieve the goals or conditions. This is done with full National Environmental Policy Act and 106 compliance, and with extensive consultation with the public. This transparent and deliberate process documents decision making that is more accountable and responsive to legal mandates than previous carrying capacity techniques that relied on an "expert" to intuitively determine a number of people who should visit an area based on professional judgment.

The National Park Service adopted this technique in its 2001 Management Policies, which define and describe visitor carrying capacity as "the type and level of visitor use that can be accommodated while sustaining the desired resource and visitor experience conditions in the park. Managers will also identify ways to monitor for, and address, unacceptable impacts to park resources and visitor experiences.

The decision-making process must include the best-available science, and quality indicators and standards for resource conditions and visitor experiences. The level of analysis necessary to make decisions about carrying capacities is commensurate with the potential impacts or consequences of the decisions. The greater the potential for significant impacts or consequences to park resources and values (or the opportunities to enjoy them), the greater the level of study and analysis needed to support the decisions.

Concern 62: The Revised Merced River Plan should describe how impacts from buses will be mitigated in the final document.

"The plan does not adequately mitigate the impacts of buses during the hours when the greatest numbers of them arrive from 10 am to 12 pm and more broadly from 10 am until 2 pm."
(Individual, Fremont, CA, Comment #51-11)

Response: Visitation to Yosemite by bus peaked in 1996 with approximately 18,000 buses carrying approximately 450,000 visitors. Since that time, both the number of buses and the number of visitors traveling into the park by bus have declined to approximately 9,500 buses carrying 275,000 visitors in 2004 (see figure IV-2 and supporting text in Chapter IV). In addition, Yosemite Valley visitors arriving by bus tend to be concentrated in developed areas of the park that provide adequate space for bus parking and have hardened surfaces for walking to view popular features such as Yosemite Falls, Bridalveil Fall, Tunnel View, and the Yosemite Lodge area. Visitors in organized tour groups typically do not have the time to explore undeveloped areas and typically do not stray far from the tour guides or buses. Alternative 2, as presented in the Final Revised Merced River Plan/SEIS, proposes an interim limit of 92 buses per day entering Yosemite Valley and 28 per day in Wawona. Though no limits on buses are proposed for Alternatives 3 and 4; the daily segment or management zone limits, coupled with the annual corridorwide visitation limits would provide an overall limit on the number of visitors within the river corridor, including those who travel in by bus.

Concern 217: The National Park Service should base its planning on natural resource-based management rather than on existing and planned facilities.

"Alternative 1 is misleading because you equate average existing visitation with the visitor capacity. These terms are not the same. By analogy, the occupancy rate (i.e., visitation) in a hotel, restaurant, train, boat, or airplane is not the same as the visitor capacity in these examples. The occupancy or visitation rate of the Merced WSR is not its user capacity."
(Individual, Fort Collins, CO, Comment #73-4)

"The numeric capacity decision should duly consider the necessary information that effects a visitor capacity decision (see previous discussion in #1[comments 73-1, 73-2, 73-3]), not simply based on existing use or existing and planned facilities."
(Individual, Fort Collins, CO, Comment #73-13)

"NPS needs to stop basing its planning on existing facilities and purposed facilities to be developed; instead, natural resources based management is what WSRA requires."
(Conservation Organization, Yosemite, CA, Comment #111-68)

Response: The 1980 *General Management Plan* did, indeed, base carrying capacity decisions on the numeric carrying capacity of facilities. The proposed approach to carrying capacity in Alternative 2, the environmentally preferable alternative, would amend that portion of the *General Management Plan* for the Merced River corridor and replace it with the VERP framework. Implementation of Yosemite's VERP program will be more responsive to fulfilling and supporting *General Management Plan* objectives and the protection and enhancement of the Outstandingly Remarkable Values of the Merced River.

Science/Resource-Based Decision-Making

Concern 133: The National Park Service should consider recommendations from the 2002 Federal Interagency Task Force Report on Visitor Capacity when making decisions about visitor capacity.

"The 2002 Federal Interagency Task Force Report on Visitor Capacity, co-sponsored by the NPS, provides a fuller list of considerations towards making a reasonable visitor capacity decision (pg. 16): Inputs to a Capacity Decision. Sound professional judgment relies on many informational inputs. Those particularly relevant to a visitor capacity decision might include: management objectives (including all legislative and policy guidance); desired future conditions and quality standards (resource, social, management); current and future recreation demand (who, where, what, when, how, why); current resources, conditions, uniqueness, capability, and trends; current management capability and suitability; current type, amount, and design of facilities and infrastructure; appropriateness (compatibility) of current or proposed recreation opportunities; regional supply of the same and similar recreational opportunities; foreseeable changes in recreation and nonrecreational uses; existing allocations to permittees and other land uses/users; significance of the visitation issues and concerns; potential for natural or cultural resource impairment; type and amount of best available science and information; level of uncertainty and risk surrounding consequences of decision; and the expected quality of the monitoring program."
(Individual, Fort Collins, CO, Comment #73-3)

Response: During the writing of the document, the planning team reviewed the Interagency Task Force Report on Visitor Capacity. The National Park Service believes that the alternatives

proposed in this document are consistent with the majority of the recommendation in the report. However, the agency does not agree with all of the report's recommendations. The National Park Service representative on the Task Force noted those disagreements in comments submitted on the draft report. The National Park Service believes that the VERP process is consistent with the current state of knowledge and best practices in managing user capacity on public lands.

Concern 156: The "Addressing User Capacity" section of the Revised Merced River Plan should be revised to accurately reflect the diversity of opinions of successes of developed user capacity programs.

"The section on "Addressing User Capacity" has little basis in fact. Your discussion of user capacity on pages II-16 and 17 is not complete, narrow, and has little basis in fact of the situation on the federal estate. The reader is left with the impression in reading this section that the question of user capacity is dealt with by a special process or approach such as LAC, VERP, VIM, or ROS. As part of the Task Force effort there was an in-depth survey done of 95 field units from around the United States that had decided upon a numerical user capacity for their managed areas. Participants were asked what decision process or steps were used. Seventeen (17%) percent of the respondents indicated they had used VERP (3%), LAC (11%), or ROS (3%), and no respondent indicated VIM. Most respondents indicated that they were addressing user capacity as one decision among many within a NEPA-compliant planning process, which in my opinion is exactly what is required on you in the Merced Wild and Scenic River SEIS. Your discussion [on "Addressing User Capacity"] also gives the sense of agreement and consensus in addressing user capacity. Not true. In the Sept 2004 issue of Parks and Recreation, I wrote the following (pg 109):

First, in the early 1980s, the recreation science community rightly disclosed that a numerical visitor capacity was an administrative decision and not a scientific finding. In the absence of a scientifically determined visitor capacity, the recreation science community began to develop alternative monitoring frameworks purporting to address visitor capacity. Some 10 monitoring frameworks have been published (e.g., VERP, LAC, VAMP, VIM, QUALs) that, for all practical purposes, are the same.

Unfortunately, these monitoring frameworks have fostered a number of misunderstandings among managers and researchers. For example, (a) a numeric visitor capacity is no longer an important and fundamental tool for resource planning and management; (b) monitoring enables a manager to circumvent his responsibility of deciding upon a reasonable numeric visitor capacity; (c) monitoring allows us to dispatch a visitor capacity decision to a future time and another person; or (d) a numeric visitor capacity can be determined with enough monitoring and, thus, there is no need for a manager to make a decision now or later.

This titanic myth is at the core of the National Park Service problem in the Merced River case. These monitoring frameworks may be good monitoring frameworks, but they do not replace the need for proactive numeric visitor capacity decisions. Monitoring and visitor capacity are two separate tools and decision points, they are not an either/or option, and both are important to good resource planning and management.

You need a more complete and factual presentation in this Section of how user capacity is being addressed nationally and acknowledge that there continues to be dialogue about how best to proceed." (Individual, Fort Collins, CO, Comment #73-37)

Response: The user capacity issue is complex and continues to be intensely debated among academicians, scientists, and land managers. There are many methods for addressing user capacity on public lands—as well as many points of agreement and disagreement. The Final Revised Merced River Plan/SEIS has been revised to acknowledge that these areas of agreement and disagreement on user capacity management exist within the recreation management field. Additionally, the revised plan contains citations to various articles representing this debate.

Concern 157: The Revised Merced River Plan should be revised based on the best available science and information on visitor capacity, including the National Park Service sponsored "Visitor Capacity in the National Park System" September 2001.

"The inclusion of best available science and information needs expansion. Your literature review and the text of the SEIS appears that you have not considered all the best available science and information on visitor capacity. My concern is that institutions often entrap themselves into a phenomenon called "groupthink" and the quality of their decisions are lessened.

For example, the National Park Service commissioned a Social Science Research Review entitled Visitor Capacity in the National Park System that was published in Spring 2001 (Volume 2, Number 1). It was a two-year project and the paper was rigorously peer reviewed. There is also the 2002 Federal Interagency Task Force Report on Visitor Capacity sponsored by the NPS and participated in by many NPS professionals. A copy was personally mailed to you over 18 months ago. Based upon a lack of citation and reference, it appears that these recent NPS contributions were not duly considered in the SEIS.

While these and other publications are not hearty endorsements for VERP and may not support your pre-decisional stance, I think these would help to constructively challenge and clarify your thinking about user capacity, all for the purpose of making even better decisions and to fend against elements of groupthink."
(Individual, Fort Collins, CO, Comment #73-38)

Response: Creation and implementation of the VERP framework has included an exhaustive study of scholarly and scientific information, including the Federal Interagency Task Force Report on Visitor Capacity. While the report was sponsored in part by the National Park Service, and the National Park Service participants agree with many of the findings documented therein, the agency never adopted the report due to fundamental ongoing professional disagreements with key findings. This document does cite several of the elements within the above referenced publications that the National Park Service agrees with. Please refer to Chapter IX: Bibliography for more information on cited materials.

Concern 160: The Revised Merced River Plan should set baseline conditions for indicators reflecting river health with restored meadows and river banks, as opposed to current degraded conditions.

"Choose a more accurate baseline for river health. The Revised Merced River Plan necessarily chooses a baseline against which to measure changes in river health. But current river condition is not the best baseline, because the river is already ecologically stressed. A better baseline would include restored meadows and riverbanks, plus minimal intrusion by non-native species."
(Individual, Comment #81-5)

Response: Since the Merced River was designated a Wild and Scenic River by Congress in 1987, park managers in Yosemite have placed a strong emphasis on the restoration of meadows and those areas of the Merced River bank that experience heavy visitor use, particularly in Yosemite Valley. As examples, the park has undertaken several restoration efforts such as:

- Restoration of riverbank and Devil's Elbow
- Cook's Meadow Restoration
- Stoneman Meadow Restoration
- Sentinel Meadow Restoration
- Merced River Restoration at Eagle Creek
- Removal of the Happy Isles Gauging Station Bridge
- Removal of the Cascades Diversion Dam

Many recent and ongoing restoration efforts have been listed in Chapter 3, Alternatives as part of the discussion under Alternative 1—No Action. Ecological restoration efforts in the river corridor have served to improve the overall health and free-flowing condition of the river since its 1987 designation and are indicative of current baseline conditions. Although resource managers recognize that there is still work to be done in some areas, the indicators and standards developed under the park's VERP program provide a sound mechanism for ensuring the ongoing protection of the Merced River.

Concern 171: The Revised Merced River Plan is incorrect in its assumption that current use levels are protective of Outstandingly Remarkable Values.

"Page II-35 para 3 states "Current park policies and existing use levels are considered to be protective of the Outstandingly Remarkable Values." I believe this is a subjective assumption that could lead to irreparable long-term harm to Outstandingly Remarkable Values of the Merced Wild and Scenic River. It is an assumption that should be substantiated (or refuted) with data…how do we know current levels of use of the Merced River corridor with all of the associated accoutrements needed to support those visitors (e.g., utility lines, roads, structures, employee housing, school, day care center, etc.) are not harming aquatic invertebrates, or changing the hydrologic regimes of the Valley? (Individual, Fresno, CA, Comment #82-8)

Response: The Final Revised Merced River Plan/SEIS has included graphs that depict park visitation from 1985 through 2004 (see table III-3). As shown by this figure, overall visitation levels today are nearly the same as those experienced in 1987, the year Congress designated the Merced River as Wild and Scenic. Since 1987, park managers have undertaken numerous initiatives within the river corridor with the objective of protecting and enhancing the river's Outstandingly Remarkable Values. The analysis in the Final revised Merced River Plan/SEIS indicates that the river's Outstandingly Remarkable Values are being protected and enhanced.

Concern 189: The National Park Service's objective should be an overall improvement of conditions, rather than maintaining the status quo.

"The National Park Service's objective should be an overall improvement of conditions in the Merced River corridor, not maintaining the status quo or allowing further degradation to occur." (Individual, Fresno, CA, Comment #82-34)

"Be proactive about protection and restoration. If we wait for conditions to get bad enough to register, we may wait too long. Besides, meadows are already trampled. Beaches and river banks are already heavily impacted. In other words, we've already passed "baseline" for ecosystem health. We should think in terms of restoring vitality, not preserving an unhealthy status quo."
(Individual, Emerald City, CA, Comment #85-4)

Response: The National Park Service's objective is to strive for an overall improvement of conditions within the Merced River corridor. Park managers have undertaken several restoration efforts in recent years, particularly in adjacent meadows and along the river's banks. Examples of some of these projects include:

- Restoration of riverbank and Devil's Elbow
- Cook's Meadow Restoration
- Stoneman Meadow Restoration
- Sentinel Meadow Restoration
- Merced River Restoration at Eagle Creek
- Removal of the Happy Isles Gauging Station Bridge
- Removal of the Cascades Diversion Dam

Park managers have also developed a series of VERP standards and indicators that are designed to specifically focus on protecting and enhancing the overall environmental and ecological conditions in the river corridor. In addition, they have adopted a proactive approach for implementing management actions in the event VERP monitoring suggests conditions are approaching a specific standard (see figure II-3 and supporting text). This approach allows park managers to implement preventive measures before conditions reach levels where standards are being exceeded.

Concern 218: The National Park Service should develop adequate baseline data studies in order to develop user capacity.

"We filed numerous declarations from our experts which stated and laid out what surveys needed to be done, the kind of mapping for resources, and so on. We already presented NPS all this information which NPS is basically continuing to ignore. Baseline date, The Ninth Circuit said that NPS still has the duty to do develop adequate baseline date studies in order to develop user capacity. We herein incorporate those expert declarations."
(Conservation Organization, Yosemite, CA, Comment #111-69)

Response: The original Merced River Plan and this revision to the plan are based on large amounts of baseline data relevant to resource conditions within the park. Additionally, data was gathered during this plan revision, particularly in the El Portal area.

As part of the VERP program, still more baseline data are being collected and systematically analyzed and evaluated by park managers. As the VERP process continues to be implemented in the coming years, this data will be supplemented by additional information gathered during monitoring within the river corridor. This data will be used to continually fine-tune the VERP process.

Relationship to Other Planning Efforts

Concern 27: The Revised Merced River Plan should explain why lodging and campsite numbers have changed in comparison to the *Yosemite Valley Plan* and the *General Management Plan*.

"The NPS appears to be proposing a substantial increase in overnight accommodations of all kinds. Some of the proposed numbers are greater than present numbers, and most if them are substantially larger than called for in the 2000 Yosemite Valley Plan (YVP).Specifically, the YVP calls for 961 lodging units; the MRP calls for 1,262. The YVP calls for 500 campsites (presently 475); the MRP calls for 628. I could find no rationale for the larger numbers other than they are aiming for a total daily maximum of 18,241visitors, which is the number contained in the 1980 General Management Plan (GMP). If I have missed something I would appreciate being pointed to it, citing a specific page number reference."
(Individual, San Francisco, CA, Comment #31-2)

Response: The Final Revised Merced River Plan/SEIS has been revised to provide clarification between the numbers used for lodging and campsites in comparison to the General Management Plan and the Yosemite Valley Plan in the tables presented in Chapter III and Appendix C (Appendix D has been changed to Appendix C in the Final Revised Merced River Plan/SEIS). As presented in Alternative 2, interim facility limits for overnight lodging units are based on the number of existing units. As new units are constructed existing units will be eliminated from saleable inventory to ensure no net increase in the rooms available for occupancy, even temporarily.

The General Management Plan called for a reduction of 116 campsites from existing levels in 1980 which was 872 campsites, to the proposed level of 756 campsites in Yosemite Valley; most of them within the Merced River corridor. The Final Revised Merced River Plan/SEIS proposes 638 campsites for Yosemite Valley in Alternative 2, which is a further reduction from the General Management Plan proposed levels. However, the numeric approach to managing carrying capacity within the river corridor will be amended by this plan through the VERP program. Indicators and standards have been developed to monitor achievement of the desired resource and social conditions within the river corridor, and will continue to be refined over time. Adjustments to location, number, and infrastructure will be made when warranted. It is anticipated that relocation of certain campsites from sensitive areas will serve the resource goals of both the General Management Plan and the Merced Rive Plan, both of which provide guidance for the Yosemite Valley Plan. Therefore campsite relocation and expansion of the current inventory fulfills goals and works towards achieving desired conditions within the river corridor.

Concern 45: The National Park Service should develop a Revised Merced River Plan that takes precedence over previously determined *Yosemite Valley Plan* implementation projects.

"This River Plan serves the dictates of the predetermined Yosemite Valley Plan. The Management Zones continue to justify the build out plans, and more, of the YVP. On top of that, the Park Service continues to show a chart that purports to show the Yosemite Valley Plan is based on the River Plan. A valid finalized River Plan does not yet even exist, so it is obvious to anyone that the Yosemite Valley Plan is predetermining the zoning in the River Plan. Protection of the River's special values should be determining the River Plan; then and only then, should a plan, such as the YVP be put together. YVP projects should have been and should be based on whether or not they degrade River values. If they do degrade the River, then they should not take place."
(Individual, Comment #93-6)

"As long as the draft plan remains justification for Yosemite Valley protects, it cannot be a protective plan."
(Individual, Cupertino, CA, Comment #103-2)

"Your revised document does not alter the existing "zoning" mistakes that are being used to justify the development associated with the Yosemite Valley Plan. In fact this "revised" plan simply reinforces predetermined outcomes in the Yosemite Valley Plan. The degradation to natural resources, cultural resources, and visitor experience that will be caused by the Yosemite Valley Plan should have been stopped by the revised Merced River CMP not justified."
(County Agency, Groveland, CA, Comment #140-4)

Response: The El Portal boundary and user capacity management program elements contained in the Revised Merced River Plan/SEIS, combined with the elements of the existing 2000 Merced River Plan amend the park's *General Management Plan*, and take precedence over implementation plans such as the *Yosemite Valley Plan*. The Merced River Plan is a programmatic plan that guides management of the Merced Wild and Scenic River corridor. This issue is clearly presented in both text and graphics in Chapter I of the document. All future *Yosemite Valley Plan* projects will have to be reviewed to determine whether they comply with the revisions to this plan. Changes made to zoning in the El Portal area may result in revisions to the *Yosemite Valley Plan* in that area.

Concern 447: The Revised Merced River Plan should clarify the relationship between the capacity numbers used in the Revised Merced River Plan, the *General Management Plan,* and the *Yosemite Valley Plan*, and include a simple table in the document.

"The 1980 GMP claimed that within Yosemite Valley, the park would continue to "provide a variety of camping opportunities" while removing "facilities that are sources of impact on riparian areas" (GMP, page 43). To accomplish that goal, the GIVIP advocated removal of campground sites and other development closest to the Merced River--a total of 1 16 units. The plan would "retain and revegetate 684 drive-in campsites" out of a total 756 proposed campsites in Yosemite Valley (less than the 872 existing pre-1980). The Revised Merced River Plan wants us to believe it is working diligently to achieve the capacity goals outlined in the 1980 GMP. Examining that effort more closely: the interim capacity goals as outlined in Appendix D will result in 432 drive-in sites and another 194 group/walk-in/walk-to sites for a total of 626 (the Plan says 628 but there is discrepancy in the numbers). BUT a review of Appendix F 'Potential Cumulative Actions," page F-7 describes a project titled "Visitor Use and Floodplain Restoration Program" which discusses the ecological restoration of North Pines campground (86 sites) and the northwest end of Lower Pines Campground (16 sites) with an EA planned for release in 2005. The Yosemite Valley Plan is even more clear: "North Pines Campground, which was also affected by flooding. . . Would be removed to preserve and restore highly valued resource areas" and a "portion of Lower Pines Campground. . . Would not be reconstructed" (Final YVPIEIS, Volume 1A, page 2-68). Since interim capacity numbers include the sites at these two locations, we can only conclude that such sites will be temporary--a future loss of 102 existing drive-in sites. Meanwhile, Appendix D counts as part of the interim camping numbers the construction of 160 NEW sites (30 RV, plus 130 walk-in/walk-to/group)---sites outlined in the Yosemite Valley Plan and the Curry EA."
(Individual, Oakhurst, CA, Comment #55-17)

Response: The *General Management Plan* based visitor capacity on the capacity of facilities and infrastructure. Visitor capacity "goals" identified in the *General Management Plan* were based on facility levels well below the actual level of facilities in 1980. However, in the 1990s national scientific and scholarly research as well as National Park Service policy discussions resulted in the adoption a new methodology for determining visitor carrying capacity. This methodology—the VERP framework—is described in the 2001 National Park Service Management Polices and in new Park Planning Program Standards signed in August 2004. In order to meet the new policy standards, Yosemite National Park will amend the visitor capacity "goals" of the *General Management Plan* by translating the former carrying capacity approach to the more responsive VERP process through each new planning effort undertaken. Thus, the visitor capacity goals from the *General Management Plan* will not form the basis for carrying capacity decisions in Yosemite National Park as proposed in Alternative 2.

The National Park Service is not addressing how the numbers proposed in the user capacity alternatives compared to numbers in the *Yosemite Valley Plan*, because the *Yosemite Valley Plan* derives its guidance from and must tier off of the Merced River Plan, as revised in this document. Once the Revised Merced River Plan is complete, the National Park Service will evaluate the *Yosemite Valley Plan* to determine if it needs to be revised to comply with the Revised Merced River Plan and the *General Management Plan*, as amended by this Final Revised Merced River Plan/SEIS.

General Management Plan

Concern 93: The National Park Service should base a day use reservation system on the *General Management Plan* daily maximum of 18,241.

"I also believe that the NPS should adhere to the numbers prescribed in the GMP (18,241 for YV). That number can be the initial basis for a day use reservation system. Then, if future monitoring shows continuing degradation at this level, the number can be reduced [And, in the unlikely event that monitoring shows no problems, the number could be increased.]"
(Individual, San Francisco, CA, Comment #31-11)

"The 1980 General Management Plan established a day use visitor capacity of 18,241. This plan was developed and carefully researched but not funded or implemented. That number for day use visitors in the Valley at any one time is still applicable today and should be used as a baseline for day use visitation."
(Conservation Organization, Oakland, CA, Comment #75-2)

Response: The *General Management Plan* based visitor capacity on the capacity of facilities and infrastructure. Visitor capacity "goals" identified in the *General Management Plan* were based on facility levels well below the actual level of facilities in 1980. However, in the 1990s national scientific and scholarly research as well as National Park Service policy discussions resulted in the adoption a new methodology for determining visitor carrying capacity. This methodology—the VERP framework—is described in the 2001 National Park Service Management Polices and in new Park Planning Program Standards signed in August 2004. In order to meet the new policy standards, Yosemite National Park will amend the visitor capacity "goals" of the *General Management Plan* by translating the former carrying capacity approach to the more responsive VERP process through each new planning effort undertaken. As such, were a day use reservation system to be proposed as a management action; park mangers would evaluate the appropriate level of visitor use based on information gathered through the VERP program, and would not arbitrarily use the visitor capacity goals from the 1980 *General Management Plan*.

The Final Revised Merced River Plan/SEIS identified and evaluated a range of reasonable and feasible alternatives to address user capacity in Yosemite National Park based on the VERP framework. VERP is a process that considers capacity in a different way. Rather than simply counting an arbitrary number of people, implementation of a VERP program will allow park managers to monitor resource conditions and the visitor experience and make better decisions accordingly. Full implementation of the VERP process ultimately pinpoints the cause of impacts, then informs and guides future decisions relating to patterns of visitor use within a specific area of the river corridor. This ensures that the river's Outstandingly Remarkable Values are being protected and enhanced. If monitoring of indicators determined that management action was necessary in order to protect and enhance the river's Outstandingly Remarkable Values, a day use reservation system is one of many potential management actions that could be implemented (see table II-3). It should be noted, however, that an appropriate level of National Environmental Policy Act compliance and public involvement would be undertaken by the park prior to any form of a day use reservation system being implemented (see table II-4).

Concern 129: The Revised Merced River Plan should better explain how allowable future actions under the preferred alternative will limit unnatural sources of air pollution as prescribed in the *General Management Plan*.

"The 1980 General Management Plan "calls for the National Park Service to limit unnatural sources of air pollution to the greatest extent possible" (p. III-56). The DMRCMP fails to explain how this might be accomplished given that it would allow higher interim numbers of buses, lodgings and human impacts during the VERP."
(Individual, Fremont, CA, Comment #51-21)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended address these deficiencies in the original Merced River Plan/FEIS. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. The effects of the programmatic actions in this plan on air quality are addressed in the environmental consequences section. Decisions related to air quality for future actions will be evaluated in future project implementation plans. Future actions tiered to the Revised Merced River Plan/SEIS will also consider effects on air quality.

Concern 186: The Revised Merced River Plan should adopt *General Management Plan* visitation numbers.

"INCONSISTENCIES BETWEEN Interim FACILITY LIMITS & 1980 GMP CAPACITIES. The Revised River Plan continues to profess devotion to the 1980 General Management Plan: 'Park management would continue to use the visitor capacity goals from the General Management Plan for all facility planning purposes and would continue to manage the park with the intent of reaching those goals" (page 11-35). But as acknowledged in the Yosemite Valley Plan: "While the General Management Plan prescribed a maximum daily use. . . Level for Yosemite Valley, its analysis was facility- and vehicle-based, with no criteria or protection of resources or visitor experience" (Final YVPIEIS, Volume 1A, page 2-21). The Merced River Plan was supposed to institutionalize the protection of those natural resources and the visitor experience with a scientifically-based monitoring program complete with clearly defined and measurable standards and indicators. But while Park administrators claim allegiance to GMP capacity goals, a closer examination of those goals reveals stark inconsistencies."
(Individual, Oakhurst, CA, Comment #55-16)

"To protect Merced Wild and Scenic River Outstandingly Remarkable Values, the National Park Service should initially adopt the existing General Management Plan visitation numbers."
(Individual, Fresno, CA, Comment #82-30)

Response: The Yosemite National Park *General Management Plan* was adopted in 1980. In that era, visitor carrying capacity for national park plans was based on the capacity of facilities and infrastructure. Changes to existing facilities and infrastructure were recommended to fulfill and support management objectives. In this method, facility capacity defined the visitor carrying capacity. In the Yosemite 1980 *General Management Plan*, the total visitor capacity "goals" it established were well below the actual level of facilities. That is, the existing facility capacities

were greater than the capacities deemed optimum by the plan. Thus the *General Management Plan* called, not only for a reduction in facility capacity, but relocation of many existing facilities out of Yosemite Valley. These goals to remove and relocate facilities have guided all park planning efforts subsequent to the *General Management Plan*, including this plan. In the 1990s, national scientific and scholarly research, and National Park Service policy discussions, resulted in the adoption a new methodology for determining visitor carrying capacity. This methodology—the VERP framework—is described in the 2001 National Park Service Management Polices and in new Park Planning Program Standards signed in August 2004.

While the land use management zones and general management direction of the 1980 *General Management Plan* still largely meet the 2004 Park Planning Program Standards, the 1980 approach to visitor carrying capacities does not. In order to meet the new policy standards, Yosemite National Park will amend that element of the *General Management Plan* by translating the former carrying capacity approach to the more responsive VERP process through each new planning effort undertaken. The visitor carrying capacity approach proposed herein for the Revised Merced River Plan/SEIS would therefore amend the subject corridor portion of the *General Management Plan* with regard to carrying capacity.

In the future, overall visitation could increase or decrease under Alternative 2 as compared with *General Management Plan* levels. The overall level of park visitation, including the types and levels of use, would be informed by the results of monitoring as a component of the VERP program, which is designed to ensure visitor levels do not degrade Outstandingly Remarkable Values. A discussion of how Alternatives 2, 3 and 4 relate to the 1980 *General Management Plan* is included at the end of the discussion of each alternative in Chapter III of the document.

Concern 448: The National Park Service should adhere to the *General Management Plan* intent to redirect development to the periphery of the park and to gateway communities, rather than placing gateway communities in competition with the concessioner.

"Scoping comments expressed concern with respect to how park plans would impact gateway communities. The 1980 GMP specified a much greater number of primitive low-cost tent cabins and cabins w/o bath than are currently planned. Consequently, gateway hoteliers built mid-priced and deluxe rooms that would complement, not compete with, Park accommodations. Current Park plans to increase the number of mid- to higher-priced rooms creates a situation where the gateway communities are in direct competition with the concessioner. Additionally, plans to force gateway overnighters (aka "day visitors") onto buses further places gateway businesses and clientele at a marked disadvantage. And the increasing focus of the concessioner toward event visitation (e.g., conferences, Chefs' Holidays, Vintner Holidays, 8 Bracebridge Dinners, Heritage Days, etc.) and resort-style entertainment further competes with gateway resort properties developed in response to the stated GMP intent "to redirect development to the periphery of the park and beyond.""
(Individual, Oakhurst, CA, Comment #55-25)

Response: The National Park Service still adheres to the *General Management Plan* goal of reducing and relocating facilities. The *General Management Plan* goals are adopted as planning objectives for the purpose and need for this plan. However, the Revised Merced River Plan/SEIS does not call out specific development projects or locations because it is programmatic in nature. It is a working manual for guiding decisions relating to land use and activities in the river corridor. Locations of future facilities will be addressed in implementation plans.

The National Park Service is committed to continuing ongoing dialogue with gateway communities to better address their needs during planning processes. Future development projects will undergo an environmental review process to ensure compliance with the National Environmental Policy Act. This process will initiate public involvement and ensure that gateway community concerns are taken into consideration. In addition, this process will assess local and regional socioeconomic impacts of proposed projects.

Yosemite Valley Plan

Concern 59: The National Park Service should halt certain *Yosemite Valley Plan* implementation projects because of potential adverse effects on resources.

"This [resource protection over visitor experience] is clearly not the case with the planned realignment of the NSD [Northside Drive]. The NSD realignment could be terminated without interfering with other components of the Lodge Redevelopment Project that otherwise might move forward if this highly controversial element is removed."
(Individual, El Dorado Hills, CA, Comment #27-14)

"It claims follow-on plans will be reviewed and revised if necessary that'll be pretty tough when trees have already been logged, facilities have already been constructed, roads have already been realigned, traffic circulation has been reconfigured, and visitation patterns have been altered. After all, you figure you've fulfilled your requirement as soon as this ROD is signed."
(Individual, Oakhurst, CA, Comment #28-5)

"YVP projects should have been and should be based on whether or not they degrade River values. If they do degrade the River, then they should not take place."
(Individual, Seattle, WA, Comment #76-2)

Response: The National Park Service has stopped all activities on *Yosemite Valley Plan* projects that have been enjoined by court order. However, the park is continuing to move forward with implementation of other *Yosemite Valley Plan* -related projects that have been reviewed by the Court and allowed to proceed.

Concern 63: The Revised Merced River Plan should set interim use limits at *Yosemite Valley Plan* numbers.

"[I]n its [the National Park Service's] Preferred Alternative, Alternative No. 2, is an additional 5 years of study under a process identified as Visitor Experience and Resource Management, VERP, before the day use [limits] are established, except there are some interim limits. It is difficult to pin down just what these interim limits are, but they appear to be a great deal more than the Yosemite Valley planning calls for, roughly 30 percent more."
(Individual, Ahwahnee, CA, Comment #41-3)

"The plan does not choose to put in place some interim limits that could have been based on, for example, the 2000 Yosemite Valley Plan (YVP), or some other reasonably construed limits to be used during the VERP. Instead, it chooses significantly higher limits, apparently based upon the lowest numbers of visitors, buses, and other impacts during the period ensuing from 1998 until 2004 rather than taking into account higher numbers from earlier years, which would have been a more realistic approach. Higher interim facility limits are not needed merely to accommodate the concessionaire or other interests at the expense of not protecting the resource adequately. The misleading jargon about "interim [facility] limits" of 1,262 lodging units cited on p. D-4, Table D-2: Alternative 2: VERP Program with Interim Facility Limits, and in Footnote d, appears to be an intention to increase substantially the number of units existing presently."
(Individual, Fremont, CA, Comment #51-10)

Response: The Final Revised Merced River Plan/SEIS does not set interim use limits at *Yosemite Valley Plan* numbers because as shown on figure I-3 and discussed in Chapter I of the document, this Revised Merced River Plan/SEIS is a programmatic level plan. The *Yosemite Valley Plan* (along with the individual projects it proposes) is an example of an implementation plan. By definition, the *Yosemite Valley Plan* derives its guidance from and must be consistent with the requirements and conditions presented in the Revised Merced River Plan/SEIS. In other words, the *Yosemite Valley Plan* must answer to the Merced River Plan, not vice versa.

Concern 68: The National Park should cap overnight use numbers at Yosemite Valley Plan levels, but do so with existing facilities.

"The fact that the Yosemite Valley Plan (YVP) called for significant reductions in most overnight accommodations (with a slight increase at the Lodge and at Camp Four) was a positive thing. Since the NPS is now proposing not only to abandon the YVP figures, but to increase overnight use even above present levels, I want to restate my SUPPORT OF THE OVERNIGHT USE FIGURES CONTAINED IN THE YVP. (however, I do NOT support the urban redevelopment projects; the numbers can be achieved with existing facilities.)"
(Individual, San Francisco, CA, Comment #31-4)

Response: Interim facility limits as proposed in Alternative 2 represent existing capacities for overnight accommodations for Yosemite Valley and Wawona. These are only interim limits. Long term overnight lodging levels will be decided in implementation level plans, which will be tiered to the Final Merced River Plan/SEIS.

Concern 91: The National Park Service should consolidate parking at the Village and limit spaces to 550 as per the Yosemite Valley Plan.

"Day use parking in the East Valley would stay the same as at present at 1,510 spaces, with current additional parking in the West and Mid-Valley areas to remain The YVP called for ALL Valley parking to be consolidated at the Village at 550 spaces."
(Individual, San Francisco, CA, Comment #31-7)

Response: Interim facility limits as proposed in Alternative 2 represent existing capacities for day visitation parking in Yosemite Valley. These are only interim limits. Long term parking space numbers will be decided in implementation level plans, which will be tiered to the Final Merced River Plan/SEIS.

Concern 321: The Revised Merced River Plan should not have a comprehensive visitor limitation or resource protection for Yosemite Valley because the river boundary is smaller than the lands with visitor facilities and natural resource concerns (these issues would better fit under the *Yosemite Valley Plan*).

"Finally, it also seems clear that a comprehensive visitor limitation or resource protection plan for Yosemite Valley is really misplaced in the Merced River plan. A river plan, by its very nature, is focused on the adopted river corridor—which is smaller (by statute) than the lands with visitor facilities and many natural resources of concern in Yosemite Valley. … [T] Wild & Scenic Rivers Act authorizes river managers (particularly National Park managers) to achieve river planning objectives in coordinated plans prepared under other statutory authorities."
(Conservation Organization, Sacramento, CA, Comment #116-13)

"The principal planning efforts for addressing National Park visitor issues better fit plans also prepared under the authority of the organic act of the National Park Service such as the Yosemite Valley plan. the Wild & Scenic Rivers Act authorizes river managers (particularly National Park managers) to achieve river planning objectives in coordinated plans prepared under other statutory authorities."
(Conservation Organization, Sacramento, CA, Comment #116-14)

Response: Although the river corridor boundary adopted in the 2000 Merced River Plan for Yosemite Valley segment does not include the extent of the Valley floor, nor precisely match the developed area boundaries identified in the *General Management Plan,* it is not practical to manage visitor levels strictly within the river segments, separately from the larger developed areas. This is because the location of visitor and employee facilities and the dispersed nature of recreational activity within these developed areas result in continual movement of visitors and employees into and out of the river corridor throughout the day. The user capacity method for Alternative 2 as presented in the Final Revised Merced River Plan/SEIS is based on existing facilities which includes areas outside the river corridor boundary. Similarly, the user capacity methods proposed for Alternatives 3 and 4 are based existing facilities, though the levels of use are varied.

Concern 373: The Revised Merced River Plan should justify why there is an increase in the number of overnight accommodations beyond what is prescribed in the *Yosemite Valley Plan*.

"OVERNIGHT ACCOMMODATION INCREASES/CALL FOR LOWER NUMBERS: The Valley Plan called for 961 overnight lodging units. Alternative 2 calls for 1,262. The obscure "footnote d" (above) calls for several hundred more than that. The Valley Plan called for 500 campsites. Alternative 2 calls for 628.

We find no explanation or justification for this continual upward creep in overnight accommodations. Since the Merced River Plan is foundational to the Valley Plan, these higher numbers in the DRMRP constitute a huge defacto amendment of the Valley Plan…At the very least, the numbers which appear in the most recently published plan should have been used as targets for the "interim facility limit" preferred Alternative 2. That is 961 for overnight lodging, and 500 for campsites."
(Conservation Organization, Fresno, CA, Comment #113-18)

Response: The Final Revised Merced River Plan/SEIS proposes interim limits on overnight facilities in Yosemite Valley and Wawona that are based on existing capacities for those overnight accommodations. The interim limits would not be eliminated at the end of 5 years, unless park managers were confident that the VERP program was providing sound guidance on appropriate types and levels of visitor use and adequate protection of the Outstandingly Remarkable Values within the river corridor. If changes proposed at this time would result in substantially different environmental consequences than were identified in this document, an appropriate level of National Environmental Policy Act compliance would be completed. Because the Yosemite Valley Plan is an implementation plan that is tiered off the Merced River Plan, all actions will be reevaluated for consistency with the two elements of the Final Revised Merced River Plan/SEIS; the proposed user capacity program and El Portal boundary, following the signing of the Record of Decision.

The General Management Plan called for a reduction of 116 campsites from existing levels in 1980 which was 872 campsites, to the proposed level of 756 campsites in Yosemite Valley; most of them within the Merced River corridor. The Final Revised Merced River Plan/SEIS proposes 638 campsites for Yosemite Valley in Alternative 2, which is a further reduction from the General Management Plan proposed levels. However, the numeric approach to managing carrying capacity within the river corridor will be amended by this plan through the VERP program. Indicators and standards have developed to monitor achievement of the desired resource and social conditions within the river corridor, and will continue to be refined over time. Adjustments to location, number, and infrastructure will be made when warranted. It is anticipated that relocation of certain campsites from sensitive areas will serve the resource goals of both the General Management Plan and the Merced Rive Plan, both of which provide guidance for the Yosemite Valley Plan. Therefore campsite relocation and expansion of the current inventory fulfills goals and works towards achieving desired conditions within the river corridor.

Concern 378: The National Park Service should recognize the discontinuity of administrations over the development and implementation of the *Yosemite Valley Plan*.

"The valley plan was developed under one national administration and is going forward during another. There has been discontinuity both of superintendents in Yosemite, as well as national administrations. But the valley plan survives. One wonders why."
(Individual, Mariposa, CA, Comment #99-3)

Response: The Revised Merced River Plan/SEIS is a programmatic plan that does not prescribe specific actions, such as those called for in the *Yosemite Valley Plan*. Rather, it sets the framework for guiding future management decisions. Each administration follows the management direction established in the park's *General Management Plan*. Since 1980, the National Park Service has worked to implement the goals of the *General Management Plan* and will continue working towards these into the future. Implementation and refinement of these goals is expected to span numerous park administrations.

Concern 438: The National Park Service should withdraw the *Yosemite Valley Plan* and re-write it after a valid river plan is in place.

"No where does the NPS state the Yosemite Valley plan needs to be withdrawn or redone."
(Individual, Cupertino, CA, Comment #103-3)

Response: The *Yosemite Valley Plan* was developed and adopted in accordance with the Merced River Plan. Upon completion of the Revised Merced River Plan/SEIS, the National Park Service will review actions approved in the *Yosemite Valley Plan* to determine whether any revisions, such as the boundary and zoning decisions for the El Portal segment, would result in any changes to the *Yosemite Valley Plan*. Such changes could be subject to further National Environmental Policy Act analysis and possible public review. Upon completion of this Revised Merced River Plan/SEIS, future projects called for in the *Yosemite Valley Plan* will be reviewed to determine whether they are consistent with the Revised Merced River Plan/SEIS.

Implementation Plans and Projects

Concern 65: The National Park Service should establish a moratorium on all park projects in the Merced River corridor until a valid river plan is in place.

"And since the park is still lacking a valid and protective river plan, I strongly urge you to issue an immediate moratorium on all park projects within the river corridor. This is the only logical approach to park planning considering the fact that all Yosemite plans must have a foundation of a valid Merced Wild and Scenic River Comprehensive Management Plan."
(Individual, El Portal, CA, Comment #50-2)

"Any development in Yosemite Valley that increases the number of overnight or day visitors above current levels should be put on hold until the VERP process is fully operational and the NPS knows that the levels of use they are prescribing are not going to result in unacceptable impacts to Outstandingly Remarkable Values.

Any increase over present levels of use undermines the credibility of the entire VERP program. Suppose that five years from now the VERP program revealed that present levels of use violated VERP standards and threatened the integrity of Outstandingly Remarkable Values. Would the NPS then remove the new facilities or campsites that are already in place? How can we assume that Outstandingly Remarkable Values will not be harmed by an increase in camping before we have any data to support such a claim?"
(Individual, Fresno, CA, Comment #82-21)

"I respectfully ask the National Park Service to immediately halt all park planning and projects within, or dependent upon, the river corridor and/or the Outstandingly Remarkable Values which the court has not specifically permitted… Establishing any new facilities in Yosemite Valley or El Portal before it is known what the park needs to do in response to user capacity decisions and whether or where facilities should be located prejudices the entire Merced River comprehensive management planning process."
(Individual, El Portal, CA, Comment #109-1)

Response: Prior to undertaking and projects within or adjacent to the Merced River corridor, the National Park Service will evaluate the project to determine whether it complies with the elements of the Merced River Plan, as revised through this plan. This determination will include an assessment of whether the project will protect and enhance the Outstandingly Remarkable Values of the Merced River. For projects that have already undergone environmental review and public comment (e.g., the Lodge Area Redevelopment Project), the National Park Service will make the results of this re-evaluation publicly available. For projects that have not yet undergone

environmental review, the National Park Service will include this evaluation as a part of the National Environmental Policy Act planning process for such projects.

The Merced River Plan has been developed using relevant and available data from many natural, cultural, social and other studies, which serve as baseline information. These studies are referenced in the plan, can be found in the bibliography, and are available upon request. The National Park Service information to determine if previously approved or future actions will or will not affect the Merced River's Outstandingly Remarkable Values. With this in mind it is important to note that the foundation of all action alternatives in the Revised Merced River Plan/SEIS, including the preferred alternative, *is* the protection and enhancement of the Merced River's Outstandingly Remarkable Values. Therefore, all future management actions, as well as actions approved in previous plans, will be guided by this principal regardless of when they are implemented.

It is true that the National Park Service has begun collecting additional baseline data and is conducting resource monitoring associated with Yosemite's VERP program. This information will supplement the existing body data and information.

Concern 94: The National Park Service should reassess current projects based on information gathered as part of the Visitor Experience and Resource Protection implementation process.

"Further, there appears to be no significant discussion of the multi-million dollar construction projects at the Lodge and Curry that were halted by the Ninth Circuit Court directives. References to the projects included under reasonably foreseeable future actions seems to imply the projects will proceed as soon as the final document is completed, well ahead of the 5- year resource assessment period. If constructed, will new and upgraded lodging units and road projects be torn down and removed if after 5 years, resource assessment indicators determine use levels are too high? Such an action would seem highly unlikely."
(Individual, El Dorado Hills, CA, Comment #27-11)

"Why is there no discussion of the need to hold up on the highly controversial north side drive (NSD) and section D [El Portal Road Improvement] road alignments until a full evaluation of their impacts are made during this five-year resource assessment period? It is imperative that a full re-evaluation of the NSD realignment proposal at Yosemite Lodge be made, as this highly controversial issue is crucial in implementing any VERP process. ...The NSD [Northside Drive] and section D road [El Portal Road Improvements] alignments are by far the most damaging components of the proposed projects."
(Individual, El Dorado Hills, CA, Comment #27-12)

"One of the most significant benefits of the Ninth Circuit Court decision was that it held up these enormous construction projects until a full review of their impacts and need are completed. At the very least the draft document should present a rationale for why they appear to be going forward on an essentially irreversible course prior to the completion of the 5-year resource assessment period."
(Individual, El Dorado Hills, CA, Comment #27-16)

Response: Prior to undertaking and projects within or adjacent to the Merced River corridor, the National Park Service will evaluate the project to determine whether it complies with the elements of the Merced River Plan, as revised through this plan. This determination will include an assessment of whether the project will protect and enhance the Outstandingly Remarkable

Values of the Merced River. For projects that have already undergone environmental review and public comment (e.g., the Lodge Area Redevelopment Project), the National Park Service will make the results of this re-evaluation publicly available. For projects that have not yet undergone environmental review, the National Park Service will include this evaluation as a part of the National Environmental Policy Act planning process for such projects.

The Merced River Plan has been developed using relevant and available data from many natural, cultural, social and other studies, which serve as baseline information. These studies are referenced in the plan, can be found in the bibliography, and are available upon request. The National Park Service information to determine if previously approved or future actions will or will not affect the Merced River's Outstandingly Remarkable Values. With this in mind it is important to note that the foundation of all action alternatives in the Revised Merced River Plan/SEIS, including the preferred alternative, *is* the protection and enhancement of the Merced River's Outstandingly Remarkable Values. Therefore, all future management actions, as well as actions approved in previous plans, will be guided by this principal regardless of when they are implemented.

It is true that the National Park Service has begun collecting additional baseline data and is conducting resource monitoring associated with Yosemite's VERP program. This information will supplement the existing body data and information.

Concern 130: The National Park Service should postpone Northside Drive and the El Portal Section D Road Improvement projects until full environmental disclosure of their impacts are determined.

"At the very least if there is going to be any meaningful outcome in this effort to protect the Merced River's ORV'S, NSD [Northside Drive] and section D [El Portal Road Improvements Project] must be put on hold until further public review and a full disclosure of their environmental impacts are determined."
(Individual, El Dorado Hills, CA, Comment #27-19)

Response: This programmatic plan does not authorize specific projects. The Northside Drive relocation is part of the Yosemite Lodge Area Redevelopment project for which an Environmental Assessment was completed. The document discloses the potential impacts on the environment from these projects, and it was found that the project would not significantly affect the quality of the human environment. This document is available to the public. When the Revised Merced River Plan/SEIS is complete, the park will review plans such as the Yosemite Lodge Area Redevelopment Project Plan to determine whether they comply with the revisions to the Merced River Plan. If park managers decides to pursue the El Portal Segment D Road Improvement project, it will undergo environmental review and public involvement in accordance with National Environmental Policy Act regulations, and will have to comply with the requirements of the Merced River Plan, as revised by this document.

Concern 247: The National Park Service should keep administrative construction projects away from the Merced River proper in El Portal to avoid degradation to biodiversity there.

"It is vital to keep administrative construction projects at El Portal away from the Merced River proper."
(Individual, Comment #70-2)

"In the El Portal area of the Merced River, the river offers great biological diversity. Causing any degradation in this diversity is moving in the wrong direction at attempts to maintain a Wild and Scenic River."
(Individual, Comment #70-3)

Response: The zoning proposed in Alternative 2—the National Park Service's preferred alternative—is protective of river values in El Portal. The Revised Merced River Plan/SEIS, however, does not make decisions on specific development or redevelopment projects in El Portal. Future construction activities in El Portal will have to be consistent with the river boundary limitations and related management zone prescriptions as presented in the Record of Decision for this planning effort. To this end, an El Portal Concept Plan, will be developed and undergo the appropriate level of environmental review. The El Portal Concept Plan will be made available for public review and comment.

Concern 260: The National Park Service should inform the public on the past eight years of construction associated with the Camp 6 project.

"What is the history in the last eight year of expansion of the parking area? We try to follow, but, realizing that the project has progressed in various phases despite our objection, we would like to be brought up to date."
(Conservation Organization, Yosemite, CA, Comment #111-30)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to correct these deficiencies in the original Merced River Plan/FEIS. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Based on the above, this public concern is not within the scope of this document. However, proposed actions associated with Camp 6 will be addressed in future implementation plans for that area.

Concern 404: The National Park Service should disclose why flood recovery dollars were used for non-flood recovery projects in the Merced River corridor.

"It is going on eight years since the park started using '97 flood money to transition Yosemite into a commercialized mass transit elitist park. The Hodapp Report supported by then superintendent Griffin's testimony clearly stated that 120 million dollars of the flood recovery money was for non flood recovery projects. Money made available with good intentions, but used to finance permanent destruction, including the aggressive widening and realignment of El Portal road."
(Individual, Oakhurst, CA, Comment #101-1)

Response: The National Park Service provides quarterly reports to Congress that describe and summarize Flood Recovery appropriation spending in response to a request in Senate Report 105-16 accompanying the Emergency Supplemental Appropriations Act. These quarterly reports provide progress information on recovery from Yosemite's 1997 flood that includes: (a) work performed in the previous quarter; (b) work expected to be performed in the coming quarter; (c) costs and obligations associated with such work; (d) the costs of such work as compared to original estimates; and (e) other information relevant to the ongoing rehabilitation program. The

reports contain information that is cumulative for the period January 1, 1997 through the current quarter, and quarterly reports will continue to be submitted until completion of all flood recovery projects. Quarterly reports are filed and available to the public in the Yosemite Research Library in Yosemite Valley.

Lower Yosemite Fall Project

Concern 66: The National Park Service should prioritize funding of interpretation and trails maintenance staff over large scale construction projects and funding the VERP program.

"Just in case you haven't yet seen it for yourself, the Lower Fall area has been logged and freshly paved—thanks mostly to 11 million dollars from urban and well-heeled Yosemitephiles (a.k.a. The Yosemite Fund) AND additional millions from an NPS that continues to cut back on valuable interpretive staff and resource protection needed in the park."
(Individual, El Portal, CA, Comment #57-4)

"More funding for interpretation and less for concession enhancement might be one answer. Information centers at the entrance gates would greatly help in informing the visitors about Yosemite."
(Conservation Organization, Oakland, CA, Comment #75-11)

"And if we had more money, should it be going to the staffing for such a program, or would the river actually get more protection if it went to interpretation (educating the public) and trail maintenance (to keep people to designated trails)? …I simply see that our little monies could be better spent elsewhere and, therefore, we need a plan that is more simple and basic to carry out."
(Individual, El Portal, CA, Comment #120-5)

Response: The National Park Service is mandated through the Wild and Scenic Rivers Act to address user capacity within the Merced River corridor in order to protect and enhance the very river values for which the Merced River was designated as Wild and Scenic. Because the VERP program is the park's preferred method to address user capacity and use related impacts to the Outstandingly Remarkable Values, the National Park Service has placed a priority on securing funding for VERP implementation into the future. However, the VERP program as described in this document does not reduce the park's obligation to maintain funding for other crucial program areas such as interpretation and trails maintenance. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions, such as specification on funding priorities.

Concern 390: The National Park Service should recognize the objections to placing picnic tables in the Lower Yosemite Fall area and the associated impacts they attract.

"The lower Yosemite falls project, very disturbing to me. I don't know why they want a picnic tables down there… It's also an area where I see a lot of children climbing rocks. Parents stand there watching them climb rocks. I think you're waiting for an accident to occur. They go up on top of the rocks and they eat and leave food and garbage up on top. And the lower Yosemite Fall is not a place for people to congregate, it's supposed to be a place where you walk and pass through. You pass on, because it is a sensitive area. So I object very much to picnic tables being put there."
(Individual, Fresno, CA, Comment #97-5)

Response: As a programmatic plan, this comment is beyond the scope of the Revised Merced River Plan/SEIS. However, the National Park Service is committed to providing for both resource protection of the sensitive area at Lower Yosemite Falls, and to allowing appropriate types and levels of visitor enjoyment of the area. The National Park Service seeks site design which is able to accommodate access and minimize impact. The site hardening and trail improvements in that area will likely minimize impacts in the long run, as visitor use is limited to specific areas. This can allow other previously-impacted areas to be return to natural conditions. In addition, the installation of picnic tables should encourage visitors to use them, rather than to use a place off-trail, potentially damaging more resources and perhaps leave more garbage behind.

Yosemite Lodge Area Redevelopment Project

Concern 308: The National Park Service should evaluate the impacts of the Yosemite Lodge Area Redevelopment Project on scenic views of the river from the Yosemite Lodge area.

"One of the Outstandingly Remarkable Values of the Yosemite Lodge area is view toward the river and beyond with only the current narrow paved pathway some distance from the river."
(Individual, Merced, CA, Comment #117-6)

Response: In accordance with the National Environmental Policy Act, the National Park Service completed an Environmental Assessment of the Yosemite Lodge Area Redevelopment Project in 2004. Impacts to wildlife, river resources, and scenic values were assessed in this document, which is available for public review.

Concern 327: The National Park Service should consider the impacts of the Yosemite Lodge Area Redevelopment Project on river resources and wildlife.

"The area (an ecosystem within itself) across from Yosemite Lodge is a disaster! So much has been cut away and it's too close to the river. I cringed every time I see what's been done. The western tanagers, black headed grosbeaks, western wood pee wees and robins, etc. etc. etc. need this area more than people do."
(Individual, Fresno, CA, Comment #128-6)

Response: In accordance with the National Environmental Policy Act, the National Park Service completed an Environmental Assessment of the Yosemite Lodge Area Redevelopment Project in 2003 and a Finding of no Significant Impact (FONSI) was issued in 2004. Impacts to wildlife, river resources, and scenic values were assessed in this document, which is available for public review.

Concern 379: The National Park Service should recognize how previously considered components of the Yosemite Lodge Area Redevelopment Project (calling for expansion of lodging facilities and employee housing) influenced the decision to realign Northside Drive.

"NORTHSIDE DRIVE RELOCATION AT YOSEMITE LODGE: The issue of whether to relocate Northside Drive to the south side of Yosemite Lodge is symptomatic of larger problems with planning in Yosemite. The proposed relocation has assumed a life of its own and moves on inexorably, seemingly exempt from any rational decision-making process. The idea first appeared, to our knowledge, back when it was being proposed to greatly expand the Yosemite Lodge facilities. At that time maps showed new lodging units and employee housing on and north of the existing alignment of Northside Drive. It was obvious that, if this expansion were to be accommodated, the road would have to [be] relocated to the south. The proposed Lodge expansion was dropped from subsequent Yosemite plans, but the relocation of the road still was shown in the new plans. The Valley Plan showed it as being a logical extension of a new road bridge over Yosemite Creek. That new crossing itself had been part of abandoning the existing Northside Drive alignment. But even though the new bridge crossing subsequently was abandoned, maps still showed the road going around the south side of Yosemite Lodge. Statements have been made by NPS staff that the road is needed south of the Lodge in order to provide a barrier, discouraging people from gravitating toward the river. It was acknowledged that there is not currently a problem; people are not presently degrading that portion of the river. (An argument not made on the record, but nevertheless hovering in the background, is that the realignment, if constructed, would facilitate resurrection of the massive expansion plans for Yosemite Lodge.)"
(Conservation Organization, Fresno, CA, Comment #113-24)

Response: As a programmatic plan, this comment is beyond the scope of the Revised Merced River Plan/SEIS. In accordance with the National Environmental Policy Act, the National Park Service completed an Environmental Assessment of the Yosemite Lodge Area Redevelopment Project in 2004. This document outlines the potential impacts to resources and other values in the area and can be found on the park's web site (*www.nps.gov/yose/planning*).

Applicable Laws and Regulations

Concern 67: The National Park Service should consider Wild and Scenic Rivers Act precedence over the 1958 congressional mandate setting aside the El Portal Administrative Site.

"Though El Portal was set aside in 1958 as an Administrative Site for Yosemite National Park, the Merced Wild and Scenic Rivers Act of 1987 now takes precedent over what the park may do with the El Portal section of the Merced River corridor. It needs to be emphasized to all El Portal residents that the Wild and Scenic Rivers Act calls for protection and enhancement of the Merced River values (a.k.a. Outstandingly Remarkable Values) —this fact makes all the difference in the planning efforts for El Portal (as well as for the entire Yosemite National Park)."
(Individual, El Portal, CA, Comment #48-1)

"In addition, in 1987, based on the hard work of many in the El Portal community and elsewhere, the Merced was declared a Wild and Scenic River under the federal Wild and Scenic Rivers Act. That changed the status of the El Portal Administrative District. Now the values of the Merced River in this sector of public land and segment of the Merced WSR must be protected. These values are not allowed to be degraded, they are mandated to be protected and enhanced."
(Conservation Organization, Yosemite, CA, Comment #111-99)

"All the talk about the El Portal DCP (Development Concept Plan) is premature to say the least, since there is not a protective river plan in place. That talk and planning by NPS and Mariposa County is being done while ignoring that the Wild and Scenic designation of the Merced River in El Portal now takes precedence."
(Conservation Organization, Yosemite, CA, Comment #111-101)

Response: In 1958, Congress authorized the National Park Service to establish an administrative site in El Portal to allow for the relocation of park operations and administration facilities outside Yosemite National Park (72 Stat. 1772). This act specified that the El Portal Administrative Site was not subject to the same laws and regulations governing Yosemite National Park. The purpose for creating the El Portal Administrative Site was to "enable the Secretary of the Interior to preserve the extraordinary natural qualities of Yosemite National Park, notwithstanding its increasing use by the public," by allowing the National Park Service to move operations and administrative facilities outside the boundaries of the park.

The *General Management Plan* provided guidance to the National Park Service to relocate operations and administrative facilities out of Yosemite Valley to the El Portal Administrative Site. Park administrative facilities may be relocated to the El Portal area provided that such actions are consistent with the requirements of the Wild and Scenic Rivers Act and the elements of the Merced River Plan, as amended. Namely, any future activities or development in El Portal must be done in such a way as to protect and enhance the Outstandingly Remarkable Values of the Merced River.

Applicable Laws, Executive Orders, Policies, Guidelines

Concern 131: The Revised Merced River Plan's user capacity alternatives should be revised in accordance with Wild & Scenic Rivers Act, National Park Service management policies and professional judgment.

"The alternatives are not valid. A. The basis for the user capacities specified in the four management alternatives in the SEIS are inconsistent and contradict the (a) NPS definition of user capacity in the SEIS Glossary, (b) the national NPS Management Guidelines also in the Appendix, (c) the 1982 Federal Interagency Guidelines for WSRs, and (d) 2002 Federal Interagency Task Force Report on Visitor Capacity. More specifically, basing a user capacity on average existing visitor use (alt. 1), existing facility limits (alt. 2 and 4), or zone or segment quotas "regardless of resource and visitor experience conditions" (alt. 3 and 4) is not conceptually sufficient and is contradictory to the Wild and Scenic Rivers Act, prevailing NPS policy, and professional thought."
(Individual, Fort Collins, CO, Comment #73-1)

Response: The action alternatives identified in this Revised Merced River Plan/SEIS have been developed to satisfy the 2004 Court Order requiring the National Park Service to revise the original Merced River Plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. These alternatives identified and evaluated in this document have been developed as a means to achieve this directive, compliant with the requirements of Wild and Scenic Rivers Act, and relevant National Park Service management policies and procedures.

Concern 132: The Revised Merced River Plan's definition of user capacity should be redefined as per the National Park Service management policies and the 1982 Federal Guidelines.

"In the SEIS Glossary, "user capacity" is defined as the "type and level of use that can be accommodated while sustaining the desired resource and social conditions based on the purpose and objectives of a park." NPS Management Policies (C-4) state that when making decisions about capacities, they should be based "on desired resource conditions and visitor experiences for the area; quality indicators and standards that define the desired resource conditions and visitor experiences; and other factors that will lead to logical conclusions and the protection of the park resources and values." The 1982 Federal Guidelines state that carrying capacity is "The quantity of recreation use which an area can sustain without adverse impact on the outstanding remarkable values and free-flowing character of the river area, the quality of recreation experience, and public health and safety." Thus, the alternatives in the SEIS were based on partial and incomplete information."
(Individual, Fort Collins, CO, Comment #73-2)

Response: User capacity as defined in this plan is consistent with the National Park Service management policies and the 1982 Federal Guidelines. In addition, the user capacity management program as presented in each of the action alternatives have been developed to satisfy the 2004 Court Order requiring the National Park Service to revise the original Merced River Plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values.

National Environmental Policy Act and CEQ Regulations

Concern 21: The National Park Service should revise the Revised Merced River Plan to be National Environmental Policy Act compliant.

"Due to all of the above and other reasons the document is not NEPA compliant."
(Individual, Fremont, CA, Comment #51-9)

"The D. R. MRP does not meet criteria under NEPA[.]"
(Conservation Organization, Yosemite, CA, Comment #111-9)

Response: This Final Revised Merced River Plan/SEIS was prepared to be fully compliant with National Environmental Policy Act and the relevant CEQ regulations, as well as the National Park Service Director's Order #12 - Conservation Planning, Environmental Impact Analysis, and Decision-making. In response to public comments, the National Park Service has made changes to the plan.

Concern 40: The National Park Service should consider the potential adverse impacts to visitor experience associated with managed access.

"A resource oriented interpretive staff would be substituted with one run by a police force herding unlimited numbers of Valley visitors to least desirable venues. The visitor experience would be seriously compromised by these alternatives[.]"
(Individual, El Dorado Hills, CA, Comment #27-6)

Response: Potential impacts to the visitor experience have been fully examined and analyzed for each of the alternatives identified in this document. The text of this analysis is presented in the appropriate sections of Chapter V – Environmental Consequences.

Concern 69: The National Park Service should include "tubing" as a winter activity under Recreation in the Affected Environment section of the final document.

"While reading over the revised draft Merced River Plan (Chapter III: Affected Environment page III-86 under the heading of Winter Activities at top of page) I found a list of winter activities at Badger Pass that does not include tubing, though it has been offered by DNC as a guest activity at Badger for the past 3 winter seasons."
(Individual, El Portal, CA, Comment #52-1)

Response: It is recognized that the park offers tubing at Badger Pass during the winter when conditions allow. The text in reference is intended to identify the general areas, Badger Pass being one of them, that is frequently visited within the park for recreational sport activities during the winter months. However, it should be noted that Badger Pass is not within the boundaries of the Merced River corridor and therefore tubing does not occur within the boundaries of the Merced Wild and Scenic River corridor. Based on the above, this concern is not within the scope of this document.

Concern 95: The Revised Merced River Plan should discuss the details of how the National Park Service will regulate use.

"There is far too little discussion in the document on how to accomplish the complexities of regulating use once limits are determined whatever they are."
(Individual, El Dorado Hills, CA, Comment #27-4)

"There are references in the document to increased visitation that would require implementation of restricted access to Yosemite Valley during peak visitation periods, but there is no discussion as to how that restricted access would be accomplished."
(Individual, El Dorado Hills, CA, Comment #27-9)

Response: The Final Revised Merced River Plan/SEIS has been revised in response to this concern by dedicating Chapter II to User Capacity Management and VERP exclusively. However, because the Revised Merced River Plan is a programmatic document, it cannot predict and pinpoint what specific actions will be implemented in the future, as the actions taken will vary depending on the types of impacts that are found. An action taken in one situation or in one area of the park may not be effective in another. Also, as conditions change, as technology changes, and as visitor use patterns change, management strategies must change accordingly. A review of recreation impact management literature documents that there is a wide range of measures that can be effective in reducing or mitigating visitor impacts on resources and visitor experience. Consequently, the measures selected must be based on the specific issues to be addressed. This type of decision-making criteria has been presented in Chapter II (under "Management Action Strategies and Tactics), which includes a list of questions managers would consider when defining and determining the type of action to take. A list of those potential management actions follows this section and is listed in table II-3.

Concern 96: The Revised Merced River Plan should fully disclose the National Park Service's intended actions as guided by this plan.

"DISCLOSURE of the intended action is at the very heart of the NEPA requirements under which this Plan/SEIS was produced. The Plan/SETS utterly fails that most basic requirement --- to let the public know what it is that the Park Service intends to do."
(Conservation Organization, Fresno, CA, Comment #30-2)

"FAILURE TO DISCLOSE…The DRMRP fails to meet the most basic requirement of the National Environmental Policy Act (NEPA), which is that you disclose to the public what it is that you propose to do. It is possible that your intended actions are buried somewhere in the document, but because it is presented in an unintelligible manner, they have not been disclosed. And because you have failed to disclose the actions, it is not possible for the public to make any sense out of discussions of possible environmental impacts. This is a huge violation of NEPA."
(Conservation Organization, Fresno, CA, Comment #113-4)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address these deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.

This document describes in detail methods and procedures the park could implement to achieve the above objectives and satisfy the requirements outlined by the Court. Portions of the document have been reorganized and clarifying text has been added in places to more clearly explain to the public all potential actions that could result from the VERP program. Furthermore, based on public comment, table II-4 identifies the typical levels of National Environmental Policy Act compliance that might be necessary for various types of management actions.

Concern 97: The National Park Service should subject any potential management actions to further environmental review and public review.

"In fact, buried in the document is a statement to the effect that these draconian actions could be taken without any further environmental review. If you are going to cram people into a "one size fits all" straitjacket, micromanaging the visitor experience, and damaging the natural resources in the process, we believe it requires further review, ANDPUBLIC COMMENT."
(Conservation Organization, Fresno, CA, Comment #30-7)

Response: The National Park Service is committed conducting the appropriate level of National Environmental Policy Act review prior to the implementation of management actions. Some clarifying text with regard to this issue has been added in this document, including the addition of table II-4 that lists the anticipated level of environmental review necessary for a range of potential management actions.

Concern 374: The National Park Service should subject all subsequent revisions of the *Yosemite Valley Plan* (based on prescriptions called for in the Revised Merced River Plan) to proper National Environmental Policy Act compliance.

"Such amendment of the Valley Plan clearly should have been subject to a major NEPA process, and that is totally lacking…While we are not great fans of the Valley Plan, it nevertheless followed a planning process which had more legitimacy than the present process. Not very much, but significantly more than the DRMRP process has."
(Conservation Organization, Fresno, CA, Comment #113-19)

Response: Once the Revised Merced River Plan/SEIS has been finalized in a Record of Decision, the National Park Service will conduct a review of the actions called for under the *Yosemite Valley Plan*, and will subject them to an additional level of environmental review, if deemed necessary.

Wild and Scenic Rivers Act

Concern 71: The Revised Merced River Plan should more clearly articulate the Outstandingly Remarkable Values in order to adequately protect them.

"The DMRCMP contemplates ORV's that are not fully articulated and thus not adequately protective."
(Individual, Fremont, CA, Comment #51-13)

Response: The location of Outstandingly Remarkable Values within the El Portal segment of the Merced River corridor, were further investigated and identified through this planning process. The El Portal boundary proposed in Alternative 2—the National Park Service's preferred alternative—has been revised in the Final Revised Merced River Plan/SEIS in response to public comment. The newly proposed boundary has expanded to a quarter-mile on either side of the river making the El Portal segment consistent with all other segment boundaries within Yosemite National Park. This boundary includes the maximum acreage per river mile of 320 acres allowed under the Wild and Scenic Rivers Act and also includes portions of the El Portal Administrative Site which do not contain Outstandingly Remarkable Values.

Concern 249: The National Park Service should develop a fully adequate Comprehensive Management Plan with completely protective alternatives as per Wild and Scenic Rivers Guidelines.

"The Wild and Scenic Rivers Act (WSRA) mandates protection and enhancement of the Outstandingly Remarkable Values of the Merced River. The WSRA also requires a Comprehensive Management Plan for each WSR. The CMP is a legally required management method to ensure that the Outstandingly Remarkable Values of the Merced River (including its bed, banks, and related ecological and hydrological systems) are clearly identified and protected using transparent indicators, standards, monitoring, and actions to ensure protection.

The D. R. MPR does not meet the criteria under WSRA because it continues to fail to provide adequate elements of a CMP. Not only is the user capacity portion still defective but it also lacks adequate recognition of Outstandingly Remarkable Values. This plan is not built on protection of Outstandingly Remarkable Values, as required under WSRA"
(Conservation Organization, Yosemite, CA, Comment #111-7)

"[I] find all of the alternatives lacking the complete protection that would be in compliance with the Wild and Scenic Rivers Act. I am sure that just this fact alone will keep the park service from really acting on any of these potential scenarios. They all leave the river vulnerable to building in sites that are within the river corridor designated by the Wild and Scenic Rivers Act."
(Individual, El Portal, CA, Comment #133-2)

Response: The action alternatives identified in this Revised Merced River Plan/SEIS have been developed to satisfy the 2004 Court Order requiring the National Park Service to revise the original Merced River Plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. These alternatives identified and evaluated in this document have been developed as a means to achieve this directive, and are compliant with the requirements of Wild and Scenic Rivers Act and relevant National Park Service management policies and procedures.

Concern 363: The National Park Service should consider the true intent of the Wild and Scenic Rivers Act which serves to limit the construction of reservoirs and dams on public lands.

"The purpose of the Wild & Scenic Rivers Act was to limit the construction of dams and reservoirs on public land. Such projects would have to consider the harm done to Outstandingly Remarkable Values identified for a corridor."
(Individual, Redwood City, CA, Comment #110-2)

Response: This concern is recognized in the very first sentences of Chapter I of this document, which states "…it was widely recognized that many of the nations rivers were being dredged, dammed, and degraded at an alarming rate. In response the U.S. congress established the Wild and Scenic Rivers Act in October 1968…" In keeping with the intent of the Wild and Scenic Rivers Act, the National Park Service in Yosemite does not propose construction of reservoirs or dams on the Merced Wild and Scenic River.

Concern 364: The National Park Service should recognize that the Outstandingly Remarkable Values of the Merced River are protected under the National Park Service Organic Act, thereby making the Wild and Scenic designation unnecessary.

"The designation of a Wild & Scenic River inside Yosemite National Park was unnecessary since the Park is effectively managed by the National Park Service under its Organic Act. The NPS did not take steps to immediately amend the General Management Plan because it was unnecessary."
(Individual, Redwood City, CA, Comment #110-3)

Response: The National Park Service often has to comply with multiple statutes for lands within the boundaries of national parks. In many instances, the same land can be protected under the National Park Service Organic Act, a park's enabling legislation, and either the Wild and Scenic Rivers Act or the Wilderness Act or both. Park managers are experienced at addressing the multiple statutory objectives that apply to lands that they manage. In the case of Yosemite, the National Park Service supported and continues to support the inclusion of the Merced Wild and Scenic River in the national Wild and Scenic River System. In some instances, the Wild and Scenic Rivers Act includes additional considerations over and above the Organic Act. One such example is the Section 7 process under the Wild and Scenic Rivers Act, which strictly regulates water

resources projects on wild and scenic rivers. The National Park Service does not agree that the designation of the Merced and a Wild and Scenic River was unnecessary or inappropriate.

Concern 366: The National Park Service should recognize that neither the Wild and Scenic Rivers Act, nor the Wilderness Act shall modify Yosemite National Park's congressional designation.

"Ninety percent (90%) of the Park has been designated Wilderness. The NPS has already established a permit system for visitors of these areas. The NPS acknowledges that visitor management of the river corridors within the Wilderness is adequately handled by the Wilderness designation. However, Section 4.(a)(3) of the Wilderness act of 1964 states that "Nothing in this Act shall modify the statutory authority under which units of the National Park system are created." Yosemite Valley was added as a unit to Yosemite National Park by Congress accepting the Yosemite Grant back from the state of California in 1906. The express conditions "…to be held for all time by the United States of America for public use, resort and recreation" were not modified by the Wilderness Act nor could they be. Neither does the Wild & Scenic Rivers Act modify those express conditions. Yet, I find that eighty-six percent (86%) of the Yosemite Grant unit has been designated Wilderness. The River Plan completed by the NPS in 2000, set the river corridor width at one-half mile through the Yosemite Valley unencumbered by the Wilderness or River Plan designations."
(Individual, Redwood City, CA, Comment #110-5)

Response: The National Park Service often has to comply with multiple statutes for lands within the boundaries of national parks. In many instances, the same land can be protected under the National Park Service Organic Act, a park's enabling legislation, and either the Wild and Scenic Rivers Act or the Wilderness Act or both. Park managers are experienced at addressing the multiple statutory objectives that apply to lands that they manage. In the case of Yosemite, the National Park Service supported and continues to support the inclusion of the Merced Wild and Scenic River in the national Wild and Scenic Rivers System. In some instances, the Wild and Scenic Rivers Act includes additional considerations over and above the Organic Act. One such example is the Section 7 process under the Wild and Scenic Rivers Act, which strictly regulates water resources projects on wild and scenic rivers. The National Park Service does not agree that the designation of the Merced and a Wild and Scenic River was unnecessary or inappropriate.

Consultation and Coordination

Concern 197: The National Park Service should continue collaboration and open dialogue with gateway communities in order to balance natural resource use and commerce.

"We in Groveland and Big Oak Flat have worked hard (over the past year or so) to build bridges between the NPS and our communities. It has been our hope and understanding that a collaborative and an open dialogue would result in improved and beneficial consideration for both the NPS and our community. We believe the NPS and a large number of our community's leaders appreciate the importance of mutual cooperation. Without this cooperation, how will balance between natural resource use and commerce be achieved? The RMRP does not reflect this — in. our opinion. Perhaps, we simply do not see the needed campgrounds, adequate private vehicle parking, or balance with our economic situation. The plan does NOT achieve the issue and concern it claims to address, "How the user capacity program would be implemented and potential impacts to gateway communities.""
(Business, Groveland, CA, Comment #86-6)

Response: During the public review period, the National Park Service engaged in extensive public and stakeholder outreach and consultation to develop this Final Revised Merced River Plan/SEIS, as it did with the 2000 Merced River Plan. Comments received represented a full spectrum of views, values, and ideas to implement them. As a result of consultation, many improvements to the plan were made. The Revised Merced River Plan/SEIS is a programmatic plan that attempts to present a balance of those perspectives while conforming to the policies of the park, and the Wild and Scenic Rivers Act.

As a response to this public concern and to acknowledge that there are many important issues of local, regional, and national interest on which the park must consult and coordinate with stakeholders, park managers continue to explore new and improved communication forums and techniques. One area of emphasis is to work with local communities and the region to coordinate regional visitor attractions, amenities, services, and communications. Park managers welcome all ideas and suggestions on how make communication and coordination more effective.

Public Involvement

Concern 15: The National Park Service should release a new revised Draft SEIS which has incorporated comments on this Draft SEIS and have a subsequent Public Comment Period.

"The present situation is so chaotic that the Park Service needs to continue taking comments to find out what the problems are, then issue a Revised Draft Plan or possibly a Supplement. The Revised or Supplementary Draft then would require a NEW COMMENT PERIOD. Only then would the public be able to make comments that are relevant."
(Conservation Organization, Fresno, CA, Comment #30-3)

"I'm writing to clarify my previous request for an extension of the Draft MRP comment period. While it may be helpful for citizens to have more time to review this extremely confusing Draft Merced Wild and Scenic River Revised Comprehensive Management Plan SEIS, the document still does not protect the Wild and Scenic Merced River and its values. In order to truly protect the Merced River, and thus Yosemite National Park, it is becoming quite obvious to me that this document full of jargon and flawed methodologies must be re-written; and a new comment period should then be opened to the public."
(Individual, El Portal, CA, Comment #50-1)

"[We] ask that the NPS withdraw this draft plan and start over. If the NPS continues with this draft it runs the risk of additional litigation. Why waste time and money to go to court yet again? You know the intent of the plaintiffs, the direction of the court, and the mission statement of the NPS, so pull this plan and do the right thing: write an intellectually honest, scientifically sound, environmentally sensitive, and socially responsible management plan for the Merced River and save Yosemite from the crass commercialism that exists in the current Yosemite Valley Plan"
(County Agency, Groveland, CA, Comment #140-5)

Response: The Draft Revised Merced River Plan/SEIS was available for public review for more than 60 days, consistent with the requirements contained in the CEQ Guidelines and National Park Service Director's Order #12. During this period, 11 public meetings were held, along with a range of other activities conducted by the park's public involvement team. These efforts sought to engage gateway communities, special interest groups, and the general the public in the park's public involvement process for the Revised Merced River Plan/SEIS. The process for facilitating

the public's review of this document is discussed in further detail in Chapter VI, Consultation and Coordination.

As a result of public comment process, the planning team has made improvements in the clarity of the document, and included a more protective river boundary and management zoning scheme for the El Portal segment of the river. A discussion of how the document changed from draft to final is presented in text that precedes the Table of Contents in this document.

Concern 23: The National Park Service should work cooperatively with stakeholder groups to re-write the plan.

"The YSVB recommends that the current RMRP be withdrawn from public comment by the NPS and a cooperative effort, with all stakeholder groups represented in the process, be used to re-tool this plan to make it more understandable and consistent with the mission of the National Park Service."
(Individual, Oakhurst, CA, Comment #49-7)

"If and when the park service is sincere in upholding it's mission to protect Yosemite, it will abandon strategies to buy off support through phony gateway partnerships and manipulative disingenuous Delphi Technique seminars instead all choose stakeholders Native Americans campers, disables, gateway communities will be an integral part of the research, the planning, the implementation and the ongoing evaluation. Then all the meaningful scoping comments that the national park service ignored can be put on the table."
(Individual, Oakhurst, CA, Comment #101-3)

"The planning process must incorporate representation from all affected partner groups including gateway communities, campers, rock climbers, indigenous Native Americans, the disable, concessionaires, and local environmental organizations from beginning to end. Such involvement must be active and integral to decision-making as the planning process proceeds. ...Stakeholder groups by virtue of their traditional involvement, economic reliance, and physical proximity to lands managed by government agencies, such as the NPS, have much to offer. The knowledge, expertise and passion of these stakeholders are an asset to land management agencies crafting plans because stakeholders can help the NPS avoid time-consuming litigation that costs taxpayers and agencies millions of dollars annually. Involvement of stakeholder groups can also pave the way for more meaningful and positive comment and hearing periods with the general public."
(Federal Agency, Washington, DC, Comment #136-9)

Response: During the public review period, the National Park Service engaged in extensive public and stakeholder outreach and consultation to develop this Final Revised Merced River Plan/SEIS, as it did with the 2000 Merced River Plan (refer to the description of the outreach effort.) Comments received represented a full spectrum of views, values, and ideas on how they should be implemented. As a result of consultation, many improvements to the plan were made. The Revised Merced River Plan/SEIS attempts to present a balance of those perspectives while conforming to the policies of the park, and the Wild and Scenic Rivers Act.

As a response to this public concern and to acknowledge that there are many important issues of local, regional, and national interest on which the park must consult and coordinate with stakeholders, park managers continue to explore new and improved communication forums and techniques. One area of emphasis is to work with local communities and the region to coordinate

regional visitor attractions, amenities, services, and communications. Park managers welcome all ideas and suggestions on how make communication and coordination more effective.

Concern 72: The National Park Service should release the first annual Visitor Experience and Resource Protection report prior to asking the public to comment on the Revised Merced River Plan.

"How can the public respond to this plan when the first annual VERP report will not come out until after the River Plan comment period?"
(Individual, El Portal, CA, Comment #48-5)

Response: Park staff developed a set of initial indicators and standards as part of its User Capacity Management Program for the Merced Wild and Scenic River Corridor (NPS 2004a). This program was developed prior to the April 2004 ruling from the U.S. Court of Appeals stating that the park "must prepare a new or revised CMP that adequately addresses user capacities and properly draws the river boundary in El Portal." Over the course of the 2004 field season, Resources Management staff conducted monitoring of these initial indicators and standards. The results were published in the first annual report, which can be viewed on the park's web site (*www.nps.gov/yose/planning/ucmp.htm*). Information and analysis presented in this document will subsequently be used to modify and enhance the program in 2005.

As the park continues to implement the Yosemite User Capacity Management Program, elements of the VERP component will continue to develop and improve with time but the overall implementation process outlined in the program will remain constant.

Concern 85: The National Park Service should communicate with gateway communities and local people if and when management actions are taken to limit or redirect use in the park.

"I just think that we need communications with the gateway communities and also with the local people, because you know in the summer time we get our visitors in the summer, and they want to come to Yosemite Valley, and they certainly want to see Half Dome and that part of the park. So can they be sure if they bring visitors in that they can see this part of the park?"
(Individual, Mariposa, CA, Comment #32-3)

"There is also no mention of the strategic public relations plan to ensure that visitors and gateway community leaders will have ample notice."
(Conservation Organization, Oakland, CA, Comment #69-9)

"If you are going to study VERP for the next five years do it right. Be exhaustive and very thorough. Make sure that you over communicate your findings to the public so that they understand why you may have to take management actions. For example, before redirecting traffic as described above, the public would need to be told what the standard was that was being exceeded and how the standard had been determined. It would need to be made clear why the redirection of traffic was in the best interests of both the park and the visitor experience."
(Conservation Organization, Oakland, CA, Comment #69-15)

Response: The National Park Service is committed to fostering clear communication with gateway and local communities regarding management actions that would either limit or redirect use within Yosemite National Park. The National Park Service is currently working with gateway and

local communities to develop a regional communications strategy to provide for timely and effective communications between Yosemite and the surrounding area.

Concern 98: The National Park Service should extend the public comment period.

"[A] short but reasonably extended public comment period would insure a more meaningful public review process."
(Individual, El Dorado Hills, CA, Comment #27-3)

"I am writing to request that there be an extension of the March 22, 2005 comment deadline of the Draft Merced Wild and Scenic River Revised Comprehensive Management Plan SEIS. ...If a comment period extension is given, the public will be better able to participate in making this document a truly protective plan for the Wild and Scenic Merced River and Yosemite National Park. Based on the size of the plan and what is at stake, I suggest extending the comment period for at least three months."
(Individual, El Portal, CA, Comment #47-1)

"I respectfully request that the Merced River Plan comment period be extended. With more time to study and continue conversation we will be able to submit more thoughtful and informed comments on this important and complex document."
(Individual, Yosemite, CA, Comment #58-1)

Response: The Draft Revised Merced River Plan/SEIS was available for public review for more than 60 days, consistent with the requirements contained in the CEQ Guidelines and National Park Service Director's Order #12. During this period, 11 public meetings were held, along with a range of other activities conducted by the park's public involvement team. These efforts sought to engage gateway communities, special interest groups, and the general the public in the park's public involvement process for the Revised Merced River Plan/SEIS. The process for facilitating the public's review of this document is discussed in further detail in Chapter VI, Consultation and Coordination.

The National Park Service acknowledges that by its nature, the issue of developing and implementing a user capacity management program in Yosemite National Park has been challenging for some members of the public to understand. As a result of the public comment process, the planning team has made improvements in the clarity of the document. A discussion of how the document changed from draft to final is presented in text that precedes the Table of Contents in this document.

Concern 229: The National Park Service should distribute the Fact Sheets in the same manner as the draft plan.

"In some cases there are contradictions between the fact sheets and the draft plan. There are several instances when it is very difficult to cross-reference the fact sheets to the draft plan. When there are discrepancies, should people be commenting on the fact sheet or the plan? Also these sheets were discovered on a table during the road show. Since they were not mailed out how are we sure that the people who received copies of the draft plan via mail were even aware that these fact sheets exist?"
(Conservation Organization, Oakland, CA, Comment #69-7)

Response: The National Park Service recognizes this public concern. Fact sheets on park planning projects are provided to briefly highlight and summarize some of a project's major elements.

These 1- to 2-page informational hand-outs are intended only to summarize information that is presented in an Environmental Assessment or Environmental Impact Statement. All fact sheets are available to the public at monthly Open Houses and public meetings for park planning projects. The online link for fact sheets is posted prominently on the park's web site at *www.nps.gov/yose/planning*. The park's electronic newsletter and Planning Update newsletter often highlight where the public can go on the web site to receive additional information. While the fact sheets are intended to summarize key elements of a specific project and highlight planning or project timelines, it is the planning document itself (i.e., the EA or the EIS, for example) that must be the focus of public comment.

Concern 254: The National Park Service should disclose the names of the individuals who have read the public's comments in their entirety.

"FoYV and MERG would like to understand who actually reads these comments. Toward that end, FoYV and MERG request that Superintendent Tollefson inform us of the names of any of the following who have actually read these comments in their entirety, not merely received them as a cut and paste Comments Summary: any of the D. R. MRP planning team, any YNP Administrators and/or Managers, scientists, Resource Dept. people, and other YNP employees involved at all in this planning process, including as consultants or commentors on the development of this Draft Plan, and any of the consultants hired by the Park Service to work on this plan."
(Conservation Organization, Yosemite, CA, Comment #111-121)

Response: Numerous members of the planning team have taken part in reading and analyzing public comments. From project managers to public involvement staff to the Superintendent and division chiefs, each letter is carefully considered. In cases of longer letters, the process of analysis can sometimes take up to 10 hours. The National Park Service analyzed each individual comment letter received on the Draft Revised Merced River Plan/SEIS in its entirety through the Comment Analysis and Response system. A detailed discussion of the Comment Analysis and Response process can be found in Chapter VI: Consultation and Coordination of the Final Revised Merced River Plan/SEIS. Additionally, Chapter VII, List of Preparers includes the names, responsibilities, education, and years experience of those who took park in preparing and/or reviewing the document.

Concern 255: The National Park Service should post Draft Revised Merced River Plan/SEIS public comment letters on the Yosemite National Park web site and make them available to the public on CD.

"While I appreciate that YNP posted the D. R. MRP Scoping comments from the public on the NPS Yosemite Planning web site, in order to further engage citizens in your planning process, I ask that all comments to the D. R. MRP also be posted to the NPS web site as soon as possible and a CD made available to the interested public. Please remember that you have been charged with caring for an especially unique part of the earth as well as a designated Wild and Scenic River, please take the time to view the big picture here—only sincere efforts by the NPS towards transparency and inviting (and truly considering) public comments will help preserve and protect Yosemite National Park and the Wild and Scenic Merced River for generations to come."
(Individual, El Portal, CA, Comment #109-3)

"We appreciate that YNP posted the D. R. MRP Scoping comments from the public on the NPS Yosemite Planning web site. In order to further public knowledge and dialogue, we ask that all comments to the D. R. MRP also be posted to the NPS web site as soon as possible and a CD made available to the public. We would like our comments to be attributed to FoYV and MERG."
(Conservation Organization, Yosemite, CA, Comment #111-126)

Response: In response to this public concern, the National Park Service has posted public comment letters received on the Draft Revised Merced River Plan/SEIS on the park's web site (*www.nps.gov/yose/planning/*). These public comment letters are also available on CD-Rom by request.

Concern 288: The National Park Service should solicit comments from the millions of visitors that are here each summer.

"Getting the input from America about this with only 2-3 months notice does not seem like the NPS want or need any comments. If you want comments why not solicit the millions of visitors that are here in the summer season?"
(Individual, El Portal, CA, Comment #72-3)

Response: The National Environmental Policy Act (NEPA) requires the National Park Service to post a Notice of Intent (NOI) in the *Federal Register* to announce the opening of a public scoping period prior to the development of a park planning project and entertain the public's opinions on the purpose for and need of a project. In addition, NEPA requires the National Park Service to post a Notice of Availability (NOA) in the *Federal Register* to announce the availability of a Draft Environmental Impact Statement and the opening of the public comment period associated with the document.

Monthly Open Houses and public meetings during the public comment period on the Draft Revised Merced River Plan/SEIS hosted by the National Park Service provided an additional forum for the public to provide comments. These open house events are regularly advertised in *Yosemite Today*, the park's free newspaper handed out to all visitors at entrance stations and visitor centers throughout the park. Additionally, all open houses and public meetings (including announcements regarding public comment periods) are posted to the park's web site, where millions of would-be Yosemite visitors gain trip planning information. In the last year, notices regarding planning efforts and meetings have been posted on park bulletin boards in campgrounds, stores, and post offices. As part of its ongoing public involvement and outreach process, the National Park Service will continue to increase efforts to gain more public participation during park planning processes.

Concern 294: The National Park Service should recognize that many scoping comments were not considered in the Revised Merced River Plan.

"Scoping Process: Many comments were submitted during the scoping process about day-use parking and the replacement of low-cost, low-impact drive-in campsites. The DRMRP does not reflect these comments, which is a distressing sign that public input is being disregarded."
(Federal Agency, Washington, DC, Comment #136-1)

Response: The National Park Service takes all scoping comments into consideration. Every scoping letter and all public testimony received during scoping meetings for the Revised Merced

River Plan/SEIS was analyzed in accordance with the park's Comment Analysis and Response process (presented in detail in Chapter VI). However, not all comments were applicable to the scope of this planning effort. Some scoping comments received were too specific for this programmatic plan or called for actions outside of the jurisdiction of the Wild and Scenic Rivers Act. The complete "Public Scoping Comment and Response Report" for this planning effort—as well as all original written comments—can be viewed online at *www.nps.gov/yose/planning/mrp/revision/scoping/index.htm*

Concern 296: The National Park Service should recognize the importance of public participation and that declining participation at public meetings reflects a lack of confidence in the National Park Services' willingness to take public input into consideration.

"Public participation is essential to the planning process for our federal lands. Unfortunately, I understand that public participation at the hearings on the DRMRP declined from previous such hearings. I fear this reflects a lack of confidence from the public in the National Park Services' (NPS) ability to listen and take public input into consideration."
(Federal Agency, Washington, DC, Comment #136-4)

Response: Although attendance at public meetings during the public comment period on the Draft Revised Merced River Plan/SEIS was lower than past planning processes associated with the 2000 Merced River Plan, numerous public comment letters resulting in over 900 separate comments and approximately 400 concerns were received. The National Park Service has worked diligently to provide information to the public regarding the Revised Merced River Plan/SEIS and all other park plans and is committed to finding new ways to encourage people to participate in public meetings. For a detailed discussion of the public involvement see Chapter VI: Consultation and Coordination.

Concern 301: The National Park Service should incorporate public comments into the planning process, and should better express how their comments are acknowledged and affect the outcome of the planning effort.

"I've often felt the excitement and importance of offering up my opinions to your planning process, but also the cynical feelings of hopelessness and futility that my concerns will be genuinely addressed or considered."
(Individual, El Portal, CA, Comment #132-1)

"There are many in the local community that dismiss the NEPA process as pointless, because NPS has "already decided what they are going to do.,"...hope that my concerns, and those of countless others, make significant changes and improvements to the current Draft MRP."
(Individual, El Portal, CA, Comment #132-2)

Response: The National Park Service agrees that planning efforts should express how public comments affect a plan's revision. For a detailed discussion of the park's Comment Analysis and Response process, please see Chapter VI: Consultation and Coordination in the Final Revised Merced River Plan/SEIS. This section includes a detailed explanation of how public comments are incorporated into the planning process. In addition, see "Summary of How the Document Changed in Response to Public Comment" located before the Table of Contents in the Final Revised Merced River Plan/SEIS. As indicated in the summary for this appendix, the public

comment process has led to a number of changes between the Draft and Final Revised Merced River Plan/SEIS.

Concern 347: The National Park Service should open a new comment period once an alternative is selected so that gateway communities can gauge the potential economic impacts and plan mitigative measures.

"The County of Madera request that a second period for comment be established after a definite planning alternative is selected. Since the exact effect on the economy of eastern Madera County is largely linked to what alternative is selected and what management actions are initiated as a result, this second response period would allow for more precise and meaningful input. At minimum, this second public review period would allow the County to gauge the economic impact of the chosen alternative and plan mitigative measures to offset those impacts."
(Business, Madera, CA, Comment #129-2)

Response: The National Park Service is committed to continued dialogue with gateway communities regarding implementation of the proposed User Capacity Management Program as described in the Revised Merced River Plan/SEIS. The National Park Service acknowledges that there are many important issues of local, regional, and national interest on which the park must consult and coordinate with stakeholders. Park managers continue to explore new and improved communication forums and techniques. One area of emphasis is to work with local communities and the region to coordinate regional visitor attractions, amenities, services, and communications. Park managers welcome all ideas and suggestions on how make communication and coordination more effective.

Concern 350: The National Park Service should ensure requested CDs are delivered.

"(Please note that I requested a CD but did not receive one)."
(Individual, San Francisco, CA, Comment #121-1)

Response: The National Park Service agrees with this concern and apologizes for any past inconveniences regarding delivery failure of CDs. Yosemite planning teams are eager to receive any feedback that will help the park continue to improve public involvement and outreach.

Concern 351: The National Park Service should do a better job at public outreach to ensure that they receive more comments throughout the National Environmental Policy Act process.

"[D]espite your press releases and public meetings, you only received 113 written comments from individuals [during scoping] If this is correct, this should not be acceptable. It means that many visitors and those concerned with the integrity of one of the most amazing places in this world have no understanding of what is going on."
(Individual, San Francisco, CA, Comment #121-3)

Response: Yosemite's public outreach program includes holding public meetings in new venues, conducting informational meetings with community groups and interested parties upon request, sharing new developments through site visits and "walk-thrus," expanding out reach through the park's web site, sharing information and important notices through the electronic newsletter (an email news letter with a growing list of over 4,600 recipients) and the park's Planning Update newsletter (8,000 recipients). In addition, the National Park Service hosts monthly Open Houses

in which the public is invited to discuss plans and projects with park staff. A detailed discussion of the public involvement process for the Revised Merced River Plan can be found in Chapter VI: Consultation and Coordination. In addition, a discussion of "Summary of How the Document Changed in Response to Public Comment" can be found before the Table of Contents in the Final Revised Merced River Plan/SEIS. Park managers welcome all ideas and suggestions on how make communication and coordination more effective.

Concern 352: The National Park Service should better convey public concerns when summarizing scoping processes.

"The summary of comments raised in the "scoping process" were very broad and fell into six categories and convey little about the public's concerns."
(Individual, San Francisco, CA, Comment #121-4)

Response: The Draft Revised Merced River Plan/SEIS provided a summary of the public scoping comments to represent the type of comments that were received by numerous commentors. The complete "Public Scoping Comment and Response Report" for this planning effort—as well as all original written comments—can be viewed online at *www.nps.gov/yose/planning/mrp/revision/scoping/index.htm* . Likewise, the Final Revised Merced River Plan/SEIS provides a summary of public comments received on the Draft Revised Merced River Plan/SEIS. Appendix F contains the complete Summary of Public Concerns and Responses. This report provides a comprehensive examination of all public comments received on the Draft Revised Merced River Plan/SEIS. All written public comments can be viewed on the park's web site at *www.nps.gov/yose/planning/mrp/revision/*.

Concern 370: The National Park Service should clarify whether Fact Sheets are considered an addendum to the Revised Merced River Plan and if so, proper notification should be given to the public that Fact Sheets are available and how they may be obtained.

"In the first place, probably very few people have discovered the existence of the Fact Sheets, either on the YNP web site or on a table at a public meeting. For those who have discovered the Fact Sheets, there is another problem. Is the public supposed to accept the Fact Sheets as being "Addenda" to the Plan? From a legalistic perspective, there would be a problem with this because there has not been adequate notice or distribution of the Fact Sheets…From a legal perspective, the statement [about turning people away at the gates] in the DRMRP would be determining [over the factsheet that stated otherwise]. That is the statement which is up for public review and comment. Yet the NPS is putting out other statements which lead the public to think that the NPS has no intention of using a quota system, thereby biasing public comment. Those who don't want a quota system will see the statements they want and be lulled into complacency. And yet those who do wish to see a quota system will see what they are looking for, and be satisfied."
(Conservation Organization, Fresno, CA, Comment #113-11)

Response: For years, fact sheets on park planning projects have been used to briefly highlight and summarize some of a project's major elements. These 1- to 2-page informational hand-outs are intended only to summarize information that is presented in an Environmental Assessment or Environmental Impact Statement. All fact sheets are available to the public at monthly Open Houses and public meetings for park planning projects. The online link for fact sheets is posted prominently on the park's web site at *www.nps.gov/yose/planning*. The park's electronic newsletter and Planning Update newsletter often highlight where the public can go on the web

site to receive additional information. In the future, the National Park Service will work to more closely articulate plan elements with consistency and accuracy.

Concern 401: The National Park Service should allow for longer review periods of documents the public is asked to comment on.

"My first comment related to the Draft Revised MRP, however, is that it is an overwhelming document to digest in the amount of time that was given for response from the public…if the NPS truly wants people to be able to comment fully on their documents, there needs to be more time allowed from the publishing of the document to the end of the comment period."
(Individual, El Portal, CA, Comment #120-1)

Response: The National Park Service solicits public comments on Environmental Assessments and Environmental Impact Statements in accordance with National Park Service guidelines and National Environmental Policy Act (NEPA) regulations. During the public comment period on the Draft Revised Merced River Plan/SEIS, the National Park Service hosted a series of public meetings and monthly Open Houses to provide a forum in which the public could discuss plan elements with park staff in person. The public review period for the draft plan exceeded the required 60-day period for environmental impact statements and took place from January 14 through March 22, 2005.

Concern 443: The National Park Service should arrange a public forum to facilitate better understanding of park directives for park projects.

"Finally, to bring into discussion and a full review of said projects with a general public forum (to be arranged by the Park Services to necessitate a better understanding of your directions of said projects"
(Individual, Palo Alto, CA, Comment #139-4)

Response: For over 4 years, the National Park Service has hosted monthly Open Houses in Yosemite Valley in the Visitor Center Auditorium to facilitate better understanding of park plans and projects. Project managers, compliance specialists, and division chiefs and park staff are available at every event to discuss individual projects. During the public comment period for the Draft Revised Merced River Plan, the planning team (including the Superintendent and Deputy Superintendent) traveled extensively to provide information about the plan, engage in conversations, and receive comments either in writing or through public testimony.

Written Comments

Concern 73: The National Park Service should have posted all public scoping letters and the public scoping report for the Revised Merced River Plan on the park's web site prior to the release of the Draft Revised Merced River Plan/SEIS.

"COMMENTS: The Federal Register Announcement (1/4105) concerning the upcoming release of the Revised Merced River Plan made reference to a Scoping Report being available. On January 12, we requested a copy of the Scoping Report; though we had already spent considerable time reading the scoping letters posted on- line, we were interested to see how the Park framed the content of those letters. We received no reply. On January 26, we sent a 2' request. The response was that "staff is working on the finalization of the Scoping Report for the Revised Merced River Plan and will have it posted to the Website as soon as possible. To date, there is still no such report posted."
(Individual, Oakhurst, CA, Comment #55-53)

"I must also remark on the supposedly public process the NPS has set up for this plan. While I applaud them for heeding public requests and posting scoping comments on their website, I wonder why my comments weren't among the 113 letters, faxes, and emails that are available for viewing."
(Individual, El Portal, CA, Comment #57-5)

Response: The National Park Service agrees with this concern and apologizes for the delay in posting all public scoping letters and the public scoping report to the park web site prior to the release of the Draft Revised Merced River Plan/SEIS. However, public scoping letters were posted during the 60-day public review period of the Draft Revised Merced River Plan/SEIS. Posting of public scoping letters to the park's web site was done in response to a request received during the scoping period. Members of the public are encouraged to check the web site to make sure their letter is posted. If it is not, please contact the National Park Service.

Public Meetings

Concern 273: The National Park Service should have given more timely notice of public meetings and advertised the meetings better.

"There was not adequate nor timely notice about public meetings. Lack of attendance at public hearings around the state appears to be vote of no confidence by the public as to the NPS listening to their concerns and even answering questions."
(Conservation Organization, Yosemite, CA, Comment #111-55)

"How can advertising for public meetings be improved? Not many people attended the one I was at. Would advertising free entrance (1X) (for off season) to the park help bring more people to the meetings?"
(Individual, Fresno, CA, Comment #128-25)

Response: On January 19, 2005, the National Park Service issued a press release to over 80 local and regional media outlets to advise the public that the Draft Revised Merced River Plan/SEIS was available for public comment. Also on this date, the same announcement was circulated via email to 4,200 recipients through the Yosemite Electronic Newsletter. On February 14, 2005 another press release was circulated to advertise the dates, times and locations of the nine public meetings to be held across the state of California. On February 15, the same announcement was circulated via the electronic newsletter to 4,338 recipients. The National Park Service also placed nine paid advertisements in local and regional newspapers regarding the dates, times, and

locations of public meetings. In addition, over 8,000 people received the park's Planning Update newsletter by mail, which provided information about the schedule of public meetings. The public comment period—including public meeting schedule—is directly tied to the release of the Notice of Availability published in the *Federal Register*.

Concern 285: The National Park Service should consider having an open question and answer period at public meetings when discussing plans.

"I appreciated the public meetings and the willingness of the NPS staff to share information at those meetings…I was disappointed, however, when the NPS was so adamantly against the public's request to have a full group question and answer period after the public comments… If the park wants the public to be educated on the issues, then why restrict questions and answers at a time when all of the NPS experts on the plan are right there to comment directly? …we were told that we could travel in groups to ask questions of individual experts on the different topics. This was helpful, but did not nearly achieve the goal of deeper understanding of the different issues that a full group discussion with all of the experts could have achieved. The issues are all interrelated and to not let the public address them as such seemed contrived to lessen our full understanding… While I feel that my understanding of the plan would have benefited from a group Question and Answer period with all of the MRP staff as well as all of those attending the meeting, it was clear that the NPS did not want this group discussion to occur. Why is this? Is there a fear of the public learning from each other? Or understanding the plan too well? I hope that this comment will be considered in the presentation of future park plans."
(Individual, El Portal, CA, Comment #120-2)

"At the D. R. MRP hearings in El Portal and Mariposa, the public asked to be able to ask questions of the NPS planners and representatives in an open forum. The request was in order to have a public dialogue, rather than the one way presentation by NPS and the one way testimony from the public. Those methods do not allow for a public dialogue and discourse which people are hungry for and asking for. NPS turned the public down flatly on their reasonable requests. Requests that could have potentially be helpful to NPS in creating a valid CMP."
(Conservation Organization, Yosemite, CA, Comment #111-117)

Response: During the public comment period on the Draft Revised Merced River Plan/SEIS, the National Park Service hosted eleven public meetings and two Open Houses in order to have open dialogue with the public regarding the plan. The format for each public meeting allowed for extensive time for the public to have an open question and answer period with park staff and members of the planning team. In fairness to all participants who attended public meetings, five minutes was allotted to each speaker during public testimony in order to summarize the speaker's main points. The National Park Service encouraged group discussions between the public and park staff prior to and following each public testimony session. Although the meeting format was structured the same at every venue, there was room for flexibility. For example, at some venues, the audience broke up into small groups to discuss various aspects of the plan with management staff and the planning team. This worked very well and some great discussions ensued. However at other venues, participants preferred to speak one-on-one with the team. The National Park Service will continue to explore new ways to engage in conversations with the public.

Concern 342: The National Park Service should spend less money on lavish public presentation displays.

"The displays for public presentation are too lavish and too much and I don't feel are needed. Keep it simple and low cost."
(Individual, Fresno, CA, Comment #128-23)

Response: Presentation materials used by the National Park Service at monthly Open Houses and at public meetings are intended to highlight major elements of park planning projects. The types of materials used for the Revised Merced Rive Plan/SEIS planning process were intended to enhance the public's understanding of plan alternatives. Because the user capacity program of this plan has multiple components, a number of displays and hand-outs were designed to help illustrate the plan's various user capacity elements.

Alternatives

Concern 367: The Revised Merced River Plan should provide a Comparison of Alternatives that provides location where further information can be found in the document.

"COMPARISON OF ALTERNATIVES: When we first obtained the DRMRP, we turned to the Comparison of Alternatives (Table II-14, pages II-78 and 79). With most EIS's, the Comparison of Alternatives provides a good overview of the document, and offers clues for where to turn in the overall document in order to pursue specific areas of concern. But with Table II-14 in the DRMRP we drew a complete blank, and could make no sense of it. We found Table II-14 to be utterly confusing."
(Conservation Organization, Fresno, CA, Comment #113-5)

Response: The Comparison of Alternatives table has been revised to refer to the location where further information can be found in the document.

Concern 368: The National Park Service should clearly state whether or not the Alternatives are intended to be comparable.

"Later, in discussions with NPS staff, we were told that each of the action alternatives was constructed in a way that is so totally different from the other alternatives that any attempt to compare them would be futile. They were not intended to be comparable. But, rather than saying this, the DRMRP has provided the public with Table II-14, thereby creating great confusion and frustration among those who are trying to understand the Plan/SEIS. This is but one illustration of our statement that the Plan is incomprehensible, and therefore not compliant with NEPA."
(Conservation Organization, Fresno, CA, Comment #113-6)

Response: In response to this concern, the Final Revised Merced River Plan/SEIS presents a discussion regarding the plan's approach to user capacity in the rewritten Executive Summary. This discussion is also captured in the introduction to the Alternatives chapter. A user capacity program for Yosemite National Park most addresses a spectrum of uses occurring in widely diverse areas and resulting in varying environments being affected throughout the Merced River corridor. The Revised Merced River Plan/SEIS proposes different *approaches* to addressing user capacity. Yosemite's existing user capacity tools and the VERP program are common to all of the action alternatives, yet some of the new proposed limits (and methods) are not. In accordance with National Environmental Policy Act, the environmental effects of the alternatives are comparable and are analyzed and presented in the document in comparative form. Readers can

understand from the environmental consequences discussions in Chapter V the differing effects of each of the alternatives on various aspects of the human environment.

Alternatives – Development Considerations

Concern 154: The Revised Merced River Plan should clarify why VERP was the only user capacity program used and evaluated in the alternatives.

"The decision to only consider VERP-based alternatives needs clarification. Alternatives 2, 3, and 4 include VERP as the keystone of the user capacity program. The prominence of VERP throughout the document justifies a little more description in order for the decision maker and public to adequately understand. Such a description would also help to justify why no non-VERP alternatives were considered in the SEIS and defend against criticism that you did not provide a range of alternatives that included non-VERP options."
(Individual, Fort Collins, CO, Comment #73-33)

Response: The National Park Service recognizes this concern and in response, has dedicated Chapter II of the Final Revised Merced River Plan/SEIS to further clarify the role of VERP as a component of Yosemite National Park's User Capacity Management Program. How much use should be allowed on public lands has been an issue since public lands were first set aside for protection and enjoyment. In the past, the question of how much public use is appropriate in a national park has been framed in terms of what is known as the visitor *carrying capacity*. A number of user capacity management approaches have been developed that are widely used throughout the United States and Canada, including Limits of Acceptable Change (LAC), Recreation Opportunity Spectrum (ROS), Visitor Impact Management System (VIMS), and others. The National Park Service has adopted a method in many of its park units that best fits the needs of its mission—the Visitor Experience Resource Protection (VERP) framework. Although developed specifically to address the mission of the National Park Service, VERP shares a basic framework with these other user capacity management approaches. As part of the development of the Draft Revised Merced River Plan/SEIS, these other methods were considered. However, it was determined by the planning team that VERP best fit the goals and objectives of Yosemite National Park.

Concern 213: The Revised Merced River Plan should develop user capacity alternatives that provide immediate protection of the Outstandingly Remarkable Values.

"The NPS Preferred Alternative (or any of the alternatives in this plan) does not fulfill the requirement to address user capacity--it merely makes some statements that it may or may not complete VERP in about 5 years from now. But Yosemite's Wild and Scenic Merced River Outstandingly Remarkable Values need to be protected now. The D. R. MRP NPS Preferred alternative would not be a complete nor compliant CMP."
(Conservation Organization, Yosemite, CA, Comment #111-8)

"The NPS Preferred Alternative, nor any other of the alternatives, do not fulfill the requirement to address user capacity. The Preferred alternative which uses VERP merely makes some statements that it may or may not complete VERP by around 5 years from now. Outstandingly Remarkable Values need to be protected now. VERP as used in the preferred alternative only addresses visitor impacts, and not specifically to Outstandingly Remarkable Values, and does not address NPS project impacts -- which are greater."
(Conservation Organization, Yosemite, CA, Comment #111-84)

"The D. R. MRP fails to adequately address user capacity. (see Haas, p.xx). The NPS preferred alternative merely makes some vague statements that is may or may not complete VERP by around 5 years from now. The D. R. MRP is not a completed nor a compliant CMP"
(Conservation Organization, Yosemite, CA, Comment #111-88)

Response: The action alternatives identified in this Revised Merced River Plan/SEIS have been developed to satisfy the 2004 Court Order requiring the National Park Service to revise the original Merced River Plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. The alternatives identified and evaluated in this document have been developed as a means to achieve this directive, and are compliant with the requirements of Wild and Scenic Rivers Act and relevant National Park Service management policies and procedures.

Although the VERP process could take up to 5 years to fully refine and implement, elements of the park's existing user capacity management program, coupled with the initial VERP program elements currently being implemented by the park will serve to protect and enhance the Outstandingly Remarkable Values compliant with Wild and Scenic Rivers Act requirements in the interim.

Range of Alternatives

Concern 136: The Revised Merced River Plan should be revised to present a comparable range of alternatives using a common user capacity program with varied and measurable limits.

"The alternatives are not sharply comparable, clear, to the point, distinct, nor transparent. The SEIS offers four different programs and processes to address user capacity, rather than four user capacity limits or measurable limits. The public does not care about the program or process or how you package the specific measurable user limits, rather they want to be able to understand and evaluate the alternative numerical limits. The alternatives need significantly more clarity, transparency and comparability."
(Individual, Fort Collins, CO, Comment #73-6)

"These four [user capacity alternatives] programs and processes are further complicated by a mixture of terms scattered throughout such as quotas, limits, segments, zones, interim, fixed, existing use, maximum capacity, maximum annual, etc. The SEIS is currently too complex and requires an unreasonable amount of tedious study for the decision maker and public to understand."
(Individual, Fort Collins, CO, Comment #73-7)

"Another issue is your use of different capacity metrics across the alternatives which make it virtually incomprehensible to understand and to evaluate their comparative merits. You need consistent metrics across all four alternatives rather than mixing apples, and oranges, and prunes as is conveyed in the narrative description of the alternatives and most blatantly on Table II-14."
(Individual, Fort Collins, CO, Comment #73-11)

Response: The National Park Service recognizes this concern and in response, has dedicated Chapter II of the Final Revised Merced River Plan/SEIS to further clarify the role of VERP as a component of Yosemite National Park's User Capacity Management Program. While there are many assumptions about user capacity that are widely accepted by most in the recreation management field, there are disagreements regarding other user capacity issues. For example, the National Park Service and some other organizations believe that management of areas through the use of specific indicators and standards is sufficient to address user capacity and that there has been too much focus on capacity as "a number of people." Others believe that a number (or range) of users must be established for each management area in addition to the indicators and standards. Since there are differences in opinion on whether a specific number of users must be identified in a user capacity program, the National Park Service decided to include some alternatives in this document that looked at specific limits on numbers of people, as well as other types of limits.

Concern 166: The Revised Merced River Plan should present a range of comparable and comprehensible Alternatives that are actually implementable.

"Each alternative is presented as a separate process. What is the difference between Interim Limits and Segments Quotas? Try to compare Table II-6 (page II-33) and Table II-11 (page II-59). They are not using the same forms of measurement to make them comparable."
(Conservation Organization, Oakland, CA, Comment #69-3)

"I think the range of alternatives proposed in the Draft SEIS is not adequate to comply with the intent of NEPA. It appears that three of the four alternatives cannot be implemented as presented. I do not believe it is feasible to implement either Alternative 3 or Alternative 4 because the NPS does not have the capability to monitor and control visitor use of the river corridor on a segment by segment basis, or on a management zone basis. Thus, alternative 3 and Alternative 4 are not viable alternatives."
(Individual, Fresno, CA, Comment #82-2)

"The range of alternatives is unreasonably narrow. Two of the alternatives use the same numeric limit on use, 5.3 million. That is about 1 million more people than have ever visited the park in a given year. None of the alternatives appear to consider a reduction in use; and relatedly a reduction in the facilities provided visitors, in order to reduce impacts to River Outstandingly Remarkable Values and provide for enhancement."
(Conservation Organization, Yosemite, CA, Comment #111-61)

Response: Yosemite National Park is committed to fully implementing a User Capacity Management Program that includes the VERP program as a key component. Park management staff has determined that Alternatives 2, 3, and 4 as presented in this document are all feasible. However, each alternative has various constraints and complexities with regard to implementation, as documented in the environmental analysis (Chapter V), particularly with regard to the visitor experience and park operations.

Alternative 1— No Action Alternative

Concern 99: The Revised Merced River Plan No-Action Alternative should be re-defined as no new or additional development.

"In considering the 4 alternatives, it is worth noting that the "No Action" Alternative (A1) meets the letter of the law but not its intent. "No Action" was intended to mean "no new or additional development" or "no project", rather than a simpler but environmentally less protective "let the status quo lie" approach. A1 would leave in place the existing Merced River Plan and, by omission, would not address the real concerns of your prior commentators nor those of the 9th Circuit. Nonetheless, I do not fault NPS for taking a strict interpretation in difficult budget times – the fault lies with Congress and the American voters for choosing to fund war rather than hospitals, senior care, education, libraries, and parks."
(Individual, Berkeley, CA, Comment #4-4)

"Alternative 1 is incorrectly named the No Action alternative. It would contemplate the continuation of lots of new construction."
(Individual, Fremont, CA, Comment #51-7)

Response: Under National Environmental Policy Act, Alternative 1 (the No Action Alternative) represents a baseline of existing conditions in order to serve as a basis for comparison with other action alternatives. As such, the No Action Alternative in this document represents conditions as of October 2003 when the Ninth Circuit Court of Appeals found that the National Park Service needed to further address user capacity for the Merced River corridor. Alternative 1 would continue to mange user capacity within the Merced River corridor through the various user capacity methods presented in Chapters II and III. The management direction under Alternative 1 would continue to be based on the 1980 *General Management Plan* and other applicable park management plans and guidelines that address wilderness, fire management, vegetation management, resource management, geologic hazards, floodplains, and cultural resource management. Requirements of the Wild and Scenic Rivers Act, such as the protection and enhancement of Outstandingly Remarkable Values and compliance with Section 7 of the act for water resources projects, would continue to be followed. However, new or additional development would be allowed to proceed without the benefit of information gathered as part of the VERP program, which could influence land use planning decisions based on the condition of the Merced River's Outstandingly Remarkable Values.

Concern 100: The National Park Service should select Alternative 1 as the preferred alternative.

"I prefer alternative 1, No Action. I don't like the quotas imposed by alternatives 3 and 4. And I also don't like the reduction in river recreation that would result from alternative 2."
(Individual, Kensington, CA, Comment #7-1)

"Revision of River Corridor in El Portal. The [Wawona Town Planning Advisory] Committee urges that the chosen Alternative be #1 (No Action)."
(City Agency, Mariposa, CA, Comment #138-5)

Response: The Revised Merced River Plan/SEIS analyzed a range of reasonable and feasible alternatives that addressed the 2004 Court Order to revise the original Merced River Plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El

Portal Segment based on the location of Outstandingly Remarkable Values. Based on this comparative analysis, and given full consideration of Section 101 of National Environmental Policy Act, Alternative 2 was determined to be the environmentally preferable alternative for the Revised Merced River Plan/SEIS, and thus was selected as the park's preferred method of achieving the plan's goals. Given the direction from the Ninth Circuit Court of Appeals to institute a user capacity program and reassess the El Portal boundary, the No Action Alternative is only provided as a baseline for comparison.

Concern 252: The Revised Merced River Plan should develop a No Action alternative that considers a state of management before the original Merced River Plan was adopted.

"The No Action Alternative is not valid."
(Conservation Organization, Yosemite, CA, Comment #111-12)

"The D. R. No Action Alternative is not a true no action alternative. A proper no action alternative would consider the state of management before the CMP was ever adopted, not at the time of the Ninth Circuits decision. The Ninth Circuit held that the CMP was invalid and a proper no action alt must be the same no action alt that was included in the first CMP."
(Conservation Organization, Yosemite, CA, Comment #111-60)

Response: The Revised Merced River Plan/SEIS analyzed a range of reasonable and feasible alternatives that addressed the 2004 Court Order to revise the original Merced River Plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. It would not be proper to include a No Action alternative that described the environmental status quo prior to the 2000 Merced River Plan. Since the original Merced River Plan was adopted, many changes have taken place in the river corridor, such as the removal of both the Happy Isles Bridge and the Cascade Dam. These actions are now part of the status quo and are reflected in the No Action baseline scenario presented in the Revised Merced River Plan/SEIS.

Alternative 2—VERP Program with Interim Limits

Concern 74: The Revised Merced River Plan should define permanent visitor limits to protect Outstandingly Remarkable Values, rather than wait for the Visitor Experience and Resource Protection process to define them.

"I believe that there should be, and perhaps these interim limits should actually be adopted as permanent in alternative two to curtail any activities under the VERP program."
(Conservation Organization, Twain Harte, CA, Comment #34-8)

"I am confused and frankly dismayed by your supposition that the interim facility limits in alternative 2 will be discarded once VERP is up and running. I don't think the Wild and Scenic Rivers Act had this strategy in mind, nor the National Parks and Recreation Act, nor the NPS national policies, nor the Federal Interagency Task Force on Visitor Capacity...I don't think the 2004 Court of Appeals ruling had this in mind, and thus it would be fitting to rename this alternative the Interim Judicial Compliance alternative. In my opinion, you are displaying arrogance and stubbornness towards federal public law, our court systems, and a disappointing level of intellect about the value of specifying visitor capacities as a management tool to preserve park resources, quality park experiences, and the Wild and Scenic River Outstandingly Remarkable Values."
(Individual, Fort Collins, CO, Comment #73-26)

"I am also wary of plans that say in x years we will reevaluate based on VERPS. Managers of the future will be endlessly swayed by politicians, the concessionaire, lawsuits, and narrow minded user groups. I think stick user numbers set up to last a decade is a safer route."
(Individual, Fresno, CA, Comment #78-2)

Response: The Final Revised Merced River Plan/SEIS has identified and evaluated a range of reasonable and feasible alternatives to address user capacity in Yosemite National Park based on the VERP framework. The VERP framework is a tool developed by the National Park Service to address user capacities and ensure the protection of natural and cultural resources and the visitor experience (Hoff and Lime 1997). VERP will allow the park to manage visitation based on resource/visitor experience conditions, with the overall goal of protecting and enhancing the river's Outstandingly Remarkable Values. However, as part of its October 2003 ruling, the court specified that some form of interim limits could be used while the VERP program is developed. The National Park Service chose to adopt a set of interim limits in the preferred alternative. The National Park Service may chose to continue some or all of these interim limits or chose new types of numeric limits even after VERP is fully developed.

Concern 101: The National Park Service should select Alternative 2 as the preferred alternative.

"We find Alternative 2 as the most desirable. This alternative presents the least restrictive method of providing a positive visitor experience while working to protect the remarkable natural and cultural resources of the area."
(Conservation Organization, Oakland, CA, Comment #69-1)

"On balance the AAC endorses the selection of Alternative 2 as the "Preferred Alternative" for management of the Merced Wild and Scenic River. We believe the VERP framework will be a useful long-term tool to manage human interactions in the Park, with the interim capacity limitations on facilities and trailhead quotas providing adequate protection for the natural resource until VERP has been sufficiently developed and tested. We believe this alternative will best protect the many scenic, historic, natural and recreational resources in the Park from inappropriate or excessive use."
(Non-Governmental Organization, San Rafael, CA, Comment #112-1)

"Alternative 2 is not an immediate and extreme change; yet, it should satisfy the desires of the Ninth Circuit. Climbers are willing to make necessary sacrifices to protect the environment and the Outstandingly Remarkable Values, but the Access Fund does not support a complete new policy between now and the implementation of VERP. The alternative will provide for the Merced River Valley to be administered in the same manner as it has traditionally been managed unless a problem arises. The Access Fund believes that the present condition of the valley should remain unless there is a need to change it; therefore, this alternative is the most desirable."
(Non-Governmental Organization, Mill Valley, CA, Comment #119-1)

Response: The National Park Service agrees with this concern. After full consideration of Section 101 of National Environmental Policy Act, Alternative 2 was determined to be the environmentally preferable alternative for the Revised Merced River Plan/SEIS. The National Park Service has therefore selected Alternative 2 as the park's environmentally preferable method of achieving the plan's goals.

Concern 102: The Revised Merced River Plan should provide limitations on use in Alternative 2 beyond the "Interim Facility Limits" in order to satisfy the Ninth Circuit Court's mandate.

"Although Alternative 2 is characterized as being the "Interim Facility Limits" alternative, I could find no commitment to any sense of limitation which would satisfy the Ninth Circuit Court mandate. In particular, it seems very strange that the supposed interim limits on overnight accommodations would involve larger numbers than at present. Logically, an interim limit would mean sticking with the present numbers, not increasing them with new construction."
(Individual, San Francisco, CA, Comment #31-8)

"Monitoring the actual impacts of visitors will provide base line data that can then be used to address impacts in ways which preserve the river values and visitor experience. However, because not all VERP indicators will be put in place immediately, the Council believes that facility limits must be strictly set at existing levels. Changes in facilities should be considered only after VERP monitoring is fully implemented."
(Conservation Organization, Mariposa, CA, Comment #107-4)

Response: The National Park Service has, and will continue to implement components of Yosemite National Park's User Capacity Management Program that provide limitations on use beyond the Interim Facility Limits. As described in Chapter II of the Final Revised Merced River Plan, the National Park Service currently manages for limits on the number of people (such as the Wilderness Trailhead Quota System), Limits on Facilities (such as campsites, lodging units, parking, and utility systems capacities), Limits on Specific Activities (such restrictions on rafting outlined in the Superintendent's Compendium), and Limits Based on Environmental/Experiential Conditions (such as redirecting traffic when levels reach capacity). Additionally, in Alternative 2, the Interim Facility Limits will limit use by keeping facilities at or near current levels.

Concern 122: The National Park Service should not select Alternative 2.

"Alternative 2, VERP Program with Interim Facility Limits, fails the test of putting in place a mechanism to prevent degradation of the resource before it occurs. Furthermore, if it (VERP) only measures human impact then it is inadequate because by definition impacts upon the resource must include new, temporary and pre-existing infrastructure. Moving humans around from one location to another or counting them as having less impact if they are in buildings, as if this would miraculously reduce impacts while ignoring the role of construction and expansion of existing facilities and infrastructure, is a bankrupt approach to resource protection and preservation. Not only that, but it might entail wasting a lot of taxpayer's money that could perhaps be put to better use elsewhere or at least not squandered so frivolously on stuff the incomparable Valley does not need more of."
(Individual, Fremont, CA, Comment #51-4)

"I AM AGAINST THE PROPOSED ACTION. I AM AGAINST VERP AND ANY REGULATION OF ACCESS TO THE MERCED RIVER."
(Individual, Comment #54-1)

Response: The Revised Merced River Plan/SEIS analyzed a range of reasonable and feasible alternatives that addressed the 2004 Court Order to revise the original Merced River Plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El

Portal Segment based on the location of Outstandingly Remarkable Values. Based on this comparative analysis, and given full consideration of Section 101 of National Environmental Policy Act, Alternative 2 was determined to be the environmentally preferable alternative for the Revised Merced River Plan/SEIS, and thus was selected as the park's preferred method of achieving the plan's goals.

Concern 211: The Revised Merced River Plan should be revised to add an annual visitation cap to Alternative 2.

"Alternative 2 is the preferred Plan but is still lacking the Annual Visitation Cap is a 24 hour period which ultimately effects the ecology in the valley, El Portal, and the river gorges (Merced and South Fork Drainages)."
(Tribal Organization, Mariposa, CA, Comment #84-2)

Response: Alternative 2 takes the VERP framework provided in the 2000 Merced River Plan and implements a VERP program with specific indicators and standards, along with a commitment to take management action as needed to keep conditions within the established standards. The standards, which are set at levels designed to protect and enhance the Outstandingly Remarkable Values, would provide a quantifiable and documented trigger for when action must be taken. If monitoring were to determine that conditions were approaching or exceeding a given standard, action would be taken to return conditions to the established standard. Because VERP monitoring is designed to identify specific causes of adverse impacts to resources or the visitor experience in specific areas, setting an annual corridorwide visitation limit may not mitigate direct impacts related to use as many impacts may be associated to visitor behaviors, rather than the number of visitors in an area. The management actions associated with VERP are flexible enough to target the root causes of unacceptable impacts. Further, one possible management action that could be implemented based on VERP monitoring is a visitor reservation system, which would function like a cap.

Concern 278: The Revised Merced River Plan should state how each alternative will achieve protection and enhancement of Outstandingly Remarkable Values.

"It is difficult to understand how the preferred alternative is any better than the user capacity "program" that the ninth circuit already held is invalid. The SEIS also fails to explain how the preferred alternative, or any of the alternatives, are developed based on protection and enhancement of the Outstandingly Remarkable Values. The plan must clearly state for each alternative how the alternatives will achieve protection and enhancement. it should be clearly and specifically stated."
(Conservation Organization, Yosemite, CA, Comment #111-65)

Response: In response to this concern, Chapter III (Alternatives) has been revised in the Final Revised Merced River Plan/SEIS to discuss how each alternative will protect and enhance Outstandingly Remarkable Values of the Merced Wild and Scenic River.

Concern 456: The National Park Service should adopt the user capacity program from Alternative 2.

"Alternative 2 best addresses the user capacity deficiency."
(Conservation Organization, Mariposa, CA, Comment #107-1)

"The preferred revised river plan alternative does not vary greatly from the "user capacity" approach adopted in the original river plan. We shared the NPS's belief that the original plan adopted a worthwhile and workable approach to this issue—particularly in the already controlled environment of a National Park."
(Conservation Organization, Sacramento, CA, Comment #116-10)

Response: The National Park Service agrees that the user capacity program from Alternative 2 best addresses the user capacity deficiency. After full consideration of Section 101 of National Environmental Policy Act, Alternative 2 was determined to be the environmentally preferable alternative for the Revised Merced River Plan/SEIS. The National Park Service has therefore selected Alternative 2 as the park's preferred method of achieving the plan's goals.

Alternative 3— VERP Program with Segment Limits

Concern 103: The National Park Service should select Alternative 3 as the preferred alternative.

"[F]or the long-term protection of the resources along this heavily-accessed area of the park, I support Alternative 3 allowing park management to limit day use of this area to the existing peak level. If visitor levels are already creating harmful impacts on both visitor experience and on natural resources, these negative impacts are only going to get worse unless a maximum daily quota for visitors entering the wilderness to reach Half Dome is established."
(Individual, Carmichael, CA, Comment #25-2)

"Use segment quotas... Visitation quotas for river segments, used in combination with the VERP program, would be the best way to protect the Merced and visitors' experience of it. Such quotas, stated and adhered to, would reduce the likelihood that the river's health will be neglected for political reasons."
(Individual, Comment #81-9)

"I support the User Capacity element of Alternative 3, as it seems it will better provide for resource protection and be more feasible to implement and administer, than the other alternatives."
(Individual, El Portal, CA, Comment #89-3)

Response: The Revised Merced River Plan/SEIS analyzed a range of reasonable and feasible alternatives that addressed the 2004 Court Order to revise the original Merced River Plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. While the user capacity program proposed under Alternative 3 protects and enhances river values it was determined that its measures would have more of an impact on visitor experience. Based on this comparative analysis, and given full consideration of Section 101 of National Environmental Policy Act, Alternative 2 was determined to be the environmentally preferable alternative for the Revised Merced River Plan/SEIS, and thus was selected as the park's preferred method of achieving the plan's goals.

Alternative 4— VERP Program with Management Zone Limits

Concern 104: The National Park Service should select Alternative 4 as the preferred alternative.

"Given the remaining three alternatives, I strongly support Alternative 4 (A4) -- especially over A2, the NPS Preferred Alternative. A4 would more than double the 3C area – allowing probably needed and effective administrative space -- while providing ONLY Discovery and Open Space access by visitors. A2 would more than quadruple administrative space with anticipated heavy impacts, and open up more than half of the managed Wild and Scenic River environment to Yosemite's fairly heavy day use and at least "moderate" resource degradation. A4 is likely to cost less than A2 or A3 to manage, and – within the context of sustainable use and resource protection – would put more value on protecting our great-grandchildren's access to environmental values equally with those of our own generation than would any other alternative. A4 (and, to a lesser extent, A3) would place more limits on user access and development than A2 – a price we must pay in order to sustain our resources so that future generations can have the equal access to those resources."
(Individual, Berkeley, CA, Comment #4-5)

"Based on the alternatives offered, Alternative 4 appears to provide the best protection for the resources in the El Portal Boundary. The projected gains in population and likely usage are a serious challenge: major protection now provides the option of flexibility later on, should the public need require it."
(Individual, San Francisco, CA, Comment #13-1)

"I'd also like to advocate for the fourth alternative, which is the most restrictive to development in El Portal so that the development that seems inevitable is focused on the smallest possible area of already impacted sites and the maximum amount of wetlands, open space, biological resources, is left unimpacted."
(Individual, El Portal, CA, Comment #35-2)

Response: The Revised Merced River Plan/SEIS analyzed a range of reasonable and feasible alternatives that addressed the 2004 Court Order to revise the original Merced River Plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. Based on this comparative analysis, and given full consideration of Section 101 of National Environmental Policy Act, Alternative 2 was determined to be the environmentally preferable alternative for the Revised Merced River Plan/SEIS, and thus was selected as the park's preferred method of achieving the plan's goals.

Concern 323: The National Park Service should select the user capacity element of Alternative 4.

"I prefer alternative 4 Management Zone Quotas with Visitor Experience and Resource Protection"
(Individual, Fresno, CA, Comment #128-2)

Response: The Revised Merced River Plan/SEIS analyzed a range of reasonable and feasible alternatives that addressed the 2004 Court Order to revise the original Merced River Plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. While the user capacity program proposed under Alternative 4 would protect and enhance river values, it would

require more intensive management of visitor movement into and out of management zones and would result in greater impact to the visitor experience. Based on this comparative analysis, and given full consideration of Section 101 of National Environmental Policy Act, Alternative 2 was determined to be the environmentally preferable alternative for the Revised Merced River Plan/SEIS, and thus was selected as the park's preferred method of achieving the plan's goals.

Multiple Alternatives

Concern 58: The National Park Service should make it clear that the User Capacity Program and El Portal Boundary components of the alternatives are not linked.

"Make it clear that the alternatives for the two objectives (limits on use and El Portal corridor boundaries) are not linked. Our understanding from reading the Draft Merced Wild and Scenic River Management Plan was that the alternatives for the two objectives are linked - that is if alternative 2 is chosen for limits on use, alternative 2 also must to be chosen for the El Portal corridor boundaries. Based on our subsequent conversations with Park management staff, this does not appear to be the case (and we are glad that it is not). This point should be clarified."
(Conservation Organization, Twain Harte, CA, Comment #29-11)

"[W]hy are the alternatives for the two objectives, that is user capacity and the El Portal boundary, tied together? So there seem to be four alternatives for both objectives, and it seems to me that it would make more sense if the alternatives for these objectives were dealt with separately rather than together. I may be mistaken in the understanding, but that's what I got reading from the draft plan. Let me clarify that. I think we should be able to choose the alternatives for each objective separately rather than choosing an alternative that deals with both objectives at the same time."
(Twain Harte, CA, Comment #34-1)

Response: Although the two elements that make up the alternatives can be looked at somewhat independently, they are not completely independent of each other. For example, standards set for VERP program indicators may vary across different management zone prescriptions, as different desired conditions apply to different management zone. In addition, there are other elements within the user capacity alternatives, such as daily segment limits, management zone limits, and annual corridorwide visitation limits, which are directly related to desired condition. Specifically, Alternative 4 proposes additional Limits on Numbers of People by management zone which would require the National Park Service to manage visitor use according to the social density factors prescribed for each management zones. Because each El Portal boundary alternative examines a river corridor boundary with different management zone prescriptions, the user capacity alternatives would be affected by these differences. This issue has been clarified in the Final Revised Merced River Plan/SEIS at the beginning of Chapter III, Alternatives under a paragraph entitled "Relationship between the User Capacity and El Portal Boundary Elements."

Concern 60: The National Park Service should implement the User Capacity Management Program from Alternative 3, and the El Portal boundary from Alternative 2 or Alternative 4.

"CSERC finds that alternative 2 is the best choice to manage user capacities, and alternatives 3 or 4 best define the El Portal corridor boundaries. User capacities would best be managed under alternative 3, because, of the current alternatives, it best protects the Merced Wild and Scenic River Outstandingly Remarkable Values while also being most feasible for the Park to implement. Based on input from El Portal advocates and residents we find that alternatives 2 and 4 provide the best protection for the Merced Wild and Scenic River Outstandingly Remarkable Values while also allowing appropriate flexibility for the Park in locating its administrative facilities."
(Conservation Organization, Twain Harte, CA, Comment #29-12)

Response: The Revised Merced River Plan/SEIS analyzed a range of reasonable and feasible alternatives that addressed the 2004 Court Order to revise the original Merced River Plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. Based on this comparative analysis, and given full consideration of Section 101 of National Environmental Policy Act, Alternative 2 was determined to be the environmentally preferable alternative for the Revised Merced River Plan/SEIS based on its furtherance of the National Environmental Policy Act goals as described in Chapter III.

Concern 167: The National Park Service should recognize that implementation of Alternatives 1, 3, and 4 are infeasible.

"In fact, the Draft SEIS itself says monitoring of visitor use of the river corridor on a segment by segment basis, or on a management zone basis is infeasible. For Alternative 3, the SEIS (page II-61 para 2) states: "For this reason, it is infeasible to try to manage visitor levels strictly within the river segments separately from the larger developed areas." Regarding Alternative 4, the Draft SEIS (page II-69 para 5) states:"…effective real-time monitoring and management of visitor levels per management zone would be very difficult and would require a substantial investment in infrastructure and personnel."
(Individual, Fresno, CA, Comment #82-3)

"LACK OF FEASIBLE ALTERNATIVES: NEPA requires that a range of feasible alternatives be presented. In the present process, Alternative 1 is not feasible because of the court mandates. But Alternatives 3 and 4 also appear to be infeasible because of the excessive levels of staffing (funding) required to implement them. So there is a still further violation of NEPA."
(Conservation Organization, Fresno, CA, Comment #113-7)

"[T]he notion of user quotas for each management zone, as well as for the river corridor as a whole, seems unworkable— [and more staff-intensive] at least outside of the already established wilderness user quotas, campground restrictions, and limiting automobile entry to Yosemite Valley when parking spaces are filled in the Valley."
(Conservation Organization, Sacramento, CA, Comment #116-11)

Response: Park management staff has determined that Alternatives 2, 3, and 4 as presented in this document are all. However, each alternative has various constraints and complexities with regard to implementation, as documented in the environmental analyses (Chapter V), particularly with regard to the visitor experience and park operations.

Concern 241: The Revised Merced River Plan should include the 5-year VERP analysis in Alternatives 2, 3, and 4.

"I feel the 5 yr V.E.R.P. analysis should be included with alternative 2, 3, & 4."
(Individual, Mariposa, CA, Comment #87-7)

Response: The Revised Merced River Plan/SEIS includes the VERP program as a component of Alternatives 2, 3, and 4. The interim period included as part of Alternative 2 is intended to ensure that the VERP standards and indicators are functioning, and that monitoring efforts are effective prior to lifting the interim limits on use. As a science-based approach, some VERP indicators could require several seasons of testing to verify their effectiveness before they are used to inform management decisions. However, this does not preclude park mangers from implementing management actions in response to VERP monitoring during the first 5 years. Efforts already underway by National Park Service staff to test the indicators and standards are providing good data on existing conditions. The premise behind VERP is *informed action* because once a problem has been identified, VERP allows for a timely assessment in order to determine the root cause and identify appropriate management action(s) to remedy the situation. Thus, park managers would not wait for five years to act if information gathered before then indicates a need for management action to ensure that the Merced River's Outstandingly Remarkable Values are being protected and enhanced.

Concern 400: The National Park Service should recognize that Alternatives 3 and 4 prescribe drastic changes and limit people's access beyond what is necessary.

"Alternative 3 proposes quotas for four different segments in the Merced River Valley. These segments are: Wilderness, Yosemite Valley, El Portal, and Wawona. This proposal is a much different change in the status quo as compared to Alternative 2. The Access Fund does not believe such drastic changes are necessary at this point. The sharp changes include a strict corridor quota of 5 million people a year and individual segment quotas. Furthermore, within the wilderness segment, an 800 person quota for Half Dome is proposed. There is no need to limit climbing use in wilderness areas as climbers use distinctly different areas of this segment as compared to the typical hiker/sightseer. Although there are concerns with Alternative 3 the Access Fund agrees with certain portions as well. Also, it does not suggest the raising of fees or the requirement of permits."
(Non-Governmental Organization, Mill Valley, CA, Comment #119-5)

"Alternative 4 provides a monitoring system focused on the number of people per acre in a management zone. It too provides for a maximum corridor quota of 5.3 million people per year. This alternative provides for more variables within each segment. It splits segments into sub-areas; some with high capacities and some with lower capacities. This alternative splits the park management into management zones. The administration of these separate zones is similar to Alternative 3. The negatives of Alternative 4 mirror Alternative 3."
(Non-Governmental Organization, Mill Valley, CA, Comment #119-6)

Response: The action alternatives identified in this Revised Merced River Plan/SEIS have been developed to satisfy the 2004 Court Order requiring the National Park Service to revise the original Merced River Plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. The alternatives identified and evaluated in this document have been developed as a means to achieve this directive, and are compliant with the requirements of Wild

and Scenic Rivers Act and relevant National Park Service management policies and procedures. Based on this comparative analysis, and given full consideration of Section 101 of National Environmental Policy Act, Alternative 2 was determined to be the environmentally preferable alternative for the Revised Merced River Plan/SEIS. The analysis contained in Chapter V weighs the potential effects of each user capacity element on the visitor experience.

Other Alternatives

Concern 277: The National Park Service should consider an alternative that reduces facilities along the Merced River to essential facilities only.

"In order to comply with both WSRA and NEPA (National Environmental Policy Act), NPS should consider an alternative that reduces the facilities along the Merced River to essential facilities only, such as bathrooms, necessary emergency facilities, drinking fountains where drinking water pipes already exist, some limited food availability such as groceries, tent cabins or camping, in order to allow for visitor use with ORV protection. This alternative would also allow (facilitate?) for less employee housing in both Yosemite Valley, El Portal, and Wawona."
(Conservation Organization, Yosemite, CA, Comment #111-62)

"The D. R. MPR has no alternative that provides for reducing facilities in order to protect and enhance Outstandingly Remarkable Values. Instead every alternative seems to be based on both existing and proposed facilities."
(Conservation Organization, Yosemite, CA, Comment #111-64)

Response: The Final Revised Merced River Plan/SEIS is a programmatic document that prescribes, among other elements, management zoning to determine the types of facilities that could be placed in a specific area. It also establishes a user capacity program that determines a limit on the amount and type of uses within the Merced River corridor. The Final Revised Merced River Plan/SEIS does not prescribe specific actions, such as the placement or removal of facilities; rather it prescribes a framework for future decision making. The management zoning, user capacity methods, and other elements of the Merced River Plan are flexible enough to allow for reductions in the number of facilities within the river corridor, should such reductions be indicated based on information gathered through VERP monitoring. However, reductions or modifications to specific facilities would be addressed in implementation level plans which tier of the Merced River Plan.

Alternatives Not Considered in the Planning Document

Concern 105: The Revised Merced River Plan preferred alternative should discuss options for addressing impacts other than re-directing people to other areas of the park and transferring impacts to other areas.

"There are a number of suggestions in the Management Action Toolbox to deal with park overcrowding including a day use reservation system and redirecting visitors to other areas of the park. The draft plan does not explain how the visitor experience will be maintained through these suggested alternatives."
(Conservation Organization, Oakland, CA, Comment #69-8)

"Removing certain development and restricting activities in the river corridor and forcing some to other Valley areas at the expense of other remarkable resources could present problems."
(Conservation Organization, Oakland, CA, Comment #75-6)

"Alternative 2 (at least as explained in the Fact Sheets) calls for unlimited access into the Park. It proposes to deal with the ensuing large numbers of vehicles and people by redirecting them away from the areas they had intended to visit, and into other areas of the Park. We question whether this management action would be acceptable to the visitor."
(Conservation Organization, Fresno, CA, Comment #113-9)

Response: Alternative 2—the National Park Service's preferred alternative—includes the implementation of VERP as one component of the user capacity management program. Although redirection of people from areas being impacted by visitor use is one valid action that could be implemented to address impacts, it is not the only potential action. An action taken in one situation or in one area of the park may not be effective in another. Also, as conditions change, as technology changes, and as visitor use patterns change, management strategies must change accordingly. As described in the discussion of management actions in Chapter II of the Final Revised Merced River Plan/SEIS, there is a range of potential actions that could be implemented if conditions warrant management action is needed. A list of potential actions is also presented in the table that presents the indicators and standards included as a part of the VERP program.

As a result of this public concern, changes in the Final Revised Merced River Plan/SEIS have been made to the Environmental Consequences (Chapter V) in each of the sections that impacts associated with redirecting use would affect. Redirecting visitor use to other areas outside of the Merced River corridor would be one type of management action the National Park Service could implement if resource conditions or the visitor experience was exceeding set standards. Impacts associated with redirecting use could be considered adverse or beneficial depending on the impact topic. However, redirection of visitor use is expected only to occur for a short period of time at site-specific locations or during peak visitation periods during the summer and on major holiday weekends. For a discussion of impacts associated with redirecting use, see Chapter V.

Concern 107: The National Park Service should consider an alternative with an annual visitation cap less than current levels.

"It's not about the river, it's about people, and people equate to revenue. It's all about revenue. You will deny it, but you will never convince me that this is not what it's all about. If it were not true, you would have suggested capping visitation at lower levels, not higher levels. Where is alternative number five, where visitation would be capped at three million per year?

If it were me, I'd cap Yosemite's annual visitation at 2.5 million per year and be willing and happy to be one of the ones willing to take a number just to get in once in a while to see the park's majesty, so that Yosemite Valley and surrounding environs could heal themselves, rather than require the aid of solicited funds from the likes of the Yosemite Fund."
(Individual, Truckee, CA, Comment #5-4)

"Set a visitation cap for the river corridor at 4 million or below. At Yosemite's current annual visitation rate of 3.5 to 4 million, the Merced's banks are worn bare at the most popular beaches and meadows. Many people choose not to enter Yosemite Valley, especially in summer, because of the crowds. Capping visitation is an excellent idea, but the current plan's cap of 5.3 million will mean further degradation of the river and of visitor experience. Lowering the cap will be potentially difficult politically. However, it could be proactively explained as a way to safeguard visitors' experience in Yosemite while protecting the Merced."
(Individual, Comment #81-3)

Response: In response to this public comment, the Final Revised Merced River Plan/SEIS has proposed a reduction in the annual corridorwide visitation limit in Alternative 4 from 5.3 million to 3.27 million. This annual corridorwide visitation limit is based on the annual visitation the park received in 1987, which is the year the Merced River was designated as Wild and Scenic.

Concern 181: The Revised Merced River Plan should not set an annual visitation cap of 5.3 million which is larger than the park has ever experienced.

"It makes no sense to set the maximum annual cap at 5.3 million visitors (as was proposed in Alts. 3 and 4), which is much larger than the park has ever experienced."
(Individual, Fresno, CA, Comment #82-20)

"Given the fact that user cap for three and four, and I assume will might be a cap for alternative 5.3 million would be an increase over what is now the experience in the park."
(Individual, Merced, CA, Comment #98-3)

Response: Alternative 3 in the Final Revised Merced River Plan/SEIS proposes a 5.32 million annual corridorwide visitation limit provided that the VERP program indicates that the Outstandingly Remarkable Values are being adequately protected. Implementation of the VERP program could result in annual visitation levels being lower or higher than this proposed annual limit. In Alternative 4, the annual corridorwide visitation limit has been reduced to 3.27 million visitors in response to public comment on the Draft Revised Merced River Plan/SEIS. This limit is based on the annual visitation in 1987, the year the Merced River was designated as Wild and Scenic.

Alternatives Considered but Dismissed

Concern 168: The National Park Service should reconsider an alternative that was "considered but dismissed from further analysis" that proposed a corridorwide daily quota with VERP.

"The NPS should fully analyze the alternative that was "considered but dismissed from further analysis" that proposed a corridor-wide daily quota with VERP (p. II-74)... It is not valid simply to state that such an alternative "was not carried forward because there are similar alternatives that achieve the same effect with more environmental benefits." This reader is not convinced."
(Individual, Fresno, CA, Comment #82-5)

Response: The goal of this alternative would be to set a specific daily visitor limit for the river's entire 81-mile corridor within national Park Service jurisdiction. Although a number could theoretically be identified for the entire corridor by adding up the limits for each segment by using the 1980 *General Management Plan* visitor capacity goals, this number would not be

relevant to the protection and enhancement of the river's Outstandingly Remarkable Values. Various segments of the river corridor are suitable for different intensities of visitor use. Based on the facilities available, the resources present within the segment, the sensitivity of the resources to visitor experience conditions, park managers would not have the best information on whether the level of visitor use was adversely impacting the Outstandingly Remarkable Values (Hof and Lime 1997). An aggregate figure would also mask problems at hot spots and would not provide managers with useful guidance for addressing use-related problems. The use of a corridorwide limit, when combined with a VERP monitoring program, would still not provide the management benefits associated with limits by segment.

A corridorwide limit without VERP was rejected prior to full analysis in this SEIS because it would not meet the purpose and need of providing a user capacity system that allows for effective protection and enhancement of the Outstandingly Remarkable Values. A corridorwide daily limit with VERP was not carried forward because there are other similar alternatives that achieve the same effect with more environmental benefits.

New Alternatives

Concern 220: The National Park Service should consider a new alternative called "ORV Protection and Walk Lightly and Enhance Enjoyment Alternative."

ALTERNATIVE NOT CONSIDERED: The ORV Protection and Walk Lightly and Enhance Enjoyment Alternative (this is a sketch)

This alternative will be developed through open public meetings, dialogues, and discussions and counsels with related Native American tribes and individuals, Yosemite lovers from all over, biologists, ecologists, historians, naturalists, hydrologists, wetlands experts, ethnologists, and so on, will be invited. No mitigation of destruction or degradation of Outstandingly Remarkable Values for development projects will be permitted. No votes will be taken. Dialogues and exchanges of experiences and goals for our children and grandchildren's experience of the Merced River's Outstandingly Remarkable Values will be developed that will be followed in the development of the plan. The standard will be that of the Great Law of the Iroquois Confederacy, "In our every deliberation, we must consider the impact of our decisions on the next seven generations."

** Based on the Outstandingly Remarkable Values of the Merced River in Yosemite National Park and in the El Portal District.*

** Based on the 1982 Federal Guidelines.*

** Based on the user capacity definition in the 1982 Federal Guidelines.*

The Wild and Scenic Rivers Interagency Guidelines (1982), defines user capacity as: "the quantity of recreation use which an area can sustain without adverse impact on the outstandingly remarkable values and free-flowing character of the river area, the quality of recreation experience, and public health and safety."

As stated in Section 10(a) of the Wild and Scenic Rivers Act (WSRA), the "primary emphasis shall be given to protecting [the River's] esthetic, scenic, historic, archaeologic, and scientific features." The Federal Guidelines go on to state that "each component will be managed to protect and enhance the values for which the river was designated, while providing for public recreation and resource uses which do not adversely impact or degrade those values." This is referred to as the nondegradation standard. WSRA then provides examples of possible River values such as scenery, recreation, fish and wildlife, geology, history, culture, and other similar values -- but the primary emphasis still rests with the esthetic, scenic, historic, archaeologic, and scientific features.

Document Baseline Resource Conditions and Monitoring Program: A recent (2002) technical assistance paper published by the Wild and Scenic Rivers Interagency Commission states as a management directive: "To achieve a nondegradation standard, the river-administering agency must document baseline resource conditions and monitor changes to these conditions." (Natural Resource Challenge Action Plan, 1999) Such a scientific base of information will locate and document the Merced River's Outstandingly Remarkable Values as well as the systems upon which they depend; the condition of those resources; any changes in condition over time; and actions needed to ensure preservation.

An aggressive Inventory and Monitoring Program will be developed and put in place first to provide information critical to the developing user capacity and the planning process.

An ecological restoration report was released by the Park in June of 2003 which included details of a workshop held in November of 2002. Some very honest random comments by workshop participants included:

"Have monitoring plan in place before start of restoration: 1. Need adequate baseline information; a) Monitor migration of in-stream woody material; b) Soil compaction bulk density measurements"

"S• park should collect reference data on existing conditions now for Tenaya and Merced, so have reference for future monitoring. Work on Tenaya Creek should be performed within first five years of project, so work can progress from upstream through downstream areas."

"S• noted that she doesn't feel it's possible to restore Valley to pre-Euro American contact because of the extent to which the landscape has changed"

"Don't want to keep doing what we've been doing just in case we are going on the wrong path"

"Experiment with small plots in every area. Monitor over 1 year and then proceed with area that does best"

Such comments clearly imply that baseline information on condition of resources as well as a monitoring program are lacking now and thus will be developed.

At a Yosemite meeting last year, Chief of Natural Resources and Science Dr. Niki Nicholas revealed that the reason these studies were so important was that the park has "no baseline information;" that in order to proceed with restoration, her staff needs "a place to start." We applaud Dr. Nicholas' honesty and her efforts to begin the process of gathering baseline data.

Yosemite National Park will apply the nondegradation standard mandated in WSRA.

Outstandingly Remarkable Values: These are the basis of this Alternative. The foundation of this Alternative is the protection of the Outstandingly Remarkable Values. The Outstandingly Remarkable Values will be identified as to what, where, when, and how. The systems that each ORV depend on for their existence, health, and continuance will be identified. Clear and understandable Indicators and Standards for each ORV will be identified. The Outstandingly Remarkable Values will be adequately monitored and a report of their condition will be put out to the public each year from the appropriate scientists, historians and experts in the field. A user capacity will be determined based on protection of the Outstandingly Remarkable Values with the primary emphasis for protection given to protecting the River's esthetic, scenic, historic, archaeologic, and scientific features."

Under this Alternative, all plans and projects in place, ongoing, and planned for the future in the Yosemite Valley Plan and dependent upon or related to the Outstandingly Remarkable Values including the systems they depend upon (such as the larger ecological context and the streams, waterfalls, tributaries, and meadows that feed into them or that they feed into), and/or the Merced River will be immediately halted as they were not developed under a valid MRP and user capacity under the 1982 definition has not yet been determined. Recognizing the importance of Outstandingly Remarkable Values, the WSRA Interagency Commission (2002) provided another management directive: "Thoroughly define the Outstandingly Remarkable Values to guide future management actions and to serve as the baseline for monitoring."

Maps: This Alternative will include maps of the locations of all the Outstandingly Remarkable Values so far identified, the seasons they are located in Yosemite and El Portal and where, all Fed, State, and Park T & E & SC & rare Park species, and all other ORV species, all the systems (ecological, hydrological, geological, etc) that they are dependent upon for their continuing existence and health, a wetland map which will be updated every three years, a meadow map, the habitat for T & E & SC & rare Park species that have been extripated from the Park (but could one day be restored such as red legged frog -- not merely the areas identified as critical habitat by USFW, but also areas that are still viable habitat that exist in Yosemite and El Portal), scenic view Outstandingly Remarkable Values from the river and looking at the river, geological Outstandingly Remarkable Values, etc.

In addition, a discussion of aesthetic considerations will be included, with the understanding that no human made structure can improve on a natural landscape; and that modern human made structures always have the potential to further distance humans from their connection with the natural environment, no matter how esthetically pleasing they may be in themselves. All this, of course, will be as appropriate to each ORV and will be incorporated as ORV standards.

Types of and Nature of Visitor Enjoyment and Use: According to the 1982 WSRA Guidelines, management plans must state the kinds and amounts of public use which the river area can sustain without impact to the values for which it was designated. This plan will do so. And though specific management strategies will vary according to classification they will always be designed to protect and enhance the values of the river area. The very definition of user capacity mandates no adverse impact on the Outstandingly Remarkable Values no matter what the classification.

The types and visitor use will be related to the natural and cultural (in historic and native american terms, not the new YNP definition). That use will allow for low key, quiet experiences, which are the most powerful. This alternative will not rob visitors of their heritage or legacy for some superficial distraction concession. This alternative will protect the heritage and legacy of the Merced River's natural value Outstandingly Remarkable Values.

This alternative could allow more use as it would be based on Native American traditional gathering areas and materials will be respected and preserved. Native American gravesites will not be touched and will be treated with dignity -- no bathrooms will be built on top of them, no sewage pipes or other utilities will be run through them.

No concession amenity that does not already exist, and/or that was put in under invalid planning since 1990, will not be allowed.

For profit raft rental facilities, RV hook-ups along the river corridor, would not be allowed under this Alternative, as they degrade Outstandingly Remarkable Values. Individual's bringing their own rafts, would probably not, as concessionare rafting involves large amounts of disbarking and embarking at the same place at the same time and involves concession vehicles picking up and dropping of rafters in locations that disturbs the quiet enjoyment of other visitors eg at Sentinel Beach.

The Native American perspective of cultural resources contrasts with the generalized EuroAmerican view as presented by state/federal law and pursued in academia (adapted from SOR, 1995). The Native American perspective is characterized by a broad, holistic view which treats virtually all elements and features of nature as cultural resources; while the EuroAmerican perspective defines cultural resources as finite, unique, non-renewable examples of past human lifestyles, emphasizing scientific identification and evaluation of physical sites and artifacts (USACE, 1996). In determining Outstandingly Remarkable Values and their protection, this perspective will be weighted heavily.

Impacts of new construction, new visitor facilities, restoration of facilities, new areas of pavement or bulldozing, and the definition of "maintenance" will be carefully studied for their potential present and future impacts to Outstandingly Remarkable Values. No new impacts to Outstandingly Remarkable Values will be allowed. There is much that can be done in terms of necessary maintenance and restoration without impacts to Outstandingly Remarkable Values and that is the mandate of the WSRA.

The El Portal area's Outstandingly Remarkable Values and systems upon which they depend for their continuing existence in their present extent and conditions will be carefully surveyed, studied and mapped in order to identify and protect them, not in order to document their destruction so new development can take place."
(Conservation Organization, Yosemite, CA, Comment #111-71)

Response: The user capacity element of each of the action alternatives considered in this document provides for similar levels of environmental protection that meet the criteria outlined in the Wild and Scenic Rivers Act and the 1982 Secretarial Guidelines. In addition, the El Portal boundary element of each of the action alternatives all meet the requirements of the Wild and Scenic Rivers Act to protect and enhance the Outstandingly Remarkable Values of the Merced River in this segment.

As such, the National Park Service agrees with several of the issues raised by the commenter in this concern, and has incorporated many of them into the development of alternatives evaluated and analyzed in this document. For example:

- An open public process was central to the development of the alternatives considered in both the Draft and Final Revised Merced River Plan/SEIS. As discussed in Chapter VI of the document, the National Park Service conducted an intensive public involvement program that included direct consultation with American Indian groups and gateway communities. This effort began with a public scoping process and will continue through to the issuance of the Record of Decision.

- Each of the action alternatives carried forward for analysis in this document provides a user capacity program that will protect and enhance the Outstandingly Remarkable Values of the Merced River in a manner consistent with the requirements of the Wild and Scenic Rivers Act and the 1982 Secretarial Guidelines, including adherence to the non-degradation standard called for under the Wild and Scenic Rivers Act.

- The Revised Merced River Plan/SEIS has been developed using relevant and available data from many natural, cultural, social, and other studies, which serve as baseline information. These studies are referenced in the plan, can be found in the bibliography, and are available upon request. The National Park Service has begun collecting additional baseline data and is

conducting resource monitoring associated with the park's VERP program. This information will supplement the existing data and information and will further support the park's VERP program in a manner that is consistent with the Wild and Scenic Rivers Act's protection and enhancement mandate. The National Park Service considers this information and data to be fully sufficient from which to determine if previously approved or future actions will or will not affect the Merced River's Outstandingly Remarkable Values.

- The VERP program has developed and incorporated a specific indicator and measurable standard related the number of people recreating on the river (which includes both concessioner and private rafting) that will address crowding and serve to protect the health of the river, particularly in Yosemite Valley.

- The user capacity program does not restrict American Indians who are culturally associated with the lands in Yosemite National Park and/or the El Portal Administrative Site and who access lands to gather traditional resources and conduct traditional cultural practices for the purposes of retaining their cultural heritage. In addition, the VERP program also has developed and incorporated a specific indicator and measurable standard focused on extent/magnitude of three traditionally used plant species that will reflect the health of traditionally used resources and help protect cultural and biological ORVs.

- In response to public comment, Alternative 2 - the environmentally preferable alternative, identified the Draft Revised Merced Rive Plan/SEIS has been revised in the Final Revised Merced River Plan/SEIS as it relates to the corridor boundary and management zone prescriptions for the El Portal segment. In this segment, the National Park has adopted a quarter-mile boundary on either side of the river with more protective management zone prescriptions.

Over the course of a large project such as this, the park receives a wide range of public comments that reflect a wide range of issues, ideas and opinions. The park's planning team considers all of them during the public involvement process, as the park determines the most appropriate balance between resource protection and visitor experience for the Merced River corridor in a manner consistent with the Wild and Scenic Rivers Act.

Cumulative Effects Analysis

Concern 152: The Revised Merced River Plan should be revised to more rigorously analyze the cumulative impacts of numerous Yosemite Valley Plan and related projects within the Merced River corridor.

"The cumulative impacts need more rigorous collective analysis. California Environmental Quality (CEQ) regulations define a cumulative impact as the impact on the environment which results from incremental impact of the action when added to (emphasis added) other past, present and reasonably foreseeable futures. CEQ also refers to "collective" analysis. The purpose of this requirement is for the decision maker and public to consider the collective effects of foreseeable multiple events. In the Environmental Consequences and in Appendix F of the SEIS, you list independently each foreseeable project and discuss their impacts...There is no presentation and rigorous analyses of the collective effects of the projects you list. You provide individual description but no collective synthesis or analysis."
(Individual, Fort Collins, CO, Comment #73-31)

"It is also unfortunate and I believe illegal that NPS does not disclose adequately, or oftentimes at all, the significant and cumulative impacts of the National Park Service projects that have already taken place, are taking place, and are planned to take place. The Yosemite Valley Plan is filled with such projects. (See D. R. MRP, Appendix F)"
(Individual, Comment #93-10)

"Cumulative Impacts are not adequately disclosed: NEPA requires a thorough discussion of the impacts of projects which will, measured together, have a cumulative effect on the Merced River corridor The D. R. MPR is woefully inadequate in its disclosure of cumulative impacts of past, present and future projects on the Merced River Corridor's Outstandingly Remarkable Values and River processes. The following is not intended as an exhaustive list of our concerns and objection. Rather we offer them to illustrate what we find to be, overall, a complete failure of the document to adequately disclose cumulative impacts."
(Conservation Organization, Yosemite, CA, Comment #111-18)

Response: The Council on Environmental Quality's (CEQ) regulations for implementing the National Environmental Policy Act (NEPA) defines cumulative effects as "the impact on the environment which results from the incremental impact of the *action* when added to other past, present and foreseeable actions.

Methods and procedures the park follows for addressing cumulative impacts are found in the 1997 publication by the CEQ entitled "Considering Cumulative Effects under the National Environmental Policy Act." This Final Revised Merced River Plan/SEIS includes a description of cumulative actions in Appendix E. Chapter V: Environmental Consequences presents a discussion of the synergistic effects of those cumulative actions presented in Appendix E, with each of the effects of each action alternative proposed in the Final Revised Merced River Plan/SEIS.

Concern 270: The National Park Service should disclose how many "no significant impacts" add up to a cumulative effect.

"Viewed this plan, the Valley Plan or other plans disclose or admit significant impact, for example appendix F. Impact that's have already degraded and impacts that will degrade. How many no significant impacts, after no significant impacts, finally add up to cumulative impacts? I'd like the park service to address this."
(Individual, Cupertino, CA, Comment #103-4)

"Neither this plan, the YVP, nor other Yosemite National Park plans disclose or admit significant impacts (e.g. Appendix F) -- impacts that have already degraded and/or impacts that will. How many "no significant impacts" after "no significant impacts" finally add up to cumulative impacts? Do they ever, if they take place in Yosemite National Park-- well, it appears not on paper -- but there is the world of feather and leaf, and in the world of feather and leaf they do. The NPS is ignoring these significant and cumulative impacts, but this does not make them go away."
(Conservation Organization, Yosemite, CA, Comment #111-50)

Response: The National Park Service defines a detailed set of methods and procedures for determining the significance of an impact in terms of its context, intensity, duration, and type associated with projects requiring an Environmental Assessment or Environmental Impact Statement. These methods are consistent with the requirements of the Council on Environmental

Quality's (CEQ) guidelines and National Park Service Director's Order #12. The methods and procedures for determining impacts can be found at the beginning of the Chapter V, Environmental Consequences. This methodology is then used by technical specialists in the analysis of environmental impacts. Methods and procedures the park follows for addressing cumulative impacts are found in the 1997 publication by the CEQ entitled "Considering Cumulative Effects Under the National Environmental Policy Act."

Concern 284: The National Park Service should avoid adverse impacts even when paired with beneficial impacts to show a "net gain."

"While the NPS has disclosed some adverse impacts (although not all of them, nor the true extent of them), in the YVP, the text presents them alongside "beneficial" impacts to show a "net" gain. There are no tradeoffs or mitigation in protecting Outstandingly Remarkable Values and the systems upon which the Outstandingly Remarkable Values depend. NPS tries to claim a "net" gain as being positive and hence claim no impairment under their convoluted rules."
(Conservation Organization, Yosemite, CA, Comment #111-114)

Response: For any large program, particularly one multi-faceted as presented in this document, there are always elements that result in varying impacts. The park exercises its professional judgement when identifying the overall impacts of a proposed action.

Concern 153: The Revised Merced River Plan should include increasing recreation visitation as a reasonably foreseeable event in the cumulative impacts discussion.

"The most significant foreseeable event within the plan's time frame is increasing recreation visitation. Assuming a 4% increase in annual visitation, you will go from 3.6 million visitors in 2003 to 5.5 million visitors in ten years. My point is that increasing recreation demand is a future action that should be considered in your analysis of cumulative impacts."
(Individual, Fort Collins, CO, Comment #73-32)

Response: The document discusses Visitor Populations in Chapter IV, Affected Environment. Included are sections devoted to visitor population characteristics, visitor trip characteristics, park visitation trends, length of stay, and regional lodging characteristics. The Final Revised Merced River Plan/SEIS also analyzes visitor population trends in Chapter V, including possible visitation increases that could occur under some alternatives. Although park attendance has generally declined since the mid-1990s (see Chapter II), park attendance could increases in the future under some alternatives. The flexibility inherent in the design of the VERP element along with other elements of the park's overall user capacity management program will help to ensure that the Merced River's Outstandingly Remarkable Values will be protected and enhanced in the future.

Park Resources

Concern 108: The National Park Service should protect air, water, soil, and lower noise levels by prohibiting less motorized traffic and limiting noisy and unclean watercrafts.

"We need to keep our parks' air and water & soil clean and lower the noise levels: i.e., less motorized traffic, limiting crafts to clean crafts, not noisy crafts, etc."
(Individual, Comment #6-1)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to correct the deficiencies in the original Merced River Plan/FEIS. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. Park regulations prohibit the use of motorized watercraft (such as boats with motors) on the Merced River, as only rafts and other flotation devises are permitted float specifies sections of the Merced River.

Concern 109: The National Park Service should protect resources and provide for appropriate land uses.

"[P]lease: Protect and enhance river-related natural resources, including channels, floodplains, alluvial fans, meadows, wetlands, and water quality. Protect and restore natural hydrological, geomorphic, and geologic processes. Provide appropriate land uses, keeping natural systems paramount (this should include biologic systems)."
(Individual, Sanger, CA, Comment #46-1)

Response: This comment is very much in keeping not only with the goals of this planning effort, but the overarching goals of the National Park Service. The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to intended to correct the deficiencies in the original Merced River Plan/FEIS. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Yet together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.

Concern 110: The National Park Service should continue to burn the Valley's meadows.

"[F]redrick [Law Olmsted] didn't approve of the Indian's burning of the valley's meadows, and I would."
(Individual, Truckee, CA, Comment #26-8)

Response: Prescribed burning programs in Yosemite National Park are included as part of the *Yosemite Fire Management Plan*. The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to intended to correct the deficiencies in the original Merced River Plan/FEIS. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. Based on the above, prescribed burning of Valley meadows is not within the scope of this document.

Concern 124: The National Park Service should fix Northside Drive and build a pedestrian zone that allows for drainage from the black oak woodland to the meadow.

"Fix the road-now-turned-bike path [Northside Drive] to allow drainage from the black oak woodland to the meadow, strengthening both."
(Individual, Oakdale, CA, Comment #59-3)

Response: This issue of repairing drainage along Yosemite Valley roads will be part of an upcoming planning effort known as the "Rehabilitation of the Yosemite Valley Loop Road." Following completion of an Environmental Assessment and the subsequent publication of a Finding of No Significant Impact (if applicable) for this effort, the project is anticipated to begin in 2006. This concern has been forwarded to the park's planning team assigned to this proposed project. Based on the above, this concern is not within the scope of this document.

Concern 330: The National Park Service should increase resource protection enforcement during peak visitation at the most popular areas.

"Increased enforcement especially during peak visitation and the most popular areas is a must – regarding feeding wildlife, meadow trampling, garbage, etc."
(Individual, Fresno, CA, Comment #128-9)

Response: Protecting Yosemite's natural and cultural resources is a part of the daily operation of the park. During peak periods, staffing is increased to further fulfill this mission. For example, in summer, wildlife management crews conduct nightly patrols in campgrounds and parking areas in order to educate visitors regarding proper food storage regulations. As part of the VERP program presented in this document, staff will monitor impacts related to visitors interaction with wildlife, trampling of meadows, and other impacts. As a result, management actions can be taken to address these impacts.

Conflicts Between Resources

Concern 111: The Revised Merced River Plan should place priority of resource protection over visitor experience.

"When a quality visitor experience conflicts with a significant resource protection issue there should be only one outcome, resource protection wins."
(Individual, El Dorado Hills, CA, Comment #27-13)

"With all due respect, VERP has it backwards. Resource Protection has to come first. If resources deteriorate, then attempting to monitor Visitor Experience becomes increasingly silly. When resources (the independent variable) dwindle to mere shadows of their former selves, visitor experience (a dependent variable) necessarily follows."
(Individual, Emerald City, CA, Comment #85-2)

Response: The National Park Service administers Yosemite National Park under a series of statutory authorities passed in the late 1800s and early 1900s that include the National Park Service Organic Act of 1916. These authorities mandate that the National Park Service protect and preserve the park's natural and cultural resources while providing for the public's enjoyment of the resources "in such a means as will leave them unimpaired for the enjoyment of future generations." The mission of the National Park Service calls for allowing public use of parks, but

not to the detriment of the values that make them unique. Similarly, the Wild and Scenic Rivers Act Section 10(a) calls for protection and enhancement of river values without limiting other uses to the extent that such uses do not adversely impact the values for which the river was designated.

Concern 297: The Revised Merced River Plan should strike a balance between resource protection and a positive visitor experience in Yosemite National Park.

"Plan Deficiencies Resource protection must be balanced with a positive visitor experience in Yosemite National Park. Environmental, cultural, historical, and economic resources must be considered for protection as well as the Outstandingly Remarkable Values of the Merced River."
(Federal Agency, Washington, DC, Comment #136-5)

Response: The National Park Service administers Yosemite National Park under a series of statutory authorities passed in the late 1800s and early 1900s that include the National Park Service Organic Act of 1916. These authorities mandate that the National Park Service protect and preserve the park's natural and cultural resources while providing for the public's enjoyment of the resources "in such a means as will leave them unimpaired for the enjoyment of future generations." The mission of the National Park Service calls for allowing public use of parks, but not to the detriment of the values that make them unique. Similarly, the Wild and Scenic Rivers Act Section 10(a) calls for protection and enhancement of river values without limiting other uses to the extent that such uses do not adversely impact the values for which the river was designated.

Ecosystem Processes

Concern 462: The National Park Service should consider new information in the Sierra Nevada Ecosystem Project Report about the biological importance of the El Portal area.

"[T]he El Portal portion of the Merced Wild and Scenic River corridor is more important biologically than understood years ago. See the 1996 SNEP Report… In El Portal between the Yosemite View Lodge and the confluence of Indian Creek there exists a section of the River with biologically and scenically valuable wetlands and riverbanks (far from the road) like nowhere else in the planning corridor."
(Individual, El Portal, CA, Comment #109-10)

Response: The National Park Service has adopted a quarter-mile river corridor for the El Portal segment of the river, similar to other river segments of the river in the park, and developed management zoning in this area that is designed to protect known resources. The park realizes the attributes of this area and is committed to protecting Outstandingly Remarkable Values in this corridor regardless of management zoning prescriptions. The Sierra Nevada Ecosystem Project report was used as a reference and is listed in Chapter IX, Bibliography.

Concern 77: The National Park Service should consider restoring the El Capitan Moraine to allow natural processes to prevail.

"Since the Merced River corridor is open for comment I want to request that the topic of restoring the natural dam at El Capitan Meadow be kept alive and not forgotten. The combination of River, Meadow, and El Cap may be our finest and surely well used resource. I believe the best luck for our buck in restoring and strengthening both river and meadow is to raise the water table to original or near original levels and allow natural processes to prevail."
(Individual, Oakdale, CA, Comment #59-1)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to correct the deficiencies in the original Merced River Plan/FEIS. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. Restoring the El Capitan Moraine is a specific action and is not within the scope of this document.

Concern 246: The National Park Service should conduct sound ecological upstream resource management practices to ensure a healthy downstream Wild and Scenic Merced River.

"The entire Yosemite Valley is one big part of the Merced Wild and Scenic River ecosystem. From the steep granite cliffs, to the gentle valley meadows, to the Merced River hiking trails, to the far east end of the valley, all this is the Merced River Ecosystem. Thus, sound ecological upstream resource management practices can ensure a healthy downstream Wild and Scenic Merced River with excellent examples of "outstandingly remarkable values.""
(Individual, Comment #70-1)

Response: The National Park Service agrees with this concern and recognizes the importance of its role as the managing agency of 81 out of the Merced Wild and Scenic River's 122 miles. The Revised Merced River Plan/SEIS will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.

Concern 339: The National Park Service should allow cut trees to rot in place rather than allowing visitors to remove them.

"Visitors should not be allowed to remove cut trees from the Park. These need to decay in the park and to benefit wildlife."
(Individual, Fresno, CA, Comment #128-20)

Response: It is not the policy of the National Park Service to allow visitors to remove downed trees or stumps. This document and the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. As a result, this public concern is not within the scope of this document.

Concern 240: The National Park Service should mitigate habitat degradation in Yosemite Valley to increase native wildlife in order to enhance the visitor experience.

"Further in my Visitor Expectations I would hope to see more indigenous animals of the valley, like reptiles and Grizzly bear. I see few snakes in general and believe many species are extinct from Yosemite Valley because of the trampling of ground over time by the multitudes of visitors."
(Individual, Mariposa, CA, Comment #87-5)

Response: The National Park Service appreciates this concern and recognizes the importance of native wildlife as a means of enhancing the visitor experience. The Revised Merced River Plan/SEIS is intended to correct the deficiencies in the original Merced River Plan/FEIS. The

document and the original Merced River Plan will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. The plan contains elements designed to protect and enhance habitat for native wildlife.

Concern 442: The Revised Merced River Plan should comprehensively address the issue of user capacity throughout the whole Valley.

"The revised CMP does not comprehensively address the issue of "user capacities" throughout the Valley. Population impacts valley-wide will affect the Merced River's ecosystem, and the NPS is obligated to identify and disclose those impacts."
(County Agency, Groveland, CA, Comment #140-3)

Response: This plan it is recognized that the river corridor in Yosemite Valley comprises most of the Valley floor, and that visitors to the Valley frequently move in and out of the corridor in this segment as part of daily visitor use patterns. Therefore, the User Capacity Management Program has been designed to address the Valley --and other developed areas such as Wawona--as a whole, rather than strictly by the river boundary.

Water Resources

Concern 114: The National Park Service should protect the Merced River.

"Under the heading of "how I use the River etc." I love the river. I like to sit by the river and just watch it. I like to hear it play its symphony at night in that quiet before sleep. After or during a hike, I like to dangle my feet in it, first the toes, then the heel, then the whole foot and feel that surge of cold that revitalizes and nourishes not only my feet but my spirit. The river provides energy to the viewer, life to the fish, sustenance to the fowl, music to the listener, and in days of yore water to the thirsty. The river is worthy of being protected."
(Individual, Comment # 3-12)

Response: The National Park Service agrees with this concern and is further mandated by the Wild and Scenic Rivers Act to protect and enhance Outstandingly Remarkable Values of the Merced Wild and Scenic River.

Concern 161: The National Park Service should reassess the potential impacts of herbicides and a cell tower in El Portal on river health.

"Will NPS assess proposed actions in the river corridor, such as applying herbicides to control non-native plants and installing a cell tower in El Portal, for their potential impacts on river health and scenic qualities?"
(Individual, Comment #81-6)

Response: This concern addresses specific projects that are outside of the scope of this programmatic plan. The application of herbicides will be one of the subjects addressed in Yosemite's upcoming Parkwide Invasive Plant Management Plan, currently being developed. Any future activities in the Merced River corridor must follow the management guidance established in the Merced River Plan, as amended.

Concern 1: The Revised Merced River Plan should specify how close the contaminated sites (from the underground tanks and abandoned landfills, III-22) are to the Merced River and how these are going to be addressed.

"According to the document, over 100 underground tanks have been located and removed. The park has over 30 known contamination sites form leaking underground storage tanks, and currently 12 sites being cleaned up. I wonder how the rest of contamination sites would be taking care of. I would like to know how close those sites are located in or around the Scenic River. If you have those geographical data or resources, would you let me know ? Or would you let me know where I can find those resources?"
(Individual, Oakland, CA, Comment #1-1)

Response: This Revised Merced River Plan/SEIS is intended to correct the deficiencies in the original Merced River Plan/FEIS. This document along with the original Merced River Plan is a programmatic plan that does not dictate any specific actions. Existing contaminated sites in the river corridor will be evaluated and properly remediated consistent with state and federal regulations. In addition, closure activities would have to be consistent with the elements of the Merced River Plan.

Concern 307: The National Park Service should eliminate its use of asphalt concrete anywhere in the Merced River floodplain due to its toxicity and its adverse impacts on aquatic biota.

"The toxicity of asphalt, especially fresh asphalt pavement, and the impacts of poly aeromatic hydrocarbons (PAHs) and other petroleum ingredients on adjacent aquatic ecosystems may have been little studied, but considerable is known within the National Park Service (NPS). The placement of asphalt concrete anywhere in the Merced River flood plain needs to be questioned; especially close to the river. The effects of these toxins have not been evaluated in the DRMRP. PAHs have been found to pollute alpine lakes: How much more likely are they and other petroleum chemical species to impact the Merced River biota when used in Yosemite Valley within the 1/4 mile river corridor."
(Individual, Merced, CA, Comment #117-5)

Response: Asphalt is used in the river corridor only where necessary to help comply with the American Disabilities Act (ADA) requirements, help suppress and control vehicle-generated dust, and along major roadways such as Northside and Southside Drives in Yosemite Valley. In addition, as part of the VERP program, a water quality standard and indicator has been developed that includes monitoring for levels of petroleum hydrocarbons as a means to help ensure that river water quality, a component of the hydrologic processes Outstandingly Remarkable Value in many river segments, is being adequately protected.

Concern 338: The National Park Service should play an active role in restoring Hetch Hetchy.

"Bring Hetch Hetchy back. The National Park playing an active role to restore Hetch Hetchy would decrease over crowding in Yosemite Valley and extend the habitat for wild plants and wildlife and reduce traffic congestion."
(Individual, Fresno, CA, Comment #128-17)

Response: The effort to restore Hetch Hetchy Valley is not within the scope of this planning effort.

Concern 318: The National Park Service should put in place a plan to restore river banks to more natural conditions, especially in El Portal.

"Finally, we renew our request that the Merced River Plan put in place a plan or process to restore river banks to more natural conditions and subject to natural river processes. The El Portal segment has been heavily impacted by bank protection projects, which we believe may not be necessary or sustainable in the long term."
(Conservation Organization, Sacramento, CA, Comment #116-8)

Response: Ecological restoration in Yosemite National Park is part of the day-to-day operation of the park's Division of Resources Management and Science. The National Park Service has a commitment to restore natural conditions when possible, as demonstrated by the many past, present and planned restoration projects. These efforts not only protect and enhance the river's Outstandingly Remarkable Values, but preserves the rivers free-flowing condition. However, the Revised Merced River Plan is a programmatic plan that will guide future planning efforts and does not dictate any specific action. It is a working manual for guiding decisions relating to land use and activities in the river corridor. More specifically, the Revised Merced River Plan was directed by the court to address the El Portal boundary and a user capacity program for the Merced Wild and Scenic River.

Concern 319: The Revised Merced River Plan should address how the National Park Service will mitigate the aesthetic impacts of bank stabilization within the El Portal segment.

"[S]ome of the aesthetic impacts of these projects are mitigable and plans for their mitigation should be addressed in the river plan.10"
(Conservation Organization, Sacramento, CA, Comment #116-9)

Response: Future bank stabilization projects by the National Park Service in the El Portal segment of the Merced River corridor will address aesthetic impacts to resources. However, the Revised Merced River Plan is a programmatic plan that will guide future planning efforts and does not dictate any specific action. It is a working manual for guiding decisions relating to land use and activities in the river corridor.

Concern 354: The National Park Service should manage Yosemite Valley as part of the larger Merced River watershed and evaluate the cumulative effects of each project on the watershed.

"Yosemite Valley is a watershed. The Merced River is the core of that watershed and is affected by the numerous projects and impacts from EVERY tributary (including Yosemite Falls/Yosemite Creek) in the watershed. Nationwide, it well known that watersheds need to be looked at holistically and not in pieces, which is how Yosemite has reviewed each project. This is wrong and goes against established watershed science, preservation and restoration principles, and scientifically-established best practices."
(Individual, San Francisco, CA, Comment #121-8)

Response: All projects being considered in the Merced River watershed will undergo the appropriate level of National Environmental Policy Act (NEPA) compliance and public involvement, including the consideration and evaluation of cumulative effects, consistent with NEPA and National Park Service Director's Order #12.

Wetlands

Concern 282: The Revised Merced River Plan should include complete wetlands maps of El Portal for public review.

"The wetlands maps for El Portal are not complete (and were not included in this plan) and may not even be up-to-date. Rather than accurately mapping these significant wetlands NPS is relying on an amalgamation of data collected over the past 20 years; ongoing research and resource protection studies mean little if there is no current baseline Merced River Canyon data available for resource managers or the public."
(Conservation Organization, Yosemite, CA, Comment #111-110)

Response: The preferred alternative of this document (Alternative 2) has adopted a quarter-mile river corridor for the El Portal segment of the river, similar to other river segments of the river in the park, and developed management zoning in this area that is designed to protect known resources. Park managers realize the attributes of this area and are committed to protecting Outstandingly Remarkable Values in this corridor, including wetlands, regardless of management zoning prescriptions. This plan is a programmatic document, and as such does not propose specific projects. Any project being considered for El Portal will undergo the appropriate level of National Environmental Policy Act (NEPA) compliance and public involvement, including the consideration and evaluation of wetlands, consistent with NEPA and National Park Service Director's Order #12.

Wetland maps of El Portal were presented to all participants at the El Portal Town Planning and Advisory Council meeting conducted as part of the public involvement process associated with this planning effort. All reference materials used in the preparation of this document are available to members of the public upon request.

Vegetation (not rare, threatened, nor endangered)

Concern 232: The National Park Service should avoid zoning rare Yosemite oak woodlands to allow for development.

"Zoning of the rare Yosemite oak woodlands to allow lodging, campgrounds, or other development should be avoided."
(Conservation Organization, Oakland, CA, Comment #75-7)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to correct the deficiencies in the original Merced River Plan/FEIS. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. Management zone prescriptions are only being addressed in the El Portal segment of the Merced Wild and Scenic River corridor and more protective zoning has been placed in sensitive resource areas.

Concern 334: The National Park Service should replant and restore natural vegetation where there are social trails.

"Replant to restore natural vegetation where there are social trails and boardwalk, or close off instead."
(Individual, Fresno, CA, Comment #128-13)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to correct the deficiencies in the original Merced River Plan/FEIS. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. Yosemite's VERP program includes a measurable standard and indicator that specifically relates to social trails, and park management will take appropriate management actions (see list of potential management actions in Chapter II) in order to properly protect and enhance the river's Outstandingly Remarkable Values.

Concern 233: The National Park Service should protect meadow health and native oak habitat.

"Care must be taken in the protection of the Merced River not to overlook the impact of infringing on the native oak habitat."
(Conservation Organization, Oakland, CA, Comment #75-5)

"Any future Yosemite Plan should avoid endangering meadow health and immediate plans should be undertaken to correct current problems. No River Plan should be approved without completely addressing this issue."
(Conservation Organization, Oakland, CA, Comment #75-8)

Response: The National Park Service agrees with this concern and has identified through the VERP program a specific indicator and measurable standard specifically related to the extent of social trails in meadows. Though a specific indicator for oak habitat has not yet been defined, the National Park Service has the ability to refine existing indicators or develop new indicators. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.

Exotic Species

Concern 113: The National Park Service should only remove non-native plant species if they are negatively impacting the river or flora and fauna.

"As for the PLANT ELIMINATIONS -- my theory is that some of these immigrants as I like to call these non-native species have been in the park forever and you should be VERY careful in determining which plants are undesirable. Just because they are non-native in my book is not reason enough to wipe them out. Good reasons for wiping them out are their impact on other species more desirable for river and flora and fauna, not just because they are non- native. After all the most non-native thing on the planet is the human being even though you might like to wipe some of us out. This will take some expert planning."
(Individual, Comment #3-7)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to correct the deficiencies in the original Merced River Plan/FEIS.

However, the National Park Service's invasive plant eradication program is targeted at non-native plants that are in fact harming native flora and fauna. Plants such as yellow star thistle and Himalayan blackberry are extremely aggressive invaders that compete with native species for water and soil resources, and eventually crown out some native species. An in-depth Invasive Plant Management Plan is currently under development, which will more clearly define Yosemite's methods for non-native plant eradication.

Concern 274: The National Park Service should adequately evaluate the effects of ground disturbance and the introduction of invasive species associated with park projects.

"The best method of preventing new populations of invasive plants from establishing in Yosemite is to halt the ground disturbing development projects. If Yosemite National Park does not come to terms with the fact that bringing in bulldozers, construction equipment, vehicles from other construction sites, construction workers boots from other project areas, fill dirt from areas both outside Yosemite National Park and from sites within the Park already contaminated with invasive exotics, and digging into the Earth brings in invasives and creates the disturbed ground in which they flourish; then prevention of new populations of invasive plants establishing themselves in Yosemite will not happen -- continued multiplication of additional species and additional concentrations of invasive exotics will be imported, will spread, and will take hold."
(Conservation Organization, Yosemite, CA, Comment #111-104)

"Among the projects which we reference are those planned to be implemented or begun in 2005, as listed in Appendix F of the Draft Revised Merced River Plan (D. R. MRP): eg, the Curry Village and East Yosemite Valley Campgrounds Improvements (including disturbing new areas for RV parking lots), El Portal Road Improvement Projects (Segment D), Northside-Southside Drive Repaving ("may require disturbance of some new areas"), Visitor Use and Floodplain Restoration Program (redisturbing disturbed lands and then digging up undisturbed areas elsewhere to replace a small amount of the campgrounds), Yosemite Lodge Area Redevelopment, Yosemite Village Interim Parking Improvements, Curry Village Employee Housing (27 new buildings in a previously undisturbed and undeveloped area), the commencement of Phase 1 of the E. Yosemite Valley Utilities Improvement Project (a major ground disturbing project which will result in digging up, trenching, and bulldozing substantial areas of E. Yosemite Valley."
(Conservation Organization, Yosemite, CA, Comment #111-105)

"The NPS has failed to adequately evaluate…the effect from project disturbance on creating additional amounts of and bringing in additional kinds of invasive plant species."
(Conservation Organization, Yosemite, CA, Comment #111-127)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to correct the deficiencies in the original Merced River Plan/FEIS. However, the National Park Service's invasive plant eradication program is targeted at non-native plants that are in fact harming native flora and fauna. Plants such as yellow star thistle and Himalayan blackberry are extremely aggressive invaders that compete with native species for water and soil resources, and eventually crown out some native species. An in-depth Invasive Plant Management Plan is currently under development, which will more clearly define Yosemite's methods for non-native plant eradication.

Concern 275: The National Park Service should evaluate the use of pesticides.

"NPS has failed to adequately evaluate the use of pesticides."
(Conservation Organization, Yosemite, CA, Comment #111-58)

"FoYV has recently learned that Mariposa County and the Mariposa Unified School District regularly applies herbicides (e.g. Roundup Pro Herbicide EPA #524-475 Active Ingredient Glyphosate 41%) in El Portal in an attempt to control the yellow star thistle populations near the pool, library, high school, and elementary school. There will probably be serious consequences found in the long run from using manufactured chemicals such as Roundup. We need to preserve our national parks and Wild and Scenic rivers as havens for all of us. Examples of possible consequences of these chemicals and more extensive discussion to follow at end of comments."
(Conservation Organization, Yosemite, CA, Comment #111-103)

"Some ENVIRONMENTAL FATE AND EFFECTS of commonly used pesticides. This one, Roundup is used in El Portal. For example: Glyphosate (is a candidate for evaluation as a toxic air contaminant by the California Department of Pesticide Regulation. Formaldehyde, one of glyphosate's breakdown products, is listed as a toxic air contaminant. (DPR 1994). Between 14% and 78% of glyphosate applied as a ground spray drifts off site (Freedman 1990, 1991). It has been documented to affect plants as far as 131 feet away, and residues have been detected 1,312 feet downwind (Marrs 1993; Yates 1978). Glyphosate is highly persistent in soil, taking from 24 to 249 days for one- half of it to transform or biodegrade (Lappe 1996). Glyphosate has been found in surface water as the result of agricultural run-off (Frank 1990; Edwards 1980) and in ground water (U.S.EPA 1992). Roundup is highly toxic to fish and aquatic organisms (Product label). Juvenile fish are particularly sensitive to the toxic effects of Roundup. Physical and chemical factors such as temperature, pH and solute concentration in aquatic ecosystems influence the acute toxicity of glyphosate to aquatic organisms (Caltrans 1991). Glyphosate was shown in one study to inhibit the growth of mycorrhizal fungi, organisms which are essential to ecosystems and enhance plant survival (Cummins 1991). " (A)http://www.trentu.ca/biology/berrill/Research/Roundup_Poster.htm (B) http://lists.sausalcreek.org/pipermail/fosc-sausalcreek.org/2005/000436.html (C) http://www.alternatives2toxics.org/round.htm"
(Conservation Organization, Yosemite, CA, Comment #111-115)

Response: The National Park Service has evaluated the use of pesticides for safety and necessity. Many problematic, non-native species cannot be effectively eradicated without the use of pesticides. In addition, the National Park Service requires that individuals responsible for pesticide application be trained in the safe use of such chemicals in order to minimize health and safety risks and to minimize their concentration and application to the greatest extent possible.

Human/Wildlife Conflicts

Concern 332: The National Park Service should remove the new picnic tables at the Yosemite Falls area, as the National Park Service is not currently able to deal with wildlife issues.

"Regarding the picnic tables newly placed in the Lower Yosemite Falls area, the National Park has not been able to manage wildlife food issues; that's why bears are put down every year. Remove these picnic tables once there is indication that it's not working in favor of wildlife and resource protection"
(Individual, Fresno, CA, Comment #128-11)

Response: The park's VERP program developed in response to the 2004 Court order includes a measurable standard and indicator that specifically relates to wildlife exposure to human food, and will take appropriate management actions (see list of potential management actions in Chapter II) in order to properly protect and enhance the river's biological Outstandingly Remarkable Value.

Concern 340: The National Park Service should make the sign advising against feeding wildlife at the South entrance more visible.

"The Blue 'sign' at the South Entrance – the no feeding bear sign can hardly be seen."
(Individual, Fresno, CA, Comment #128-21)

Response: The park's VERP program developed in response to the 2004 Court Order includes a measurable standard and indicator that specifically relates to wildlife exposure to human food,

and will take appropriate management actions (see list of potential management actions in Chapter II) in order to properly protect and enhance the river's biological Outstandingly Remarkable Value.

Concern 386: The National Park Service should recognize that feeding wildlife in Yosemite National Park is a huge issue.

"Feeding wildlife, of course is a huge issue. The park cannot manage the problem with visitors and bears and squirrels, birds being fed now the way it stands currently. Why do they want to increase the problem by putting picnic tables where you don't have them already? One of the excuses I get is that you have people eating there and throwing garbage and congregating there, and having picnics as it is, so why not put tables? Why do you want to enforce incorrect behavior? I've written about this and the response I've gotten is that we're going to put in bear-proof containers and we're going to have enforcement monitor it. You're not doing that now, where it exists."
(Individual, Fresno, CA, Comment #97-2)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to correct the deficiencies in the original Merced River Plan/FEIS. However, the park recognizes that feeding wildlife in Yosemite National Park is an ongoing concern, and visitors are routinely informed of this along with measures to help curtail this activity. As part of developing the user capacity management program for the river corridor, the park has specifically developed an indicator "wildlife exposure to human food" to address this issue. The overall goal of this indicator and its related standard is to achieve a 5% reduction in feeding wildlife, food left unattended, overflowing trash cans or dumpsters, and food debris annually, and evaluating its success using a 5-year running average. More information regarding this indicator and standard, along with potential management actions that could be implemented to help achieve this goal is presented in Chapter II of this document.

Concern 461: The National Park Service should review carrying capacity in order to increase the viability of the redneck, gopher, and rattlesnakes.

"I feel the redneck gopher and rattle snakes are non-existent or reduced to an un-viable number in Yosemite Valley and are a Resource Experience that needs Protection with a carrying capacity."
(Individual, Mariposa, CA, Comment #87-6).

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to correct the deficiencies in the original Merced River Plan/FEIS. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. The park's VERP program includes measurable standards and indicators that are specifically focused on biological resources in the river corridor, and will take appropriate management actions (see list of potential management actions in Chapter II) in order

to properly protect and enhance the river's biological Outstandingly Remarkable Value, which include snakes.

Rare, Threatened, and Endangered Species

Concern 283: The Revised Merced River Plan should clarify that the National Park Service has identified and mapped the locations of elderberry shrubs and valley elderberry long horned beetle in El Portal.

"The Valley elderberry longhorn beetle (VELB) has been identified as occurring in El Portal. This specie relies on its host, elderberry shrubs, found in and around El Portal along the Merced River. It is not clear from this plan if the NPS has identified and mapped the location of all the elderberry shrubs and the presence of VELB in the El Portal Administrative Site; therefore, how can this endangered specie be adequately protected? (See Appendix E-1)"
(Conservation Organization, Yosemite, CA, Comment #111-129)

Response: Park staff has identified areas in the El Portal Administrative Site where known locations of elderberry shrubs and the valley elderberry long-horned beetle are known to exist, and their locations have been taken into consideration with respect to determining river corridor boundaries and management zone prescriptions.

Concern 46: The Revised Merced River Plan should utilize the Sierra Nevada Network and Inventory Monitoring Plan for distribution and abundance data for at-risk species.

"Some distribution and abundance data for these and other at-risk species may already be available as a result of the National Park Service Sierra Nevada Network Inventory and Monitoring Plan. The Inventory and Monitoring Plan, and information that it has generated, should be utilized as part of the Merced Wild and Scenic River Plan."
(Conservation Organization, Twain Harte, CA, Comment #29-4)

Response: The National Park Service acknowledges this concern. Information from this program, to the extent applicable, is but one source of information available to the park for consideration in managing natural resources.

Air Quality

Concern 440: The National Park Service should better address air quality concerns.

"[A]ir quality continues to be a neglected area of concern."
(County Agency, Groveland, CA, Comment #140-2)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to correct the deficiencies in the original Merced River Plan/FEIS.

Air quality in the river corridor is influenced by both regional and local sources. To help minimize adverse affects to local air quality in the river corridor, the park has recently acquired a new fleet of hybrid diesel-electric busses for use as in-valley shuttle buses. These new state-of-the-art busses are substantially quieter, more fuel-efficient, and far less polluting than their predecessors,

standard diesel buses. In addition, the original Merced River Plan/FEIS identifies measures that the National park Service could undertake to remedy local construction-related emissions that might occur under the Merced River Plan. These measures are referred to as best management practices, which generally include but are not limited to the following: watering of construction areas; covering trucks hauling materials that could spill onto local roadways; covering stockpiles; limiting vehicle speeds in unpaved areas; installing erosion control measures; and timely revegetation.

Concern 79: The National Park Service should recognize that local air quality affects the Merced River.

"One thing that's come up in the past is looking at air quality. Things in the air eventually hit the water."
(Individual, Oakland, CA, Comment #38-2)

"The DMRCMP contemplates an inadequate limitation of wood burning in campfires and in concession lodgings (p. III-56), an inadequate discussion of mortality from ozone (p. III-57) - see JAMA 2004; 292:2311. Vol. 292 No. 19, November 17, 2004, and with reference to both of the above and more generally, fails to adequately mitigate local emission sources made more significant by the fact that the San Joaquin Valley Air Pollution Control District has adopted the most extreme nonattainment status and during periods when management fires or wildfires are affecting air quality."
(Individual, Fremont, CA, Comment #51-12)

Response: Air quality in the river corridor is overwhelming influenced by sources from outside the river corridor, and in many instances from sources outside the park. Though air quality is not directly monitored through the VERP program, the National Park Service does monitor air quality through an independent monitoring program. Because air quality has not been identified as one of the river's Outstandingly Remarkable Values, issues related to air quality will be evaluated on a case-by-case basis in future project implementation plans.

Concern 126: The Revised Merced River Plan should recommend early adoption of the California Air Resource Board's Public Agency Rule.

"The DMRCMP does not recommend early adoption of the California Air Resource Board to be implemented approximately from 2007 to 2011 to further control and limit emissions from non-urban buses operated by public agencies (Public Agency Rule.)"
(Individual, Fremont, CA, Comment #51-18)

Response: The National Park Service is committed to maintaining high standards of clean air quality. However, the Revised Merced River Plan is a programmatic plan that will guide future planning efforts and does not dictate any specific action. It is a working manual for guiding decisions relating to land use and activities in the river corridor.

Concern 127: The National Park Service should re-evaluate emissions requirements for the new hybrid diesel-electric buses and commercial buses entering the park.

"The new hybrid diesel-electric buses will not have Closed Crankcase Filtration installed and will not save much fuel compared with standard diesel buses. The Categorical Exclusion authorizing the acquisition of these buses was not made public timely. Commercial buses operating in the park will not be required to be equipped with particulate traps, to be fueled with ultra-low sulfur diesel fuel or be cited for excessive idling as a result of this plan, nor have they been cited for doing so in the past to my knowledge."
(Individual, Fremont, CA, Comment #51-19)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts that does not dictate any specific action. It is a working manual for guiding decisions relating to land use and activities in the river corridor. More specifically, the Revised Merced River Plan was directed by the court to address the El Portal boundary and a user capacity program.

Concern 128: The Revised Merced River Plan should use more stringent standards when setting the baseline for Air Quality.

"With reference to Yosemite's Class 1 airshed status where "the lowest or most stringent, increment (least extent of allowable air quality degradation) applies…", NPS relies too much on the state ozone SIP, the state PM-10 SIP and the state PM-2.5 SIP (see p. III-54, Table III-2: Air Basin Attainment/Nonattainment Designations and footnotes). For example, page III-59, Footnote 17a states that "data from IMPROVE monitoring stations do not comply with the new federal reference method for measuring PM2.5 and thus cannot be used for compliance purposes (e.g. in determining attainment or nonattainment)." Comparing Yosemite's visibility impairment to that of the Great Smoky Mountains National Park, the worst in the nation, is deceiving and misleading to the lay reader."
(Individual, Fremont, CA, Comment #51-20)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to correct the deficiencies in the original Merced River Plan/FEIS. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. Air quality in the river corridor is overwhelming influenced by sources outside the river corridor, and in many instances from sources outside the park. However, issues related to air quality will be evaluated in future project implementation plans.

The Sound Environment

Concern 227: The National Park Service should eliminate noise that disrupts the Outstandingly Remarkable Values and detracts from the beauty and visitor appreciation of Yosemite Valley.

"Eliminate noise as a major pollutant and disrupter of the Outstandingly Remarkable Values of Yosemite Valley. One small mechanical noise is sufficient to detract from the beauty and spiritual appreciation of this great temple "made without hands."
(Individual, Santa Rosa, CA, Comment #74-4)

Response: The National Park Service is dedicated to reducing noise levels in order to preserve the visitor experience. The park has recently acquired hybrid diesel-electric buses which are quieter than standard diesel buses. All future project implementation plans will be assessed for their potential impacts on many resources, including noise. However, the Revised Merced River Plan is a programmatic plan that will guide future planning efforts and does not dictate any specific action. It is a working manual for guiding decisions relating to land use and activities in the river corridor.

Concern 359: The National Park Service should assess noise levels when analyzing solitude in the wilderness.

"We believe the Park Service needs to look at a broader notion of solitude—including, for example, the tremendously disruptive impacts posed by noise from other visitors or by passing aircraft noted in the plan. Many wilderness climbers on the walls of Yosemite Valley find the constant noise from traffic, buses giving amplified talks and passing aircraft overhead to be far more serious impacts on wilderness solitude than seeing other climbers on a neighboring climbing route."
(Business, San Rafael, CA, Comment #112-12)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.. Assessing noise levels when analyzing solitude in wilderness will be one of the issues addressed in an upcoming revision to the park's Wilderness Management Plan.

Concern 221: The National Park Service should require better buses in the park, such as those that run on natural gas or electricity to improve the camping experience.

"[I} want to comment on the section regarding "Background Sound and Noise Levels," p. III-63. It mentions that "the greatest source of sound was the numerous buses . . . ." This problem is especially noticeable in the Upper and Lower River Campgrounds, making the camping experience most unnatural. These buses are supposed to eliminate the problems associated with traffic congestion, but their noise makes it seem as if we one is camping in the middle of a city. Please write into your plan that the buses must be quiet, such as those run on natural gas or electricity."
(Individual, Comment #80-1)

Response: The National Park Service is dedicated to reducing noise levels in order to preserve the visitor experience. The park has recently acquired a new fleet of hybrid diesel-electric buses for use in the in-valley shuttle system. These new state-of-the-art buses are substantially quieter and more fuel efficient than their predecessors, standard diesel buses. In addition, all future project implementation plans will be assessed for their potential impacts on many resources, including noise. However, the Revised Merced River Plan is a programmatic plan that will guide future planning efforts and does not dictate any specific action. It is a working manual for guiding decisions relating to land use and activities in the river corridor.

Scenic Resources – Visual Quality

Concern 243: The Revised Merced River Plan should include the whole of Yosemite Valley as a scenic Outstandingly Remarkable Value, including views from the Valley rim looking down as well as from the Valley floor looking up.

"The view of Yosemite Valley as a whole is an ORV.NATIONAL PARK SERVICE has used the specific viewsheds identified in the 1980 General Management to constrict the Scenic Outstandingly Remarkable Values to those particular views photographed or painted by certain artists. If those artists had spent additional time in Yosemite Valley, they would have photographed and painted additional views -- a whole lifetime would not suffice. While the Yosemite Valley Scenic ORV lists many magnificent views "from the river and its banks", THE VALLEY AS A WHOLE (as John Muir observed, "The Valley Comprehensively Seen") is an ORV. In addition, NATIONAL PARK SERVICE has gotten lost in a bureaucratic haze; a haze that obscures the fact that not only views standing in the Merced River corridor in Yosemite looking UP, but also views from above looking DOWN on the Merced River corridor from the top of the Valley walls -- the river, meadows, uplands, Valley walls -- is certainly an ORV. It is a complete understatement to say those views from above are a rare opportunity, to look down right over this particular U-shaped River Valley from vertical cliffs, hanging valleys, and rock faces 2000 - 3000 feet almost directly above."
(Conservation Organization, Yosemite, CA, Comment #111-119)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues.. The Scenic ORV for Yosemite Valley was established in the 2000 Merced River Plan, and was developed according to guidance provided by the Interagency Coordinating Council for Wild and Scenic Rivers. Namely, the scenic ORV for the Valley encompasses views of notable features from the river and its banks.

Cultural Resources

Concern 314: The National Park Service should diligently research, identify and protect all archeological and historic sites within the El Portal Administrative Site.

"The Council also urges the National Park Service to diligently research, identify, and protect all archeological and historical sites within the El Portal Administrative Area."
(Conservation Organization, Mariposa, CA, Comment #107-3)

Response: The National Park Service has inventoried the entire El Portal Administrative Site for archeological and historic sites. This included background research, surface surveys, recordation, mapping, and consultation with the State Historic Preservation Officer and affiliated American Indian Groups. El Portal is nominated for the National Register as an archeological district and some archeological sites have undergone more rigorous investigation such as excavation to determine whether or not the site is eligible for the National Register of Historic Places as a single property.

Prior to a future master plan or implementation projects conducted in El Portal, a comprehensive background research and inventory of the area in and around these project will be conducted. The National Park Service follows the 1999 Programmatic Agreement among the California State Historic Preservation Office, the Advisory Council on Historic Preservation and Yosemite National Park and the regulations of Section 106 of the National Historic Preservation Act which require that all cultural resources are inventoried and impacts of the project on cultural resources are assessed. The National Park Service consults with the State Historic Preservation Officer and affiliated American Indian groups in determining avoidance and mitigation measures for these resources. Additionally, most of the cultural resources within El Portal further benefit from the Wild and Scenic Rivers Act which requires that all Outstandingly Remarkable Values are protected and enhanced.

Concern 410: The Revised Merced River Plan should provide additional information in the final document regarding the archeological and traditional cultural resources within El Portal.

"While the preferred boundary alternative is more protective than the no action alternative, potential benefits and impacts, considering cumulative past impacts, should be considered when delineating and zoning the El Portal boundary."
(Conservation Organization, San Francisco, CA, Comment #125-4)

Response: The Revised Merced River Plan has discussed the known archeological resources in El Portal in detail to the greatest extent possible. The area has been fully surveyed for archeological resources and the overall number and types of resources are thoroughly discussed in the Affected Environment chapter.

By nature, traditional cultural resources in El Portal are not as easily delineated as archeological sites. Known traditional cultural resources have been included for protection as part of the cultural Outstandingly Remarkable Values determination and the subsequent boundary delineation. The National Park Service has consulted with American Indian groups regarding traditional cultural resources throughout the planning process for the Revised Merced River Plan. In addition, the National Park Service is currently working through a traditional cultural resource study to better inform future planning efforts. Potential master planning or new development in El Portal would undergo an environmental review process that will incorporate new data from the ongoing study.

The discussion of all cultural resources has been increased in the document since the original Merced River Plan. The National Park Service is prohibited to reveal specific cultural resource locations and the specific characteristics found at each individual site due to the sensitive nature of these non-renewable resources.

Concern 435: The National Park Service should be aware of local people's connection to burials in the area, and should provide more funding to identify the locations of burial grounds.

"The reason I'm here tonight I'm part Native American and some of my peoples are buried along the Merced River. It's a little bit further west than the area that we're concerned with tonight. Specifically it's Good Gulch down below Briceberg… There are 2 grave sites at Good Gulch, it's near McCabe Flats. One of the people buried there is my great grandfather, who is not Native American. His name Alexander Cameron Matlock… The other grave is Jeff Landrum my great uncle, who is Native American Southern Sierra Miwuk. So, these graves are in that location. We know where they are. My family does. They're marked, but they're kind of set off to the side, they're not real obvious."
(Individual, Catheys Valley, CA, Comment #102-1)

"I wonder what traffic will mean for my family's graves and this sort of thing. My hope is that the government will protect these sorts of sites and that they're are interested in talking to Native Americans to find out more about the cultures of the people living there. The precise locations of these graves and that sort of thing."
(Individual, Catheys Valley, CA, Comment #102-2)

Response: The National Park Service places a very high priority on protecting cultural resources, particularly those associated with burials. All future park projects will undergo an environmental review to assess potential effects on cultural resources, ensuring compliance with all applicable laws and regulations. However, the 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to correct the deficiencies in the original Merced River Plan/FEIS. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. As such, this concern was not directly addressed in this document, but the issues raised by this concern will be evaluated as appropriate in future implementation plans.

Concern 212: The National Park Service should gather sufficient information to identify the Cultural Resource Outstandingly Remarkable Values in the entire river corridor.

"The Tribe is concerned about the lack of information to identify the Cultural Resources of ORV's in Yosemite, El Portal, Wawona and the two major drainages (Merced and South Fork). The traditional use study that is currently underway has not been going smoothly and the Tribal members are hesitant to divulge information to a person that has not been accepted by the Tribe."
(Tribal Organization, Mariposa, CA, Comment #84-3)

Response: Because the National Park Service has selected the maximum allowable acreage for the river corridor boundary throughout Yosemite, all cultural Outstandingly Remarkable Values would be protected under the Wild and Scenic Rivers Act whether they are currently identified or not. Most areas of the corridor have been subject to complete historic structures, historic landscapes, and archeological site/district inventory with the exception of portions of the wilderness. Concerns about the traditional use study currently underway are being addressed. The National Park Service is internally responding to these concerns, and redesigning the study.

For example, this redesign includes an expansion to cover these resources parkwide; other components of the redesign are currently being reviewed.

Concern 409: The Revised Merced River Plan should address the issue of tribal access to the river corridor for traditional practices.

"The entire El Portal area is considered to be a traditional use area by members of associated Indian tribes, which include Southern Sierra Miwuk Nation and the Paiute and Central Sierra Me-wuk (p. 111-72). The cumulative impacts analysis notes that development of facilities within the river corridor have disturbed or destroyed numerous traditional cultural resources and compromised the integrity of numerous other such resources (p. P1-84). It is not clear to what extent these past impacts occurred in El Portal. The DSEIS also states that El Portal is currently the focus of a study to inventory and document traditional resources important to Indian people, and that currently only incidental information exists for El Portal (III-71). Additionally, El Portal contains some of the oldest prehistoric sites in the river corridor (IV-78); sites that are exceptional in their significance to the local American Indian community (III-70). The El Portal archeological district contains 17 known sites (III-69)."
(Conservation Organization, San Francisco, CA, Comment #125-3)

Response: The user capacity program does not attempt to restrict American Indians who are culturally associated with the lands in Yosemite National Park and who access park lands to conduct traditional cultural practices for the purpose of retaining their cultural heritage. These activities are regulated under federal regulations, park policies, the other elements of the Merced River Plan, and agreements between the National Park Service and the tribes. A study of traditional uses in the park is currently under way and could result in additional revisions to existing agreements. Traditional uses comprise a very small portion of overall use of the corridor and are conducted in a manner that is protective of the Outstandingly Remarkable Values; therefore, these uses are not counted as part of the use limits identified in the user capacity program alternatives.

Concern 396: The Revised Merced River Plan should improve upon past practices by recognizing American Indian values in the river corridor, and explain how these values will be protected.

"In follow-on park plans such as the Lodge and Curry Eas, Park administrators use the "net gain" argument--except Native American values (Cultural ORV) get trumped every time; what clear and objective methodology will guarantee protection of Native American values (Cultural ORV) besides counting cars in parking lots?"
(Individual, Oakhurst, CA, Comment #55-60)

"The Merced River plan as it stands, I don't feel that the park service is being very generous or very kind in the American Indian values and properties that exist up there. They have been very extremely disrespectful in the past towards preserving that culture and that heritage…They [NATIONAL PARK SERVICE] have disregarded a lot of common sense in their planning and their procedures. They've shown a lot of disrespect for the American Indian community."
(Individual, Fresno, CA, Comment #135-1)

Response: Since the 2000 Merced River Plan, the National Park Service has committed to monitoring effects to traditional cultural resources under the Visitor Experience and Resource Protection (VERP) framework. A VERP indicator was created to specifically address visitor use

impacts on three traditionally gathered plant species. Additionally, since the 2000 Merced River Plan, the National Park Service has initiated parkwide studies, in consultation with affiliated American Indian tribes, to better understand traditional cultural resources and values throughout the park.

For any future management action in the river corridor, the National Park Service will apply a consistent set of decision-making criteria that consider the boundaries, classifications, Outstandingly Remarkable Values, the Section 7 determination process, management zoning, the River Protection Overlay, and the VERP framework. Additionally, the park will continue to implement the 1999 Programmatic Agreement among the State Historic Preservation Office, the Advisory Council on Historic Preservation, and the National Park Service and they will continue to consult with American Indian tribes throughout project planning and implementation. These combined actions will ensure that impacts to traditional cultural resources and other cultural resources are considered in any future management action.

Concern 436: The National Park Service should not develop near burial ground sites.

"There are several burial grounds in the El Portal region. I don't have the statistics on those tonight, or I can't show you where those are on the map, but I vaguely know where they are. My hope is that the park will provide funding or the sorts of resources that will help the native peoples in the areas identify those precise locations and to increase the awareness of the interest and of the history of the peoples of that group up as time goes on."
(Individual, Catheys Valley, CA, Comment #102-3)

"I hope that those burial sites are not near where the new resource building is being built in El Portal or other massive major development that's being planned, which we hope doesn't be happen."
(Individual, Cupertino, CA, Comment #103-1)

Response: The National Park Service is committed to sensitive treatment and protection of areas highly valued by the culturally-associated American Indian tribes. The presence of ancestral remains in El Portal and throughout the park is an important cultural link for present-day generations of Indian people. In keeping with federal laws, regulations, and National Park Service policy, the National Park Service continues to consult with these tribes regarding treatment of resources such as burial areas. Furthermore, known burial areas have been included as part of the cultural Outstandingly Remarkable Values and are included within the designated quarter-mile river boundary. By this inclusion, these areas would undergo standard environmental review under such legislation as the Native American Graves Protection and Repatriation Act and the National Historic Preservation Act, with the addition of Wild and Scenic Rivers Act guidelines which mandate that any future actions within the boundary enhance and protect Outstandingly Remarkable Values.

Concern 248: The National Park Service should redirect the focus of the traditional use study that is currently underway to the restoration of degraded gathering areas.

"This [traditional use] study needs to be redirected to something else that will assist the Tribe like Restoration of gathering area that are disappearing or producing low yield of materials due to ecological changes Park wide."
(Tribal Organization, Mariposa, CA, Comment #84-4)

Response: The National Park Service does continue its commitment to the protection of traditional cultural resources. As part of this commitment, options for reassessing the direction of the traditional use study are currently being internally reviewed. In addition, the VERP program includes an indicator that helps protect traditional cultural resources. The indicator, "Extent/Magnitude of 3 Traditionally Used Plant Species," has as its standard: "No alteration of characteristics of the traditional cultural resources that make them eligible for listing in the National Register of Historic Places and evaluated on an annual basis." This annual assessment commits the park to maintaining the health and protection of these resources as part of the VERP monitoring program. However, the 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. Based on the above, the specific issues raised in this concern are not addressed at this planning level. Visitor Experience and Resource Protection (VERP)

Concern 39: The National Park Service should consider that an unlimited number of people could potentially enter the river corridor and the facility footprint could increase under the preferred alternative.

"Your other options, the ones that cap visitation at 5 million per year is, as you say not your preferred method. They way you represent your views in the study, indicates that you are trying to sell us on the idea that your preferred option, option two doesn't cap visitation, but keeps the control of visitation levels under the control of the public via the VERP system."
(Individual, Truckee, CA, Comment #26-2)

"Finally, the facility footprint may be increased under VERP, which is something I'm concerned about and should be brought to light as well."
(Organization, Twain Harte, CA, Comment #34-9)

Response: The National Park Service has, and will continue to implement components of Yosemite National Park's User Capacity Management Program that provide limitations on use beyond the Interim Facility Limits. As described in Chapter II of the Final Revised Merced River Plan/SEIS, the National Park Service currently manages for limits on the number of people (such as the Wilderness Trailhead Quota System), Limits on Facilities (such as campsites, lodging units, parking and utility systems capacities), Limits on Specific Activities (such restrictions on rafting outlined in the Superintendent's Compendium), and Limits on Environmental/Experiential Conditions (such as redirecting traffic when levels reach capacity).

Concern 42: The Revised Merced River Plan should specify which resources are most at risk from visitor use and clearly detail how those resources will be protected.

"[W]e believe that it's important that the indicators and standards truly focus on what's most at risk. If you go through the biological and hydrological indicators now, which is really the quota for the ecosystem, it's questionable, except for water quality, whether the rest of these are really focusing on species or the attributes or the resources that may be of most concern."
(Individual, Twain Harte, CA, Comment #36-5)

"We too urge that the final plan be more specific and clear about the resources that are most at risk from visitor use and the actions that will be taken to protect those resources."
(Conservation Organization, San Francisco, CA, Comment #71-1)

"So our center suggests that instead of having minimal biological indicators, and right now out of the current 11 examples that are up there on the screen, most of those are social in terms of whether or not they are managing or measuring something. And we're suggesting that the park assemble your best biological team and develop a clear, measurable list of at-risk species that truly have high potential to be affected by visitor use and then figure out how is best to measure them."
(Individual, Twain Harte, CA, Comment #106-4)

Response: The National Park Service has adopted the VERP framework to address user capacities and ensure the protection of natural cultural resources and the visitor experience. VERP relies on the concept of desired conditions, which identify how different areas in the river corridor would be managed. As part of VERP, measurable indicators and standards have been developed to provide information on whether those desired resource conditions and visitor experience opportunities are being met. The National Park Service recognizes that that the selection of specific indicators is an important step in the VERP process and requires consideration of a number of factors which relate to the effectiveness of the indicator. Park staff determined that indicators must satisfy fourteen criteria in order to be included as part of the program. These are described in Chapter II of this document. Through time, indicators and standards may be further refined as part of the VERP monitoring program in order to help ensure that the river's Outstandingly Remarkable Values are being protected and enhanced.

Concern 47: The Revised Merced River Plan should explicitly state standards, monitoring protocols, and management actions for each indicator in the final document.

"Specific, quantifiable standards that directly protect the most at-risk resources (indicators) from visitor use also need to be clearly and explicitly stated in the final plan. We suggest that standards be set at no measurable user-associated decline from baseline distribution and abundance."
(Conservation Organization, Twain Harte, CA, Comment #29-5)

"Specific monitoring protocols should be detailed in the final plan and explain how monitoring will; (a) be able to quantifiably determine the status of the indicators relative to their standards, (b) directly measure cause-and-effect visitor impacts on indicators, and provide for long term trend analysis. In other words, the plan's monitoring component needs to clearly lay out how the monitoring will truly assess the status of at-risk resources and how that monitoring can realistically be carried out."
(Conservation Organization, Twain Harte, CA, Comment #29-6)

"Specific management actions for each indicator need to be clearly stated in the form of "if-then" statements. For example, "If the abundance of mountain red-legged frogs in any given location declines measurably relative to the baseline abundance due to visitor use, then that location will be closed to visitor use until abundance returns to baseline levels."
(Conservation Organization, Twain Harte, CA, Comment #29-7)

Response: The Revised Merced River Plan documents the VERP process, including the process that park managers would use to evaluate and implement management actions needed to address protection and enhancement of the river's Outstandingly Remarkable Values. Because the Revised Merced River Plan is a programmatic document, it cannot predict and pinpoint what specific actions will be implemented in the future, as the actions taken will vary depending on the types of impacts that are found. An action taken in one situation or in one area of the park may not be effective in another. Also, as conditions change, as technology changes, and as visitor use patterns change, management strategies must change accordingly. A review of recreation impact management literature documents that there is a wide range of measures that can be effective in reducing or mitigating visitor impacts on resources and visitor experience. Consequently, the measures selected must be based on the specific issues to be addressed. This type of decision-making criteria has been presented in Chapter II (under "Management Action Strategies and Tactics), which includes a list of questions managers would consider when defining and determining the type of action to take. It should be noted that although monitoring protocols are not included in this programmatic-level plan, they are made available to the public and can be found on the park's web site (*www.nps.gov/yose/planning/ucmp.htm*).

Concern 51: The Revised Merced River Plan should not choose a range when setting standards for indicators.

"[I]n alternative four the management of VERP quotas will be based on a range. Well, the reality is, if you have a range of five to ten, it's not likely that five is going to lead to an action, because when you have a range, you're not usually going to actually have something that is a drastic consequence of reaching the threshold until you actually reached the threshold. ...[It] is not clear, based on the document, exactly how clear the consequences will be."
(Individual, Twain Harte, CA, Comment #36-4)

Response: The National Park Services recognizes that the selection of specific indicators is an important step in the VERP process, and that it requires consideration of a number of factors which relate to the overall effectiveness of the indicator. Park staff determined that indicators must satisfy fourteen important criteria, which are described in Chapter II of this document. As park managers gain knowledge through field-testing the VERP program, the indicators (and related standards) may be further refined. This iterative learning and refining process is one strength of the VERP program, in that it can be adapted and improved as further knowledge is gained. The National Park Service would inform the public of VERP program progress and proposed revisions to indicators and standards through the park's ongoing public involvement process. Taken collectively, the indicators (and standards) presented in the park's VERP program would provide sound information on the overall condition of important park resources, visitor experience opportunities, and the Merced River's Outstandingly Remarkable Values.

Concern 52: The Revised Merced River Plan should choose indicators for specific issues such as higher risk sensitive species.

"At-risk species that we would like to see be used as indicators include, but should not be limited to; California red-legged frog, Foothill yellow-legged frog, Mountain yellow-legged frog, California spotted owl, Yosemite toad, Mountain Red-legged frog, Marten and Fisher."
(Conservation Organization, Twain Harte, CA, Comment #29-3)

"As I read in the management plan, it appears that you guys are interested in indicators that provide as much information and as wide a range of environmental, socioeconomic, and cultural issues as possible in each indicator, and I would say that it might be helpful to have some indicators to address more specific issues; that is, things which have a much higher risk, for instance, such as sensitive species or sensitive habitat rather than just having the general indicators."
(Individual, Twain Harte, CA, Comment #34-3)

"There are certain T, E or Rare species which we and others have identified in El Portal which are neither identified nor listed in the D. R. MRP."
(Conservation Organization, Yosemite, CA, Comment #111-111)

Response: The National Park Services recognizes that the selection of specific indicators is an important step in the VERP process, and that it requires consideration of a number of factors which relate to the overall effectiveness of the indicator. Park staff determined that indicators must satisfy fourteen important criteria, which are described in Chapter II of this document. As park managers gain knowledge through field-testing the VERP, the indicators (and related standards) may be further refined. This iterative learning and refining process is one strength of the VERP program, in that it can be adapted and improved as further knowledge is gained. The National Park Service would inform the public of VERP program progress and proposed revisions to indicators and standards through the park's ongoing public involvement process. Taken collectively, the indicators (and standards) presented in the park's VERP program would provide sound information on the overall condition of important park resources, visitor experience opportunities, and the Merced River's Outstandingly Remarkable Values. In addition, the National Park Service's Inventory and Monitoring Program, which serves in part to inform the VERP program, is an integral program within the Resources Management and Sciences division in Yosemite and is designed to address many concerns related to special status or sensitive species within the park.

Concern 53: The National Park Service should expand its list of indicators to include all important indicators.

"Couple comments specifically on the plan. I do want to suggest that the indicators, this is no surprise I'm sure to the Park Service, are very, very important. It's important that we get this list as close to accurate as possible. Certainly, the fact that it's an organic process is not lost on any of us. The fact that as we gain more knowledge and information about what resource impairments might happen or how visitors experience this place, we'll be able to add to that list. But I would like to encourage the Park Service and others to make sure we have extensively listed the important indicators...One thing that's come up in the past is looking at air quality. Things in the air eventually hit the water."
(Individual, Oakland, CA, Comment #38-1)

"The proposed indicators and standards are too limited to adequately protect Merced River Outstandingly Remarkable Values. There are no proposed indicators and standards related to vegetation loss and alteration, wildlife health, air quality, etc. The NPS must include indicators for vegetation and wildlife health. How do we know visitation is not adversely affecting birds, aquatic invertebrate, and native vegetation, or increasing nonnative species density or distribution? How do we know visitation is not adversely affecting air quality, natural soundscapes, dark night skies?"
(Individual, Fresno, CA, Comment #82-29)

"We also believe it's important to look at the big picture as well as down at the site specific level. So tonight, Tom and I, as we were discussing how to describe it, we were describing it as a suite of indicators rather than just an indicator for the ecosystem along the river… And by having from the big picture down to the very site specific with a suite of indicators and then responding to those in appropriate fashion, you would be able to provide something that wasn't mixing the natural variability that occurs out there, but instead would be looking at the trend of responses caused by human actions."
(Individual, Twain Harte, CA, Comment #106-6)

Response: The National Park Services recognizes that the selection of specific indicators is an important step in the VERP process, and that it requires consideration of a number of factors which relate to the overall effectiveness of the indicator. Park staff determined that indicators must satisfy fourteen important criteria, which are described in Chapter II of this document. As park managers gain knowledge through technological improvements, field-testing VEP indicators, and increased knowledge of ecological systems; indicators (and related standards) may be further refined. In the future, additional indicators will be developed and implemented and the public will be informed as new indicators are field tested. This iterative learning and refining process is one strength of the VERP program, in that it can be adapted and improved as further knowledge is gained. The National Park Service would inform the public of VERP program progress and proposed revisions to indicators and standards through the park's ongoing public involvement process. Taken collectively, the indicators (and standards) presented in the park's VERP program would provide sound information on the overall condition of important park resources, visitor experience opportunities, and the Merced River's Outstandingly Remarkable Values.

Concern 55: The Revised Merced River Plan should set long-term ground rules defining and limiting allowable management actions.

"The final plan should set long-term ground rules defining and limiting allowable - management actions. The ground-rules should include all of the following; (a) a specific, maximum limit on number of users by area (river segment or management zone) per day, (b) a specific, maximum limit on number of users for the entire corridor per year, c) a specific, maximum limit on development of facilities. Tied to these limits there needs to be specificity as to what the Park Service will do if such limits end up being exceeded. While CSERC recognizes the value of VERP as a defined decision-making process, simply proposing a decision making process, without setting limits as to what can be decided and acted on, will not be accepted by the public. We believe that this is the message behind the Ninth Circuit Court of Appeals decision that requires "specific measurable limits on use."
(Conservation Organization, Twain Harte, CA, Comment #29-8)

Response: The Revised Merced River Plan documents the VERP process, including the process that park managers would use to evaluate and implement management actions needed to address

protection and enhancement of the river's Outstandingly Remarkable Values. Because the Revised Merced River Plan is a programmatic document, it cannot predict and pinpoint what specific actions will be implemented in the future, as the actions taken will vary depending on the type and location of impacts that are identified. An action taken in one situation or in one area of the park may not be effective in another. Also, as conditions change, as technology changes, and as visitor use patterns change, management strategies must change accordingly. A review of recreation impact management literature documents that there is a wide range of measures that can be effective in reducing or mitigating visitor impacts on resources and visitor experience. Consequently, the measures selected must be based on the specific issues to be addressed. This type of decision-making criteria has been presented in Chapter II (under "Management Action Strategies and Tactics), which includes a list of questions managers would consider when defining and determining the type of action to take.

Concern 76: The Revised Merced River Plan should clarify how the quotas in Alternative 4 can be altered by Visitor Experience and Resource Protection.

"And my final comment is that, despite information given in tonight's presentation, as far as I know that quotas in alternative plan four can be raised if the VERP program decides to."
(Individual, Twain Harte, CA, Comment #34-10)

Response: The National Park Service recognizes this concern and has revised the Final Revised Merced River Plan/SEIS, where possible, to provide clarification of how the VERP component of Yosemite's User Capacity Management Program. As described in the document, use levels in each management zone have the ability to be reduced or increased as a result of VERP if monitoring shows that Outstandingly Remarkable Values are exceeding or meeting set standards. As a result of public comment, the annual corridorwide visitation limit could be reduced or increased, depending on result of VERP monitoring and would be subject to the appropriate level of National Environmental Policy Act review and public involvement.

Concern 123: The Revised Merced River Plan should establish specific limits on day and annual use and on facility levels.

"The [long-term] ground-rules [in the document] should include all of the following; (a) a specific, maximum limit on number of users by area (river segment or management zone) per day, (b) a specific, maximum limit on number of users for the entire corridor per year, c) a specific, maximum limit on development of facilities. ...We believe that this is the message behind the Ninth Circuit Court of Appeals decision that requires "specific measurable limits on use.""
(Conservation Organization, Twain Harte, CA, Comment #29-13)

"We share…[the Central Sierra Environmental Resource Center's] concern that proposing – or even finalizing – a decision-making process will not suffice in these circumstances. The public wants – and it appears that the law requires – specific limits on visitor numbers…"
(Conservation Organization, San Francisco, CA, Comment #71-2)

Response: The Revised Merced River Plan/SEIS has proposed a range of alternatives that provide specific limits on day, annual, and facility use. However, not all components are a component of each alternative. The National Park Service has proposed three action alternatives that prescribe different approaches for managing use.

Concern 145: The Revised Merced River Plan should consider a range of standards across the alternatives for [indicators].

"Why not consider a range of standards across the alternatives? For example, why not vary the crowding standards across the alternatives such as 9 encounters versus 6 per day, or 90% of the time versus 60%?"
(Individual, Fort Collins, CO, Comment #73-20)

"Why not consider a range of alternatives for the relevant standards list in the Superintendent's Compendium (e.g., party size)?"
(Individual, Fort Collins, CO, Comment #73-21)

"Rather than "no net increase" in your standards, why not some variation?"
(Individual, Fort Collins, CO, Comment #73-23)

Response: Because the Revised Merced River Plan/SEIS is a programmatic plan, the Visitor Experience and Resource Protection component of the Yosemite's User Capacity Management Program is presented as a method common to all action alternatives. (This is consistent with the approach taken in the 2000 *Merced Wild and Scenic River Comprehensive Management Plan/Final Environmental Impact Statement*). As more information is obtained through VERP monitoring, or if it is determined that particular indicators are not providing information about impacts to resources from visitor use, indicators and standards will continue to be refined. However, the National Park Service is committed to achieving and maintaining desired conditions, and avoiding degradation to the Outstandingly Remarkable Values of the Merced River. Alternative standards would imply alternative conditions were acceptable. This is why a "no degradation" from further conditions was selected as a standard for many indicators. The difficulty inherent in needing absolute precision and accuracy in carrying capacity determinations are remedied in the VERP model, which call for regular assessment and adaptations when warranted. In alternative, less flexible approaches, managers must adhere to preliminary judgments regardless of effectiveness.

Concern 149: The National Park Service should reconsider whether VERP implementation is realistic.

"I also think your confidence in VERP, its standards and indicators, the precision and accuracy of any field monitoring activity, or its budgetary requirements (which are not disclosed), is not realistic."
(Individual, Fort Collins, CO, Comment #73-27)

Response: The National Park Service has adopted the VERP framework for managing visitor use impacts in national parks. VERP has been implemented in multiple parks throughout the National Park System and it continues to be refined and improved. Yosemite National Park has launched its VERP program and has committed funding to ensure its successful implementation into the future. The VERP framework helps define the types and levels of visitor use that can be accommodated while sustaining the desired resource and social conditions that complement the purpose of the park units and their management objectives. The VERP framework also provides a systematic process for taking informed actions to manage all of the elements of visitor use that may influence desired conditions and the river's Outstandingly Remarkable Values.

Concern 155: The Revised Merced River Plan should illustrate how VERP will differ from existing park management practices.

"More specifically, I think it would be very useful to the reader if you would provide a description of what would be different if VERP was not used. That is, what does VERP bring to the Merced WSR SEIS that is new, value added, or would not otherwise be done as routine in good professional park planning, management, monitoring and adaptation.

For example, would management zones have been developed without VERP? Would indicators and standards have been established without VERP? Would monitoring take place without VERP? Would adaptive changes in management tools occur without VERP? ... I am concerned that the decision maker and public may get the impression that VERP brings something substantively and meaningfully different than what has been practiced by the Park in the past, or that would not otherwise be done in the future as a matter of course of good professional park planning, management, monitoring and adaptation."
(Individual, Fort Collins, CO, Comment #73-34)

"In Alternative 1, VERP is not included and was not used in the past to arrive at the current situation. What program or process did you use in the past to derive the management zones and standards set forth in alternative 1, and why can't this process be used in the future? Won't you still use management zones, standards such as Superintendent's Compendium, monitoring, and adaptation as necessary in Alternative 1? My point is that I think the decision maker and public will have a difficult time understanding and evaluating the comparable merits and substantive difference between 1 and the other alternative in terms of not using VERP."
(Individual, Fort Collins, CO, Comment #73-35)

Response: As described in Chapter II (under "Yosemite National Park's Existing User Capacity Management Program"), implementation of VERP will improve on existing management practices. Yosemite National Park already uses a number of measures to address user capacity and visitor use impacts on park resources and visitor experience. Implementation of VERP will provide managers with more consistent and timely information to track the on-the-ground condition of Outstandingly Remarkable Values. The VERP process will also provide feedback to managers regarding the effectiveness of measures taken to address any impacts noted. One of the most dramatic differences, however, will be in the firm commitment to specific standards and to an open public process that results in accountability to these commitments.

Concern 170: The National Park Service should develop and set daily quotas based them on a scientifically based and well developed Visitor Experience and Resource Protection program.

"Clearly, a well-developed and scientifically based VERP program also is needed to ensure the daily quotas are set at a level that will not degrade Outstandingly Remarkable Values."
(Individual, Fresno, CA, Comment #82-7)

Response: The VERP component of Yosemite's User Capacity Management Program allows for management of the river corridor based on resource conditions and visitor experience. Once fully operational, the results of VERP monitoring will ultimately dictate the level of visitor use that an area or site can be exposed to and still ensure protection and enhancement of the river's Outstandingly Remarkable Values.

Concern 174: The Revised Merced River Plan should clarify what it means for VERP to be fully operational and/or fully implemented.

"What does it mean for VERP to be fully implemented, or fully operational, or refined and implemented, or robust? Won't VERP be implemented indefinitely? This should be clarified.
(Individual, Fresno, CA, Comment #82-11)

Response: The VERP process relies on using the best scientific methods (1) to establish indicators and appropriate standards, (2) to develop appropriate monitoring protocols for data collection, (3) to evaluate the information gathered through monitoring, (4) to determine the most appropriate and effective actions to address issues identified, (5) and to evaluate the effectiveness of these actions. Because the VERP process is a type of adaptive management, each round of monitoring and evaluation is refined and improved based on increasing knowledge. In particular, some indicators and standards or monitoring methods will be found to not provide valid or useful information during initial field tests. Thus, it is likely to take up to 5 years to sufficiently establish, field test, and refine the VERP program. Even after this time, the program will continue to be improved and refined as knowledge is gained.

Although the program will continue to be refined over time, consistent with adaptive management programs, some indicators are already providing useful information and other will provide useful data in the near future. The VERP program will be considered to be fully operational or fully implemented when (1) the program is found to be providing timely and consistent information to management on the condition of the river's Outstandingly Remarkable Values, and (2) park managers are able to use that information to inform decisions related to visitor use management within the river corridor. Although this could occur prior to the 5 year mark, the National Park Service has decided to commit to leaving the interim facility limits in place for 5 years and to provide information to the public on how VERP is providing effective information on use management prior to lifting the interim limits.

Concern 182: The "Number Of Social Trails" indicator in the Revised Merced River Plan/SEIS should be redeveloped to include baseline standards higher than 2004 conditions and should be consistent across management zones.

"The Number of Social Trails indicator does not (as the Draft SEIS states) reflect the health of sensitive vegetation. It reflects only the extent (area) of trampled or pulverized vegetation (that may or may not be native vegetation), or bare soil within a small area. Further, the standard for this indicator is based on a subjective determination that the number and length of such trails as they existed in 2004 was acceptable. Why is 2004 used as the baseline for social trails? By what standards was the number and length of social trails existing in 2004 deemed "acceptable?" Perhaps there already were too many trails that were too long in 2004. Why is this indicator not consistent across zones? For some it is number of social trails, for others it is length of social trails. More work should be done to establish the number and length of trails that truly is acceptable, and this should be based on both resource values and aesthetics.
(Individual, Fresno, CA, Comment #82-22)

Response: Although the National Park Service has aerial photographs of Yosemite Valley's meadows, statistical data was not available prior to 2004 when the "Number of Social Trails" indicator was initially monitored by park staff. The park's Visitor Experience and Resource Protection program gathered data for this indicator in 2004 to determine a baseline for triggering

management action. The monitoring results for the "Number of Social Trails in Meadows" VERP indicator can be found on the park's web site (*www.nps.gov/yose/planning/ucmp.htm*).

Concern 183: The "Wildlife Exposure to Human Food" indicator in the Revised Merced River Plan should include a range of wildlife species.

"The Wildlife Exposures to Human Food indicator does not reflect health of wildlife resources (as the Draft SEIS states), it only reflects numbers of a relatively small number of species that are exposed to, or eat human food. This is a good and important thing to measure, but it is misleading to state that it will reflect the health of wildlife resources. A range of wildlife species, such as aquatic invertebrates, should be monitored directly."
(Individual, Fresno, CA, Comment #82-23)

Response: The National Park Service's "Wildlife Exposure to Human Food" indicator will take into consideration all of Yosemite's wildlife species; however, bears are particularly adept at getting human food.

Concern 184: The "Riverbank Erosion" indicator should be reassessed to determine if the 2005 baseline conditions set for the indicator are scientifically acceptable.

"The standards for Riverbank Erosion are based on a 2005 baseline. This assumes that the situation that existed in 2005 was acceptable and adequate to protect Outstandingly Remarkable Values. Are there any data to support this assumption? The standards for this indicator should be subject to peer review by both governmental and non-governmental experts. Standards developed to protect natural resources in Merced River Outstandingly Remarkable Values in perpetuity must be grounded in science. If scientific data are not available for establishment of standards, studies to acquire such data must be pursued, and no increase in visitation should occur until the data indicate such an action would not harm Outstandingly Remarkable Values."
(Individual, Fresno, CA, Comment #82-24)

Response: Although the National Park Service has numerous historic photographs of the presence/absence of vegetation along sections of the river corridor, statistical data was not available prior to 2005 when the "Extent of Riverbank Erosion Caused or Accelerated by Visitor Use" indicator was initially monitored by park staff. The National Park Service believes that setting the baseline for this indicator at 2005 conditions is scientifically acceptable VERP is designed to monitor impacts on resources caused by visitor use, not natural variation such as the 1997 flood event that caused extensive riverbank erosion through the entire Merced River corridor.

Concern 185: The standards set for the "Water Quality" indicator in the Revised Merced River Plan/SEIS should be clarified and a peer-review monitoring program should be established.

"The standards for Water Quality are self-contradictory and confusing. What does anti-degradation mean? It is assumed to mean no degradation from present conditions, but later the standard says there is an "absolute minimum" related to state fecal coliform levels. Which is it? No degradation or the absolute minimum? Please clarify water quality standards and develop a peer-reviewed monitoring plan."
(Individual, Fresno, CA, Comment #82-27)

Response: The standard the National Park Service set for the park's "Water Quality" indicator has previously been peer-reviewed, as they and are in accordance with State Drinking Water Standards. In addition, the National Park Service is basing monitoring methodologies on the U.S. Geological Survey's nationally accepted methods and procedures. The first year of data indicates that water quality along the Merced River corridor is much better than state drinking water standards. Therefore VERP water quality data will be collected for several years to set a baseline numbers for current condition. Standards will be set so that there will no any degradation of current condition.

Concern 188: The National Park Service should establish scientifically credible indicators and standards based on a peer-reviewed set of desired conditions for both resources and visitor experience within the Merced River corridor.

"To protect Merced Wild and Scenic River Outstandingly Remarkable Values, the NPS should...establish a peer-reviewed set of desired future conditions for both resources and visitor experiences within the river corridor (independent of existing MRP zoning)."
(Individual, Fresno, CA, Comment #82-32)

"To protect Merced Wild and Scenic River Outstandingly Remarkable Values, the National Park Service should...develop a scientifically credible set of indicators and standards to determine if numbers of people and patterns of use are continuing to degrade resources and visitor experiences, or are allowing conditions to improve toward the desired set of conditions established in #3 above."
(Individual, Fresno, CA, Comment #82-33)

Response: In 2003, the National Park Service assembled a team of technical experts, including park staff and scientists, to develop, the first set of indicators and standards for Yosemite's Visitor Experience and Resource Protection program. Indicators were peer-reviewed by an interdisciplinary team of park staff. Additionally, a series of workshops was conducted to further develop a comprehensive list of indicators that would provide information about impacts to resources caused by visitor use. The National Park Service is committed to reporting VERP results to the public through quarterly updates (public meetings and/or newsletters) and a written annual report.

Concern 201: The National Park Service should wait for 5 years of Visitor Experience and Resource Protection data prior to implementing new or future projects.

"If indeed this Revised River Plan establishes a 5 year study period during which baseline data is gathered and measurable standards and indicators are being developed and tested, then ALL FOLLOW-ON PLANS SHOULD BE PUT ON HOLD until the conclusion of that time frame. When the Park is confident that the VERP program is providing sound guidance on appropriate visitor use levels (something the Park claims will take up to 5 years), this Revised River Plan states that a fully documented report will then be released. That report should be the foundation for a Revised Merced River Plan that will then undergo fill public review. If found to be acceptable, that document should be the basis for the ROD. Once an ROD is in place, all tiering plans such as the Yosemite Valley Plan, the Curry and Lodge Eas, etc. should be reexamined in light of this "developed-over-5-years" VERP program. Yet a review of Appendix F, "Potential Cumulative Actions," implies there will be no hold on any of the projects specified in the Yosemite Valley Plan; numerous Eas and environmental compliance documents (categorical exclusions?) will be developed and released in 2005--the same year in which the Park plans to sign the ROD for this non- Plan. The public is led to believe that all the hoopla about interim facility limits and five-year study programs will enable the Park to make sure the Merced River Corridor is protected--essentially a long pause that will enable Park managers to get it right. The reality is that as soon as the ROD is signed, it's full steamahead. How can the Park reexamine any follow-on project in earnest when trees have already been logged, facilities have already been constructed, roads have already been realigned, traffic circulation has been reconfigured, visitation patterns have been altered? This Plan is pre-decisional—a blatant manipulation of the court order--enabling Park administrators to carry forward their pre-determined agenda."
(Individual, Oakhurst, CA, Comment #55-13)

"In case you do not agree with the…rationale for a moratorium, [of construction projects during the "interim period"] consider the fact that the courts enjoined most new construction pending the completion of the DRMRP process. Also, they said that interim protections should be put in place until more permanent methods of protection could be made operational. If the outcome of this planning process will have no bearing on whether or not the enjoined projects should proceed, then why was the injunction issued in the first place? Also, why does the NATIONAL PARK SERVICE intend to proceed with construction even though VERP (or other methods) will not be fully operational? The courts seem not to agree with your proposed course of action."
(Conservation Organization, Fresno, CA, Comment #113-16)

"There is a level of distrust that seems to have developed between the NPS planners and some residents of El Portal. This has arisen, unfortunately, due to certain projects being pushed through before plans such as the MRP are finalized. I am not against all changes in El Portal and in YNP, but I would like to feel that I can trust the NPS to be following the laws set out with the best interests of YNP in mind. There is a feeling that some plans are pushed through so that they can be accomplished before the law catches up with the project (such as the road widening and the lower falls project). I hope that no other plans that should be under the jurisdiction of this plan are implemented until the MRP is finalized. I also hope that this DRMRP has been constructed with the sole interest of "protecting and enhancing the river" and not been drafted in order to be consistent with the other park plans that actually should have been made after this plan was completed."
(Individual, El Portal, CA, Comment #120-11)

Response: Prior to undertaking and projects within or adjacent to the Merced River corridor, the National Park Service will evaluate the project to determine whether it complies with the elements of the Merced River Plan, as revised through this plan. This determination will include an assessment of whether the project will protect and enhance the Outstandingly Remarkable Values of the Merced River. For projects that have already undergone environmental review and public comment (e.g., the Lodge Area Redevelopment Project), the National Park Service will make the results of this re-evaluation publicly available. For projects that have not yet undergone environmental review, the National Park Service will include this evaluation as a part of the National Environmental Policy Act planning process for such projects.

The Merced River Plan has been developed using relevant and available data from many natural, cultural, social and other studies, which serve as baseline information. These studies are referenced in the plan, can be found in the bibliography, and are available upon request. The National Park Service information to determine if previously approved or future actions will or will not affect the Merced River's Outstandingly Remarkable Values. With this in mind it is important to note that the foundation of all action alternatives in the Revised Merced River Plan/SEIS, including the preferred alternative, *is* the protection and enhancement of the Merced River's Outstandingly Remarkable Values. Therefore, all future management actions, as well as actions approved in previous plans, will be guided by this principal regardless of when they are implemented.

It is true that the National Park Service has begun collecting additional baseline data and is conducting resource monitoring associated with Yosemite's VERP program. This information will supplement the existing body data and information.

Concern 219: The National Park Service should reevaluate the use of the Visitor Experience and Resource Protection framework in light of the fact that the National Park Service was unable to meet the original goal of implementation in 5 years, set in 2000.

"We have the same concerns about VERP as we had before as to its inadequacy. We herein incorporate those concerns that we stated in our public comments and in our filings to the court. We herein incorporate the comments Glenn Haas, an expert on user capacity which he sent in to NATIONAL PARK SERVICE as a part of this public comment period. NPS said 4 yrs ago it would take them 5 years to do VERP, and now 4 years later they are saying the same thing, that it will or might take another 5 years."
(Conservation Organization, Yosemite, CA, Comment #111-70)

Response: Yosemite National Park is committed the fully implementing a User Capacity Management Program that includes the VERP process as a key component. As part of this commitment, a VERP coordinator position has been created and filled. Additionally, funding has been secured for the next 5 years to implement the VERP program. Park resource managers have developed a set of initial indicators and standards as part of its *User Capacity Management Program for the Merced Wild and Scenic River Corridor* (NPS 2004a). The first year of monitoring was completed in 2004. In April 2005, the first annual report documenting the results of the 2004 program was posted on the park's web site and a public meeting was held to share program results.

The park has determined that Alternatives 2, 3, and 4 as presented in this document are all feasible from a cost and implementation standpoint. However, each alternative has various constraints

and complexities with regard to implementation, as documented in the environmental analyses (Chapter V), particularly with regard to the visitor experience and park operations.

Concern 239: The National Park Service should manage meadows to reduce the number of undeveloped social trails.

"I expect much fewer undeveloped trails "lace working" the meadows."
(Individual, Mariposa, CA, Comment #87-4)

Response: The National Park Service has adopted the Visitor Experience and Resource Protection (VERP) program as a component of Yosemite National Park's User Capacity Management Program. VERP establishes a framework for monitoring indicators in order to assess how visitor use is adversely impacting either the resource condition or visitor experience. The National Park Service has, and will continue to monitor both the "Number of Social Trails in Meadows" and the Length of Social Trails in Meadows" to determine the cause and effect relationship between visitor use of these areas with the development of social trails. Depending on monitoring results of these two indicators, a number of management actions could be implemented to reduce the number of social trails from developing and will be determined by park management.

Concern 358: The National Park Service should compare human-encounter based indicators and standards with those at other national parks.

"We also find the specific human encounter-based indicators and standards used in the Merced Wild and Scenic River Management Plan to be inconsistent with the approaches used by other national parks and forests...we find the following: Rocky Mountain National Park, with 11.0 recreational visitors per acre, effectively does not regulate human encounters to protect wilderness solitude. Yosemite National Park, with 4.3 recreational visitors per acre, will allow only one encounter with another party in its most restrictive wilderness zone to protect solitude. Meanwhile, Denali National Park and Preserve, with a mere .07 recreational visitors per acre, allows a wilderness encounter level in its most restrictive wilderness zone roughly twice that allowed in Yosemite. If there is any correlation between actual solitude (as defined in recreational visitor per acre) with the way these three national parks manage human encounters, it is not readily apparent."
(Business, San Rafael, CA, Comment # 112-11)

Response: The National Park Service has adopted the Visitor Experience and Resource Protection (VERP) program as a component of Yosemite National Park's User Capacity Management Program. VERP establishes a framework for monitoring indicators in order to assess how visitor use is adversely impacting either the resource condition or visitor experience. Because VERP is iterative and has the flexibility to be revised over time to improve the science behind the decision making, new information will continue to be reviewed by the National Park Service.

As part of the development of the overall User Capacity Management Program, the park's planning team consulted with managers at other national parks, as well as with several nationally recognized VERP experts regarding the development and use of VERP indicators and standards. Information gained for these sources was fully considered in the development of specific program elements at Yosemite National Park.

Concern 361: The National Park Service should understand that not all users have negative impacts on resources and should address how inexperienced recreation user groups impact resources.

"While the Merced Wild and Scenic River Management Plan aims to protect the river's natural resources from human-caused harm, it similarly appears inconsistent in the way that the indicators and standards focus proposed VERP management actions in Table II-8. We fully realize that the examples given are merely theoretical, and that the VERP framework will allow you to more accurately track environmental impacts and diagnose the likely causes of damage. Nevertheless, these proposed management actions exhibit biases we find concerning and worthy of noting."
(Business, San Rafael, CA, Comment #112-14)

"Scientific studies on human-caused environmental impacts tend to point out that uninformed and inexperienced visitors disobeying rules are responsible for more environmental impacts than their more informed and experienced counterparts who follow the rules…From our observations the greatest direct impacts directly affecting the Merced River are caused by casual tourists—usually ill informed about the natural environment and the damage their actions can cause."
(Business, San Rafael, CA, Comment #112-15)

"However, the proposed management actions often frequently discuss ineffective macro-level approaches like "limit overall numbers of users" through reduced entrance station quotas or reduced wilderness trailhead quotas, or they seek to permit, regulate and limit access by specific recreational visitors including rafters, climbers and hikers. It is our experience that the more experienced recreationists are very familiar with the Leave No Trace principles of their sport (i.e. boaters using beaches or rocks for ingress/egress), or, in the case of climbers, rarely if ever even approach the river environment directly."
(Business, San Rafael, CA, Comment #112-16)

Response: The National Park Service has adopted the Visitor Experience and Resource Protection (VERP) program as a component of Yosemite National Park's User Capacity Management Program. VERP establishes a framework for monitoring indicators in order to assess how visitor use is adversely impacting either the resource condition or visitor experience. The National Park Service recognizes that impacts to resources and the visitor experience can be caused by many different factors including varied types of activities and facilities, varied use levels, as well as natural processes.

Concern 372: The National Park Service should use the Visitor Experience and Resource Protection framework to measure the impacts of both the physical presence of humans and the presence of infrastructure on the Outstandingly Remarkable Values.

"When we asked why construction would proceed in the absence of information intended to show whether it would be appropriate, we were told that VERP is intended only to measure human impact. That would include coliform bacteria in the river, degraded meadows, crowds at viewpoints, too many drivers looking for too little parking, and such. It would have nothing to do with determining the appropriateness of offices, lodging, campgrounds, retail outlets, food service, roads, utility lines, or other construction projects.

In other words, we were told there was a complete separation of human impacts from the impacts of the infrastructure which goes along with those humans, and that this DRMRP process addresses only the former.

We do not agree that the only impacts that should be addressed are those caused by the physical presence of human beings. The more people there are, the more infrastructure is required to support their presence. Impacts of infrastructure clearly can affect the Outstandingly Remarkable Values (ORV's) along the Merced River, and should be addressed. It should be an integral part of addressing user capacity."
(Conservation Organization, Fresno, CA, Comment #113-14)

Response: The National Park Service has adopted the Visitor Experience and Resource Protection (VERP) program as a component of Yosemite National Park's User Capacity Management Program. VERP establishes a framework for monitoring indicators in order to assess how visitor use is adversely affecting either the resource condition or visitor experience. The National Park Service recognizes that impacts to resources and the visitor experience can be caused by many different factors including varied types of activities and facilities, varied use levels, as well as natural processes.

Concern 377: The National Park Service should consider a "Number of Vehicles on Roads vs. Capacity of Roads" Indicator in order to determine appropriate management actions to address traffic congestion.

"TRAFFIC CONGESTION: Consider traffic congestion. To a considerable extent this is the issue which has been foremost in much of the planning for Yosemite Valley, including the river corridor. It has been the reason given for closures of the Park and of the east end of Yosemite Valley. It is being used as the primary excuse for relocating Northside Drive around the south side of Yosemite Lodge. Yet there is no Indicator for "Number of Vehicles on Roads vs. Capacity of Roads." This is not the same issue as "Occupied Parking vs. Capacity." You can and do have parking spaces available when there is congestion on the roads. It happens when everyone tries to leave the Valley at the same time. Parking is available because people are leaving, but the roads are congested. It is two different issues, and you are measuring the wrong one. We request that one Indicator be "Number of Vehicles on Roads vs. Capacity of Roads."
(Conservation Organization, Fresno, CA, Comment #113-23)

"The remaining argument [to realign Northside Drive] made openly is that realignment of Northside Drive is needed to prevent traffic from backing up as a result of pedestrians crossing to get to the Lower Fall. So it gets down to numbers of people, numbers of vehicles, and the timing of both. It also raises questions as to whether it makes sense to try to engineer or build our way out of congestion problems. Or whether we should be looking at other solutions which do not involve major new impacts. That "look at other solutions" is required by NATIONAL PARK SERVICE regulations, as well as common sense. But it doesn't seem to be happening. We raise the issue now because we requested (above) a new Indicator: "Number of Vehicles on Roads vs. Capacity of Roads." Such an Indicator might lead to the conclusion that there were too many vehicles at particular times. If your "management action" conclusion were to be that more new roads should be built in order to speed up traffic, we would contest it vigorously. And we doubt that the general public sees moving traffic quickly through Yosemite Valley as being an important consideration in determining the quality of their visit. But, in the absence of the Indicator, the opportunity for that discussion will not offer itself."
(Conservation Organization, Fresno, CA, Comment #113-25)

"The proposed relocation of Northside Drive is a solution in search of a problem. Any rational process would have looked at it in the context of the DRMPR. Your failure to address it is a direct consequence of your failure to address the issues of numbers of people and numbers of vehicles and whether those numbers have any relationship to congestion. To ignore the court direction to address user capacity, and instead to attempt to build your way out with a new high speed highway in the river influence zone, is a gross violation of due process. It is probably also illegal."
(Conservation Organization, Fresno, CA, Comment #113-26)

Response: The National Park Service has adopted the Visitor Experience and Resource Protection (VERP) program as a component of Yosemite National Park's User Capacity Management Program. VERP establishes a framework for monitoring indicators in order to assess how visitor use is adversely impacting either the resource condition or visitor experience. Because VERP is iterative and has the flexibility to be revised over time to improve the science behind the decision making, new information will continue to be reviewed by the National Park Service, including the potential adoption of new indicators and/or standards.

The National Park Service has recognized that traffic congestion has implications to the overall visitor experience, can contribute to the degradation of some of the river's Outstandingly Remarkable Values, and can also affect vehicle and pedestrian safety. The indicator of "Occupied Parking versus Capacity" has a direct relation to the number of vehicles on roads, in that if vehicle parking can be accommodated, then roadway and intersection congestion will be minimized, especially during peak visitation periods. If monitoring the number of vehicles in any activity area at any one time indicates that existing parking capacity is being exceeded, park managers will implement appropriate management actions (see list of potential management actions in Chapter II) to ensure that congestion on roads is minimized and related Outstandingly Remarkable Values in affected areas are protected.

Concern 382: The Revised Merced River Plan should consider that measuring impacts on resources will be difficult to measure because there are over 300 species of wildlife and even more plant species in the park.

"It [analyzing the effect of humans on the web of life] is much more difficult to measure because there are more than 300 wild life species and even more plant species that somehow have to be considered."
(Individual, Twain Harte, CA, Comment #106-1)

Response: The National Park Services recognizes that the selection of specific indicators is an important step in the VERP process, and that it requires consideration of a number of factors that relate to the overall effectiveness of the indicator. In selecting indicators, park staff determined that indicators must satisfy fourteen important criteria, which are described in Chapter II of this document. Although this document only addresses the river corridor, the indicators and standards developed for this effort have been designed to be applicable to the park as a whole, As the VERP program continues to develop and evolve over the years, the overall goal will continue to be to protect all of the parks natural and cultural resources in a manner that best balances the preservation and enhancement of those resources with the overall visitor experience.

Concern 383: The National Park Service should separate out the effects on indicators caused by humans and those that are caused by natural variation.

"And even if you acknowledge that certain species should be the focus, your challenge is then to separate out the effects of humans on those indicators, if that's -- if they become indicators -- from the natural variation of weather, of habitat, of crenation, et cetera."
(Individual, Twain Harte, CA, Comment #106-2)

Response: The National Park Services recognizes that the selection of specific indicators is an important step in the VERP process, and that it requires consideration of a number of factors that relate to the overall effectiveness of the indicator. In selecting indicators, Park staff determined that indicators must satisfy fourteen important criteria, which are described in Chapter II of this document. One of these is that the indicator must be "related to use levels, behaviors or patterns." This criterion will help to ensure indicators focus on evaluating the effects of visitor use on a specific resource or location and not on those effects that are cause by natural variation. If impacts are discovered during monitoring, staff will conduct further investigation to determine the root cause of these impacts.

Concern 384: The National Park Service should conduct an analysis of streambank stability along the entire Merced River corridor in the Valley every other year.

"At an even broader level, there might be an analysis of stream bank stability along the entire river corridor valley done every other year or something, which is not that difficult to do. You have staff that could clearly do it. But it would provide a more of a big picture."
(Individual, Twain Harte, CA, Comment #106-7)

Response: The National Park Service Resources Management and Science Division currently has programs in place to address streambank stability. As part of ongoing observation, several streambank stabilization projects in the Merced River corridor have been completed over recent years, including at Eagle Creek.

Concern 427: The National Park Service should consider indicators and standards from a broader range of resources.

"There are no standards or indicators for preservation of the Scientific ORV or the Geologic Processes ORV."
(Individual, Oakhurst, CA, Comment #55-7)

"[W]hy isn't air quality an indicator for VERP?"
(Individual, El Portal, CA, Comment #109-6)

"RAFTING: Consider rafting. We have heard a number of comments about the negative impacts of rafting activity. In looking at the indicators, it is not at all clear that any of them will address this. For example, in Table II-8, page II-41, Zone 2A Open Space, an Indicator is "Actual Number of People Recreating Within the River Protection Overlay." It says if the Standard is exceeded there might possibly be a restriction of "fishing, picnicking, swimming, etc." Nothing is said about rafting. Even if rafting were listed, there is no clear commitment to a management action which would do something about the problem. In Table A-1, pages A-2 through A-7, we cannot find rafting listed as an activity for any Management Zone, even though swimming, wading, and fishing are listed. We request that one Indicator be "Number of Rafts vs. Capacity", because that appears to be the only way to have any assurance that the problem will be addressed."
(Conservation Organization, Fresno, CA, Comment #113-22)

Response: The National Park Services recognizes that the selection of specific indicators is an important step in the VERP process, and that it requires consideration of a number of factors that relate to the overall effectiveness of the indicator. In selecting indicators, park staff determined that indicators must satisfy fourteen important criteria, which are described in Chapter II of this document. Although this document only addresses the river corridor, the indicators and standards developed for this effort have been designed to be applicable to the park as a whole. Based upon monitoring results, the National Park Service will determine whether a particular indicator is capable of providing information to park managers about impacts to resources or the visitor experience caused from visitor use. The National Park Service has the ability to expand or reduce the number of indicators being monitored in a given season, or monitor different indicators in different seasons. VERP is a dynamic, iterative process that requires refinement of indicators and standards over time, making it likely that the park will continue to monitor new and/or refined indicators. As the park continues to monitor VERP indicators, the scientific Outstandingly Remarkable Values of the river corridor are enhanced through the additional scientific understanding of river values. For information from the 2004 VERP monitoring season, visit the park's web site (*www.nps.gov/yose/planning/ucmp.htm*).

Concern 445: The Revised Merced River plan should use Outstandingly Remarkable Values as the primary criterion for the development of standards and indicators.

"It's interesting to note that in describing meetings held to develop criteria for standards and indicators a list of 14 items is presented in this document; dead last on the list--"connected to the Outstandingly Remarkable Values" (page 11-48). That must be the primary criterion, not an afterthought?"
(Individual, Oakhurst, CA, Comment #55-9)

Response: The National Park Service recognizes this concern and will continue place priority on Outstandingly Remarkable Values during the development of standards and indicators within the Merced Wild and Scenic River corridor. However, because the National Park Service is implementing the VERP program parkwide, many other factors will be taken into consideration when selecting standards and indicators for the diversity of ecosystems with Yosemite National Park.

Concern 455: The National Park Service should withdraw the current plan and rewrite it following a 5-year interim study period which includes reevaluating all management elements to form the basis for the Record of Decision.

"We strongly support the concept of a 5-year interim study period with the following conditions: That the study period be viewed as a time to gather baseline data, develop and field test indicators and standards, and design/test/implement a clearly defined comprehensive resource monitoring program to guarantee protection of the Merced River Outstandingly Remarkable Values. Also conduct sociological studies that scientifically support visitor use planning assumptions including recreational patterns of low income and non-Anglo populations, visitor attitudes, etc. Results of this 5- year effort will become the foundation for a real Revised River Plan that would then be released to the public for formal review. It would be this 5-years-from-now document that would become the basis for the Record of Decision."
(Individual, Oakhurst, CA, Comment #55-54)

"[We strongly support the concept of a 5-year interim study period with the following conditions:]…That the scope of the 5-year interim effort be broadened to include review of all of the management elements and their integral relationship to user capacity."
(Individual, Oakhurst, CA, Comment #55-55)

Response: In October 2003, the U.S. Ninth Circuit Court of Appeals stated that the "Merced Wild and Scenic River Comprehensive Management Plan (CMP) is invalid due to two deficiencies: (1) a failure to adequately address user capacities; and (2) the improper drawing of the merced River's boundaries at El Portal. " In April 2004, the same court clarified its original opinion, stating that the National Park Service "must prepare a new or revised CMP that adequately addresses user capacities and properly draws the river boundaries in El Portal." The Revised Merced River Plan/SEIS was prepared in accordance with direction from the court, namely to readdress the two issues identified as being deficient. The National Park Service subsequently made a commitment to the court to complete this revision process in a one-year timeframe. Abandoning the planning effort in order to take additional time to collect data—in the absence of an approved user capacity program—would not be in keeping with the direction of the court to provide a "concrete measure of use."

Concern 458: The National Park Service should allow for flexibility in management actions to potentially allow for the reduction of private automobile traffic and an increase in bus parking and quotas.

"We therefore suggest that in formulating management actions to be taken under VERP, some flexibility be provided to allow for the reduction of private automobile traffic and a commensurate increase in bus parking and/or bus quotas should visitor preferences change."
(Business, Castroville, CA, Comment #118-5)

Response: The National Park Service has adopted the Visitor Experience and Resource Protection (VERP) program as a component of Yosemite National Park's User Capacity Management Program. VERP establishes a framework for monitoring indicators in order to assess how visitor use is adversely impacting either the resource condition or visitor experience. Because VERP is iterative and has the flexibility to be revised over time, the types of management actions that could be implemented will be determined based on whether the management action is appropriate to address an exceedance of a particular standard, such as traffic congestion and management.

Special Land Designations

Concern 250: The Revised Merced River Plan should recognize that the Merced Wild and Scenic River is part of a common heritage belonging to all people.

"The Merced River is a precious part of our common heritage and our common legacy. The National Park Service does not own the Merced River; the concessioner, Delaware North Corporation, does not own the Merced River; the people of the United States--as our common trust and responsibility--owns the Merced River; and in its protection lies our enjoyment. Or as Chief Seattle better put it, "The Earth does not belong to us, we belong to the Earth.""
(Conservation Organization, Yosemite, CA, Comment #111-13)

Response: The Wild and Scenic Rivers Act of 1968 was established to preserve the free-flowing condition of America's rivers—along with their immediate natural environments—for the benefit and enjoyment of future generations. The Merced River is as central to Yosemite National Park as its granite domes and spectacular waterfalls. When it was designated as a Wild and Scenic River in 1987, the Merced River joined a legion of special places unique in the nation. Central to its mission, the National Park Service recognizes that parks are places where all can experience America's heritage. The National Park Service has a duty to all who come to Yosemite to protect and enhance the Merced River's "Outstandingly Remarkable Values" for the benefit and enjoyment of people today—and for future generations.

Concern 125: The National Park Service should re-evaluate the recreational designation of the El Portal segment of the Merced Wild and Scenic River for a scenic designation.

"I have a few things to say. One is to ask the planning team to re-evaluate, and it sounds like they're already re-evaluating the designation of the El Portal segment as scenic or recreational, just to revisit that question. I learned from tonight from Mark that the forest came up with the original designation as recreational not scenic, because this segment was determined to be just like similar segments of the Yuba or the American or the Tuolumne, et cetera, so it was left out. It was said, it's not unique enough, not regionally or nationally significant enough to be called a scenic stretch of river."
(Individual, El Portal, CA, Comment #35-1)

"Re-evaluate the "scenic" vs. "recreational" designation of the Merced River in El Portal…"
(Individual, El Portal, CA, Comment #132-3)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues.. What distinguishes and classifies "wild", "scenic" and "recreational" segments of a river is clearly established by the Wild and Scenic Rivers Act. Accordingly the El Portal segment was classified as recreational based on its existing level of development. A detailed description of river classifications is presented in the 2000 Merced River Plan.

Outstandingly Remarkable Values

Concern 70: The National Park Service should consider a Scenic Outstandingly Remarkable Value in El Portal.

"What concerns me about that is I looked at all the other outstanding remarkable values for El Portal area like biological, culture, et cetera, et cetera, and if you look at all those, they are found all over the place too, like there's bedrock mortars and pounding rocks in every canyon up and down the foothills, but cultural significance or archeological significance got put into the El Portal stretch, and biological significance, you see the slide of the live oaks in the side canyons. There's live oaks in side canyons up and down the foothills. So a whole bunch Outstandingly Remarkable Values, that made it into El Portal's designation as being significant, scenic got left out because it was said to not be unique."
(Individual, El Portal, CA, Comment #35-3)

"The Merced River in El Portal clearly is scenic, so this Outstandingly Remarkable Value should be included in planning for the El Portal river segment. The canyon is one of the few remaining wild river corridors in the state, and its spring show of redbuds, poppies and other wildflowers is stunning. Oak trees, which have largely disappeared from their once-wide swath of California, spread across the steep hillsides here. The roaring whitewater and the gorge's green walls are the gateway to Yosemite, and development along the river would impair the majesty of this entrance. NPS has an opportunity in El Portal to take ethical high ground by protecting the scenery and finding a sustainable and unobtrusive way to provide housing and administrative buildings."
(Individual, Comment #81-14)

"Views from the Merced River and its banks in El Portal (and from above the canyon looking down) offers unique river features, spectacular rapids among giant boulders as well as exemplary views of Chinquapin Fall and the spectacular granite of Parkline Slabs; I am still puzzled as to why the NPS has failed to recognize this section of the river corridor as having "scenic" Outstandingly Remarkable Values."
(Individual, El Portal, CA, Comment #109-12)

Response: The Final Revised Merced River Plan has been prepared to address the Court direction, which was to revise the Merced River Plan to address user capacity and to define the boundary in the El Portal segment based on the Outstandingly Remarkable Values. The Court did not direct the National Park Service to reexamine the other elements of the Merced River Plan, as adopted in 2000. However, the revised river boundary for El Portal does provide for more restrictive zoning along the majority of the south side of the river. This more restrictive zoning will help to preserve the scenic qualities that currently exist in portions of this area.

Concern 86: The National Park Service should consider climbing as part of the Recreation Outstandingly Remarkable Value.

"One thing we're concerned about is to make sure the Park Service realizes that although I'm commenting as a climber, as climbers we believe climbing is another very valuable recreational activity that's done in the river corridor. When you're talking about outstanding and remarkable values applying to the corridor, climbers are involved as well, even if we're not in the river mark. And lots of people know this. You're looking down, part of the scenery that's so spectacular is climbing and looking down at the beautiful green snake of the Merced River. Also listening to the river as you're climbing, especially in the spring, like in the cooker area. Just hearing that roar just makes us feel like we're in Yosemite. I suggest you consider climbing as part of the outstanding and remarkable values plan."
(Individual, San Rafael, CA, Comment #37-1)

"[C]limbing itself does not directly affect the river environment (i.e. plants, animals and natural systems) unless climbers physically come in contact with the river, as, for example, to take a swim after a climb. Any direct climber contact with the river would be an infrequent exception, with most climbing near the river having no direct impact. Nevertheless, the Merced Wild and Scenic River Management Plan will have significant repercussions on the ability to climb or access climbs within the half-mile-wide river corridor. Given the significant amount of climbing areas that fall within the river corridor and the fact that climbing does not conflict with the natural processes of the river corridor, we feel climbing should be listed in the Outstanding Remarkable Values as an appropriate recreational use."
(Business, San Rafael, CA, Comment #112-5)

Response: The National Park Service recognizes that climbing in Yosemite is a world-class recreational activity. However, to be considered part of the recreational Outstandingly Remarkable Value, an activity must be river-related or river dependant and unique or exemplary in a regional or national context. While no one could argue that climbing in the Merced River corridor is not unique or exemplary, it is not a river-related activity. Please refer to the 2000 Merced River Plan for more discussion on how the Outstandingly Remarkable Values for the Merced River corridor were established.

Concern 115: The National Park Service should place additional buildings in Wawona on the National Register.

"I am pleased to note that the Pioneer Yosemite History Center at Wawona (once referred to colloquially as Doug's Berry Farm) is rated as having Outstandingly Remarkable Value. Restoring the Wawona Covered Bridge was the beginning, followed by moving in the historic buildings, most of which would have been destroyed by now had they not been gathered there. Recommendation: Though less eye-catching, I urge that the Powerhouse-Jail-Morgue be placed on the National Register and also the Mather Ranger Station and the Anderson Cabin. Almost all of the PYHC buildings are one-of-a-kind."
(Individual, Comment #10-1)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended

to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. Based on the above, this public concern is not within the scope of this document.

Concern 116: The National Park Service should include the El Portal Transportation Center as an Outstandingly Remarkable Value.

"The El Portal Yosemite Transportation Center exhibit was popular with visitors though crowded for space. Most of these vehicles are one-of-a-kind and I would consider them to be in the Outstandingly Remarkable Value category. I hope they are being cared for."
(Individual, Comment #10-2)

Response: The Transportation Center in El Portal includes the Bagby Stationhouse, watertanks, Hetch Hetchy Railroad engine #5, Yosemite Valley Railroad caboose number 15 and the remains of the Yosemite Valley Railroad turntable; all of these are listed in or eligible for listing in the National Register, for which they are included as part of the Cultural ORV within the river corridor boundary. In addition, these are all contributing elements to the Old El Portal Cultural Landscape, which is potentially eligible for listing in the National Register. As per the Wild and Scenic Rivers Act mandate to protect and enhance OUTSTANDINGLY REMARKABLE VALUES the Transportation Center, as part of the Cultural ORV, will be adequately protected.

Concern 244: The Revised Merced River Plan should specify known Outstandingly Remarkable Values but precede the list with the words, "including, but not limited to…", in order to capture species not yet identified in the corridor.

"When listing Outstandingly Remarkable Values, it is important to list all the known Outstandingly Remarkable Values, for example all the species, and precede the listing with the words, "including, but not limited to..." Otherwise the list could become hardened in time and fail to protect species not yet identified or located or that might move into (or be restored such as the red-legged frog) the River corridor."
(Individual, Comment #93-12)

"Outstandingly Remarkable Values GENERAL: Outstandingly Remarkable Values are dependent on broader systems for their protection and are more broad based than a listing species. When listing Outstandingly Remarkable Values, it is important to list all the known Outstandingly Remarkable Values, for example all the species, and precede the listing with the words, "including, but not limited to..." Otherwise the list could become hardened in time and fail to protect species not yet identified or located or that might move into (or be restored such as the red-legged frog) the River corridor. This is critically important. The Outstandingly Remarkable Values are the FOUNDATION AND BASIS of a protective and valid river plan. In addition, it is important to disclose that Outstandingly Remarkable Values, such as biologic and hydrologic, are not discrete. They are dependent upon the larger surrounding ecosystem and/or species for their health and existence; and therefore need to be protected and managed as such by protection of the environment which sustains them. The ORV definition should be so complete and comprehensive manner it becomes the baseline for monitoring."
(Conservation Organization, Yosemite, CA, Comment #111-95)

"Nature is not static and other species not currently within the Administrative Site might move in (such as mammals sighted in recent years such as mink and river otter), they are Outstandingly Remarkable Values and should be protected. (See Appendix E, E-1 through E-18)"
(Conservation Organization, Yosemite, CA, Comment #111-112)

Response: The identification of Outstandingly Remarkable Values within the river corridor reflects the application of a standard that they meet the criteria of being both river-related and regionally or nationally unique or exemplary. The Outstandingly Remarkable Values for the river corridor within the park have been identified as part of the 2000 Merced River Plan. The categories of Outstandingly Remarkable Values were designed to account for the natural variability and flux that occurs in natural systems. As pointed out by the commentor, some special-status species not specifically called out could move into the area. Thus, all special-status species that are river related or dependent are part of the greater biological Outstandingly Remarkable Values. In El Portal, the park has adopted a river boundary that extends for a quarter mile either side of the river, and additional efforts have been undertaken as part of this planning effort to identify cultural, recreational, and biological Outstandingly Remarkable Values within this river segment. In addition, data collection on the protection and enhancement of ORV's will continue as part of the VERP program, an ongoing monitoring and adaptive management process.

Concern 425: The National Park Service should prepare a Revised Merced River Plan with protection of the Outstandingly Remarkable Values as the foundational element.

"Recognizing the importance of Outstandingly Remarkable Values, the WSRA Interagency Commission (2002) issued a management directive: "Thoroughly define the Outstandingly Remarkable Values to guide future management actions and to serve as the baseline for monitoring." Though the invalid Merced River Plan made a feeble attempt, it fell far short in justifying selection, denoting goals for protection, and specifying how management prescriptions would achieve stated objectives. This Revised River Plan has continued to sidestep these fundamental deficiencies."
(Individual, Oakhurst, CA, Comment #55-10)

"I also must urge NPS to withdraw this inadequate document and prepare a new document with protection of the Outstandingly Remarkable Values as its fundamental and basic foundation."
(Individual, El Portal, CA, Comment #109-2)

Response: The foundation of the Merced River Plan is to provide for the protection and enhancement of the Merced River's Outstandingly Remarkable Values. The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues.

The Merced River Plan guides future planning and land use. Its management elements work synergistically to create a network of systems that will ensure the long-term protection and enhancement of Outstandingly Remarkable Values. Efforts continue on a day-to-day basis to restore natural river process and improve the overall health of the Merced River ecosystem. Ongoing monitoring along with continued restoration are not just foundational elements of this plan, but are part of the very mission of the National Park Service. The public will be regularly

apprised of progress in the river corridor through quarterly VERP updates and an annual monitoring report.

Concern 441: The National Park Service should clearly identify the locations of Outstandingly Remarkable Values and how the park will deal with conflicts between Outstandingly Remarkable Values.

"What happens when Outstandingly Remarkable Values are in conflict and how does the Park objectively determine if one is more important than another? Is conflict between Outstandingly Remarkable Values necessary or is that merely evidence that the Outstandingly Remarkable Values were not thoroughly defined in the first place."
(Individual, Oakhurst, CA, Comment #55-8)

"The revised CMP provides little, if any, clarity regarding "outstanding remarkable values." It is difficult to determine where they exist and how they are to be protected."
(County Agency, Groveland, CA, Comment #140-1)

Response: Please refer to the original 2000 Merced River Plan/FEIS for discussions of how Outstandingly Remarkable Values were developed and how the park would manage circumstances if instances occurred where Outstandingly Remarkable Values were in conflict with each other. The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. .

Concern 176: The National Park Service should consider the impacts of parking spaces on Outstandingly Remarkable Values.

"Based on personal observation, many NPS-sanctioned day use parking places have significant adverse impacts on Outstandingly Remarkable Values - affecting both natural resources and visitor experience. An example is the area where cars are parked on busy weekends on top of the bike path between the Sentinel Bridge shuttle bus stop and the 3-way stop sign at Sentinel Drive and Northside Drive intersection."
(Individual, Fresno, CA, Comment #82-13)

Response: The National Park Service recognizes that traffic congestion has implications to the overall visitor experience, can contribute to the degradation of some of the river's Outstandingly Remarkable Values, and can also affect vehicle and pedestrian safety. As a result, the park has developed an indicator of "Occupied Parking versus Capacity" which has a direct relation to the number of vehicles on roads and in parking facilities. If monitoring the number of vehicles in any activity area at any one time indicates that existing parking capacity is being exceeded, park managers will implement appropriate management actions (see list of potential management actions in Chapter II) to ensure that parking capacity is not exceeded, such that congestion on roads is minimized and related Outstandingly Remarkable Values in affected areas are protected.

Boundaries

Concern 165: The National Park Service should choose a 1/4 mile river boundary in El Portal that is consistent with the other segments of the river boundary.

"Choose a ¼-mile river buffer in El Portal. Public agencies often lay out a quarter-mile buffer on either side of a Wild and Scenic river. In order to uphold its reputation as an effective land protection agency, NPS should do the same in El Portal. If the buffer is sliced thinner in some places, NPS will have no ethical footing from which to lobby other Merced River managers and private landowners to protect the river. It will lose an opportunity to be an exemplary land management agency."
(Individual, Comment #81-13)

"I expect you to plan for the greatest preservation of Yosemite Valley's scenic, cultural and ecological attributes, basing management on a completed, valid, and legal Yosemite Merced River Plan. Your current proposed plan appears to avoid specifics regarding these special values. Specifically, the 1/4 mile buffer around designated Wild and Scenic Status should be adhered to."
(Individual, Davis, CA, Comment #115-1)

"In looking at the alternatives presented in the Draft MRP for the El Portal segment, I see none of the alternatives in and of themselves as a protective alternative for the Merced River as it travels through El Portal. The river corridor should certainly remain 1/4 mile wide as it is on all other parts of the Wild and Scenic river from what I understand - through YNP and on the West side of El Portal through the National Forest. The only alternative that presents this corridor is alternative 3, so in this aspect, I support that plan. The zoning of this alternative, however, seems to have no correlation to the Outstandingly Remarkable Values and not to be very protective of the river corridor."
(Individual, El Portal, CA, Comment #120-7)

Response: In response to public comments, the river boundary in El Portal has been modified in the Final Revised Merced River Plan/SEIS. As shown in Figure III-2, the river boundary in El Portal in Alternative 2 has been expanded to a quarter-mile on either side of the river, consistent with the remaining river corridor boundary in the park. Management zoning also has changed to be more protective of known natural and cultural resources on the north side of the river, and more protective of open space considerations on the south side of the river.

Concern 207: The National Park Service should select an El Portal boundary of 1/4 mile with more protective zoning.

"The Tribe would like the Park Service to consider the possibility of modifying the boundary and Zoning of the preferred alternative if Cultural resources and archeological sites are more susceptible to disturbance. Because of the past construction of housing and infrastructure, archeological sites and cultural resources were impacted by these projects. El Portal is considered to have the most and oldest archeological sites in the River gorges."
(Tribal Organization, Mariposa, CA, Comment #84-5)

"EPA has no objections to the preferred alternative (#2) user capacity program or proposed El Portal Boundary, since it represents greater protection for the Outstandingly Remarkable Values (Outstandingly Remarkable Values) of the river. Therefore we have rated the DSEIS as Lack of Objections (LO) (see enclosed "Summary of Rating Definitions). Because of the exceptional archeological resources in El Portal, however, and the cumulative impacts to traditional cultural resources from past practices, EPA requests that the National Park Service (NATIONAL PARK SERVICE) consider modifying the boundary and management zoning) to provide more protection to these resources of concern to tribal populations, if an analysis of the locations of significant archeological and traditional use resources reveals they lie in areas that would allow more disturbance (zoned 3C or not within the Wild and Scenic River boundary)."
(Conservation Organization, San Francisco, CA, Comment #125-1)

"Lock in maximum protection of Outstandingly Remarkable Values and open space in the El Portal river segment corridor. Protecting the Wild and Scenic Merced River and her Outstandingly Remarkable Values should be the absolute foundation of this plan. Some of the alternatives, however, are downright frightening in that their zoning allows for the possibility of massive development and resource impact within the quarter mile protection corridor. I have heard several times that "those purple areas on the map don't mean that development will occur, just that it will be possible in that zone." We need a better guarantee than trusting the good intentions of future park administrations and planning teams! Restrict future development with the most protective zoning possible. Protect the Outstandingly Remarkable Values by establishing the widest possible river protection corridor."
(Individual, El Portal, CA, Comment #132-4)

Response: As a result of public comment on the Draft Revised Merced River Plan/SEIS Revised Merced River Plan/SEIS, the river boundary and management zoning for the El Portal segment has been revised. As presented in this Final Revised Merced River Plan/SEIS Revised Merced River Plan/SEIS, Alternative 2 expands the corridor boundary to a quarter-mile on each side of the river. The boundary encompasses a total of 853 acres, which is equal to the maximum allowable acreage of 320 acres per linear mile of river under the Wild and Scenic Rivers Act and would be the same as all other river segments within Yosemite National Park. The zoning prescriptions under this alternative have been revised to provide more restrictive zoning in the areas of several identified Outstandingly Remarkable Values.

Concern 316: The El Portal boundary should support the full range of the objectives of the Wild and Scenic Rivers Act, not just being protective of Outstandingly Remarkable Values.

"While we agree with the court that the revised river plan must meet that standard, that standard does not fully reflect all of the purposes for which a river corridor is established. A wild and scenic river corridor is the zone of principal management emphasis for a wild and scenic river manager, as well as the area that provides the most tools and resources for the river manager. Corridor boundary establishment objectives should support the full range of the objectives of the Wild and Scenic Rivers Act and of wild and scenic river managers, not just being protective of outstandingly remarkable values. For example, corridor boundary establishment objectives should support the objectives of the river management plan, which according to statute should "address resource protection, development of lands and facilities, user capacities, and other management practices necessary or desirable to achieve the purposes of this chapter."
(Conservation Organization, Sacramento, CA, Comment #116-2)

"It should make clear (and show in practice) that corridor boundary criteria involve a full range of wild and scenic river management considerations. It should also successfully address issues expected in wild and scenic river management plans."
(Conservation Organization, Sacramento, CA, Comment #116-7)

Response: The Wild and Scenic Rivers Act of 1968, as amended (Public Law 90-542, 16 USC 12371-1298), identifies distinguished rivers of the nation that possess remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values; preserves the rivers' free-flowing condition; and protects their local environment. The act requires managing agencies to prepare a comprehensive management plan to protect each river and its outstanding and unique values. In 1987, the U.S. Congress designated the Merced a Wild and Scenic River. The National Park Service adopted the Merced River Plan in 2000 to comply with the requirements of this act. This Revised Merced River Plan/SEIS revises the Merced River Plan to ensure that the plan fully complies with the direction of the act in preserving the free flow and protecting and enhancing the outstanding values of the river.

In 1958, Congress authorized the National Park Service to establish an administrative site in El Portal to allow for the relocation of park operations and administration facilities outside Yosemite National Park (72 Stat. 1772). This act specified that the El Portal Administrative Site was not subject to the laws and regulations governing Yosemite National Park. The purpose for creating the El Portal Administrative Site was to "enable the Secretary of the Interior to preserve the extraordinary natural qualities of Yosemite National Park, notwithstanding its increasing use by the public," by allowing the National Park Service to move operations and administrative facilities outside the boundaries of the park.

However, as a result of public comment to the Draft Revised Merced River Plan/SEIS Revised Merced River Plan/SEIS, the river boundary and management zoning for the El Portal segment has been revised. As presented in this Final Revised Merced River Plan/SEIS, the boundary has been changed to a quarter mile on either side of the river, which provides consistency with the remainder of the Merced River corridor within National Park Service administered lands and adjacent land management agencies with jurisdiction of the Merced Wild and Scenic River.

Concern 317: The National Park Service should include the private land parcels in the El Portal boundary, and should provide a discussion of the general principles of potential land acquisitions.

"The preferred revised river plan corridor also excludes the private land in El Portal from the river corridor. This highlights and compounds a weakness in the original river plan that should have been addressed in this planning effort."
(Conservation Organization, Sacramento, CA, Comment #116-3)

"Although the CMP acknowledges that "[t]he National Park Service must develop management direction in regards to these private properties," it is unclear where (or 6 if) the CMP establishes or describes a clear vision for private land corridor management; nor does it contains any narrative, criteria, or process specifically identified to guide the Federal river managers, local governments, or private parties in their hopefully common efforts to implement such a vision and goals. This deficiency should be addressed in the final CMP.7"
(Conservation Organization, Sacramento, CA, Comment #116-4)

"The final 2000 river management plan did not respond to our comments. No sense of the NPS corridor manager's vision for private land general plan and zoning approaches that would be consistent with the management vision of the river corridor can be gleaned from the pages of either NPS Merced River management plan. In subsequent discussions with NPS staff, we were told there was no Land Protection Plan for Yosemite that touches this issue (see footnote). Worse yet, the boundaries established or proposed in these plans excludes private land from the river touches this issue (see footnote). Worse yet, the boundaries established or proposed in these plans excludes private land from the river touches this issue (see footnote). Worse yet, the boundaries established or proposed in these plans excludes private land from the river corridor, limiting the tools provided by the Act to help assist private landowners in meeting corridor management goals."
(Conservation Organization, Sacramento, CA, Comment #116-5)

Response: The National Park Service does not have jurisdiction over private lands within the Merced River corridor which reside within the El Portal Administrative Site. The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. A discussion of general principles dealing with potential land acquisitions in a Wild and Scenic River corridor are addressed under Sections 6, 8, and 14 of the Wild and Scenic Rivers Act. These are also discussed further in Chapter I of the 2000 Merced River Plan/FEIS.

Concern 408: The National Park Service should consider potential benefits and impacts, and cumulative past impacts when delineating and zoning the El Portal boundary.

"Because of the exceptional archeological resources in El Portal, however, and the cumulative impacts to traditional cultural resources from past practices. EPA requests that the National Park Service (NPS) consider modifying the boundary and management zoning) to provide more protection to these resources of concern to tribal populations, if an analysis of the locations of significant archeological and traditional use resources reveals they. lie in areas that would allow more disturbance (zoned 3C or not within the Wild and Scenic River boundary)."
(Conservation Organization, San Francisco, CA, Comment #125-2)

"To the extent known, provide additional information in the FSEIS regarding archeological and traditional cultural resources within the El Portal boundary"
(Conservation Organization, San Francisco, CA, Comment #125-5)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. For a discussion of the environmental consequences with each El Portal boundary alternative, refer to Chapter V: Environmental Consequences of the Final revised Merced River Plan/SEIS.

Management Zones

Concern 208: The National Park Service should more broadly define the boundary and should limit development-oriented zoning (such as 3C and 2C), in the El Portal boundary due to sensitive resources, particularly at Hillside East and West.

"The Tribe would like the Park Service to consider the possibility of modifying the boundary and Zoning of the preferred alternative if Cultural resources and archeological sites are more susceptible to disturbance. Because of the past construction of housing and infrastructure, archeological sites and cultural resources were impacted by these projects. El Portal is considered to have the most and oldest archeological sites in the River gorges."
(Tribal Organization, Mariposa, CA, Comment #84-5)

"Hillside East and West should not be developed. Keep those scenic areas and resources zoned as open space."
(Individual, El Portal, CA, Comment #132-7)

Response: Many public comments expressed concern about the zoning and size of the El Portal Boundary in the preferred alternative. In response to these concerns, the National Park Service increased the size of the boundary to a quarter-mile on both sides of the river to better match the boundary in the rest of the park. Additionally, more restrictive zoning was added to much of the south side of the river and sensitive resource areas north of the river—in particular at Hillside East and West.

Concern 216: The National Park Service should reevaluate management zoning in terms of user capacity to primarily focus on protection of natural resources and Outstandingly Remarkable Values.

"ADHERENCE TO FLAWED ZONING. This Revised River Plan endorses the same complex list of zones and permitted activities that were included in the invalid Merced River Plan. And though Park releases insist that the invalid Plan's management zoning program would not be revisited in the new planning effort--we continue to believe such a position is a grievous error. With respect to user capacity, WSRA Guidelines specifically state that "studies will be made during preparation of the management plan and periodically thereafter to determine the quantity and mixture of recreation and other public use which can be permitted without adverse impact on the resource values of the river area. Management of the river area can then be planned accordingly." The amount of use an area can sustain is inextricably linked to how the resource is to be managed. Adhering to hollow zoning delineations that were developed without resource and monitoring information coupled with a lack of user capacity research renders any 'revised' Plan fatally flawed. Current land-use management zoning appears to have been designed to accommodate predetermined development projects rather than protection of natural resources and OUTSTANDINGLY REMARKABLE VALUES as the primary focus. (David Siegenthaler of the National Park Service stated as much in El Portal, 2/1 1/00, in a formal Public Hearing presentation that the River Plan is "leaving the door open to accommodate a host of projects that have been on the table for a long time.")"
(Individual, Oakhurst, CA, Comment #55-14)

"NPS has failed to reevaluate management zoning in terms of use capacity. The amount of use appropriate for any location is directly related to the type of use authorized. Allowing for uses with less impact, ie fewer hardened surfaces, fewer paved areas, fewer restaurants and commercial services, can allow for sometimes a greater number of visitors while still protecting Outstandingly Remarkable Values. So NPS's refusal to provide for any alternatives that reevaluate the Management Zones in light of the court's mandate for NPS to address user capacity is illegal. When NPS set the Management Zones in the first CMP, it did so without any consideration of capacities in each zone or how management zoning would protect Outstandingly Remarkable Values. The type of use is a critical component of capacity."
(Conservation Organization, Yosemite, CA, Comment #111-66)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues.

Except as noted in the requirements established by the Ninth Circuit Court of Appeals, the existing management elements, which includes management zoning, as analyzed in the June 2000 *Merced Wild and Scenic River Comprehensive Management Plan/Final Environmental Impact Statement* and adopted in the Record of Decision (as revised) in November 2000, remain unchanged and are not addressed as part of this planning effort. A further discussion with regard to this is presented in Chapter I of this document.

Concern 251: The Revised Merced River Plan should eliminate the use of destructive Yosemite Valley Plan zoning.

"Please…[throw] out the Management Zones which are virtually a planning map for the Yosemite Valley Plan. Then start again on a fresh draft with the Outstandingly Remarkable Values and build a River Plan based on their protection."
(Individual, Comment #93-19)

"The FoYV representative urged the planners and consultants that in order to develop a protective plan for the Merced's Outstandingly Remarkable Values, it would need to be based on and built around, those values. The FoYV representative suggested time and again a method to accomplish this: throw out the unprotective 2000 MRP Management Zoning which, rather than being based on Outstandingly Remarkable Values, is based on accommodating pre-decisional Yosemite Valley Plan (YVP) projects; then list, clearly define, and thoroughly document the Outstandingly Remarkable Values and build the plan from there. We asked the planning team to focus on the Outstandingly Remarkable Values as the foundational BUILDING BLOCKS of the plan."
(Conservation Organization, Yosemite, CA, Comment #111-2)

"IMPORTANCE OF YOSEMITE NATIONAL PARK and PROTECTING MERCED RIVER Outstandingly Remarkable Values: While the D. R. MRP states Yosemite and the Merced River's importance in one section (quoted below), the plan itself with its YVP Management Zones, and so on, continues the non-protective framework in the invalid 2000 MRP; and allows for, and in fact sets the framework for, degradation and destruction of these same values."
(Conservation Organization, Yosemite, CA, Comment #111-15)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.

Except as noted in the above requirements established by the Ninth Circuit Court of Appeals, the remaining management elements analyzed in the 2000 *Merced Wild and Scenic River Comprehensive Management Plan/Final Environmental Impact Statement* (Merced River Plan/FEIS) and adopted in the Record of Decision (as revised) in November 2000, remain unchanged.

Concern 253: The Revised Merced River Plan should reevaluate the destructive zoning in El Portal that is not protective of the Outstandingly Remarkable Values.

"There is a complete discontinuity between the stated importance of El Portal values, its Outstandingly Remarkable Values, and the degradation and destruction of those same values inherent in the Management Zoning of the plan. Saying something is nice, does not overcome a set up for destructive action."
(Conservation Organization, Yosemite, CA, Comment #111-16)

Response: Zoning is a management tool and a safeguard for guiding future land use decisions in the Merced River corridor. If an individual action is proposed within the appropriate zone, it must still be evaluated for impacts to Outstandingly Remarkable Values. If the action were found to adversely impact Outstandingly Remarkable Values it could not be implemented without appropriate mitigation measures to ensure Outstandingly Remarkable Values are protected.

However, as a result of public comment to the Draft Revised Merced River Plan/SEIS, the river boundary and management zoning for the El Portal segment has been revised. As presented in this Final Revised Merced River Plan/SEIS, the boundary has been changed to a quarter mile on either side of the river, which provides consistency with the remainder of the Merced River corridor within National Park Service administered lands and adjacent land management agencies with jurisdiction of the Merced Wild and Scenic River. In addition, changes in management zoning on the north side of the river now affords greater protection through increased Day Use (2C) management zoning in areas of known sensitive resources, and changes in management zoning on the south side of the river now affords greater protection of scenic qualities, wildlife habitat and cultural resources through Open Space (2A) management zoning east of the Highway 140 bridge.

Concern 356: The National Park Service should revise potential management actions in wilderness zones of Yosemite Valley so that the levels of climber access won't be reduced.

"While the half-mile-wide corridor defines the scope of the plan, this broad swath of land encompasses areas and appropriate, compatible uses that have, at most, an incidental relationship with the river. As is described above, rock climbing is a good example of this zoning problem. Climbing bears the full brunt of management action while having little to no direct impact on the river environment itself.

Of particular concern in this regard are the numerous areas in which the 1A wilderness zone appears within the Valley segment of the Merced River corridor. These untrailed wilderness zones appear to include access corridors to many of the most historic and popular climbing areas in the Park, as well as many important rock climbs themselves. Access in these zones occurs on undesignated trails, the climbing routes themselves are not formally designated and the recreational experience is among the most primitive and unconfined possible. Nevertheless, existing primitive recreational use of these routes and access trails would significantly exceed the human encounter-based capacities established for these untrailed wilderness zones (no more than one encounter with another party per day 80% of the time). Given the possible management actions spelled out in Table II-B, we are concerned that efforts to regulate, permit and limit climbing opportunities in these untrailed wilderness areas within the river corridor would result in recreational use levels well below current and historic use levels."
(Business, San Rafael, CA, Comment #112-6)

"[T]he current draft plan does not appear to have adequately considered how climbing (and other primitive recreational uses of these untrailed zones) will be affected by the interim limits and long-term use of VERP in these intersections between the river corridor and designated wilderness. We are quite willing to consider restrictions on climbing (and have done so in many other parks and forests) when there are demonstrable climbing-related impacts to the environment. However, it is impossible to support the dramatic reductions that may result in these areas that are mere yards from bike paths, bus stops, grocery stores and other urban amenities, yet that would be managed to a standard more appropriate for a remote wilderness peak."
(Business, San Rafael, CA, Comment #112-8)

Response: Management zone limits proposed in Alternative 4 of the Final Revised Merced River Plan/SEIS were calculated based upon a People At One Time (PAOT) density factor and include the total number of people within the management zone type. In the event that visitor levels in Alternative 4 exceed management zone capacities, management actions may be necessary. Specific management actions implemented as a result of VERP monitoring would be guided by the impacts caused to river values and the visitor experience associated with particular types and levels of use. Depending on the type of management action chosen, further National Environmental Policy Act review and public involvement would be required.

Concern 403: The National Park Service should choose the management zoning scheme as identified in Alternative 4 because it follows the Outstandingly Remarkable Values and is more protective overall.

"In terms of zoning, alternative 4 is my preference because it follows the Outstandingly Remarkable Values and has much more protective zoning overall."
(Individual, El Portal, CA, Comment #120-8)

Response: While the National Park Service did not select Alternative 4 as its preferred alternative, the planning team has considered concerns for more protective zoning within the El Portal segment of the river. As a result of public comment, more protective zoning has been proposed for the El Portal boundary preferred alternative (Alternative 2) within the El Portal segment of the Merced River.

Wawona/Section 35

Concern 293: The National Park Service should consider the adverse impacts associated with using Wawona as an alternative administrative area if development in El Portal is restricted.

"Since the 1998 Act establishing El Portal as an Administrative Site, YNP has been increasing its presence there. If present structures are deemed inappropriate, or if new construction is banned by more restrictive alternatives, the Park Service will have to look elsewhere. Wawona has been declared an alternative administrative site, if better sites are not available. The historic, low-density, residential nature of Wawona would be seriously affected. Many other problems, including housing, winter access, and resident protest, limit the usefulness of this site."
(City Agency, Mariposa, CA, Comment #138-6)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action. It is a working manual for guiding decisions relating to land use and activities in the river corridor. More specifically, the Revised Merced River Plan was directed by the court to address the El Portal boundary and a user capacity program. Any potential future plans to use Wawona as an administrative area would have to comply with the National Environmental Policy Act and would undergo the appropriate environmental review, with public comment.

Visitor Experience

Concern 280: The National Park Service should consider the degradation of the visitor experience associated with park projects.

"I really would like you to understand and feel how my former experience of traveling the El portal road, enjoying the CCC historic rock wall, the Black Oak overstory, the complex mosaic habitat along the upslopes and the downslope fuse of the Merced river was a well loved, joyful, intrinsic part of my visitor experience. No more. I have wept for this. All these former ORV's have either been degraded or destroyed."
(Individual, Cupertino, CA, Comment #103-7)

"Members of FoYV and MERG have had their former experience of traveling the El Portal Road/Merced River Gorge, enjoying various of the former Outstandingly Remarkable Values, the CCC historic rock wall, the black oak overstory, the complex mosaic habitat along the upslopes, and the downslope views of the Merced River either degraded or destroyed."
(Conservation Organization, Yosemite, CA, Comment #111-97)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects. It is a working manual for guiding decisions relating to land use and activities in the river corridor. All park projects must be compliant with the National Environmental Policy Act and would undergo

the appropriate environmental review with public comment. Part of this environmental review would include assessing the potential impacts on visitor experience.

Concern 432: The National Park Service should take into consideration the adverse impact to the visitor experience in the Gorge due to the unpleasant sewer smells since the El Portal Road Project occurred.

"Since the new road/sewer was blasted illegally into place along the El Portal Road throughout the Merced River corridor between El Portal and Yosemite Valley the sewer smell has become an esthetic problem—adding to the immediately obvious visual esthetics lost in this rushed project. This can not be justified in terms of River WSRA Outstandingly Remarkable Values and even VERP. The visitor experience is marred by all these unpleasant smells. This is even apparent to people driving in their cars as well as those people who choose to leave their cars for a swimming, climbing, hiking or fishing experience in the Gorge and in El Portal."
(Individual, El Portal, CA, Comment #109-14)

Response: The National Park Service's main trunk line for pumping sewage from Yosemite Valley to the El Portal Wastewater Treatment Plant runs directly below the El Portal Road. In order to prevent "air-locks" in the sewer system from restricting movement of sewage as it passes through the Gorge under the El Portal Road, a series of vents have been placed above the road corridor to release pressurized air. In isolated instances this may cause detectable odors for short periods of time along this road segment.

Visitor Use Management

Concern 357: The National Park Service should modify methodology used to determine visitor user capacity in wilderness zones for the Valley because looking at solitude or PAOT adversely impacts climbing activities.

"Our concerns about the impact of capacity limits for wilderness areas within the Merced Wild and Scenic River corridor are based not just on the fact that there may be significant cuts when compared to current and historic use levels, but also because of significant concerns about the methodology used to justify the limits. We have significant concerns about using human encounters as the sole surrogate for "solitude" in managing all wilderness use within Yosemite National Park. Further, we believe there are significant flaws in using this methodology to regulate climbers in both open cliff environments like those found in the Valley segment of Yosemite, as well as in alpine terrain like that found in the remote wilderness segments and in other climbing destinations like Mount Rainier and Denali National Parks. Encounter standards may have some usefulness for managing park visitors in some situations, but it is an especially poor standard for managing mountaineering and rock climbing due to the unique expectations of climbers and the distinct physical limitations imposed by the natural environment."
(Business, San Rafael, CA, Comment #112-9)

"The Wilderness Act's definition of wilderness contains several factors, among them that a wilderness "has outstanding opportunities for solitude or a primitive and unconfined type of recreation." Many land managers have focused exclusively on the solitude portion of this definition, and attempt to control use numbers to guarantee that solitude exists within all corners of the wilderness at all times. There are two significant flaws to this approach. First, though it is clear that Congress intended for wilderness lands to possess more solitude generally than non-wilderness lands, it is not clear that Congress placed solitude above primitive and unconfined recreation in all instances. Second, solitude can be defined in many ways, with "human encounters" but one of many possible surrogate measures—and not always the most important or appropriate. To a climber, the unique primitive and unconfined recreational experience of climbing in Yosemite may be far more important than the lack of humans encountered during a visit or while on a particular climb. We believe there is nothing in the Wilderness Act that prohibits the NPS from managing some portions of the wilderness more for primitive recreation and other areas more for solitude—all the while protecting the relative solitude these lands possess when compared to non-wilderness lands… the AAC believes the human encounter standard is a poor judge of wilderness solitude when applied to regulating climbing."
(Business, San Rafael, CA, Comment #112-10)

Response: The National Park Service recognizes this concern as it relates to the User Capacity Management Program for Alternative 4. Management zone limits proposed in Alternative 4 of the Final Revised Merced River Plan/SEIS were calculated based upon a People At One Time (PAOT) density factor and include the total number of people within the management zone type. In the event that visitor levels in Alternative 4 exceed management zone capacities, management actions may be necessary. Specific management actions implemented as a result of VERP monitoring would be guided by the impacts caused to river values and the visitor experience associated with particular types and levels of use. Depending on the type of management action chosen, further National Environmental Policy Act review and public involvement would be required.

Visitor Activities

Concern 119: The National Park Service should consider increased crowding and garbage along the Mist Trail and the negative impact to the visitor experience.

"As my use of the park relates to the MRP, I use the Mist Trail along the river on the way to Half Dome at least twice a year. This section of trail along the river is, as we all know, significantly more crowded than it was just two or three years ago -- indeed, the area between Yosemite Valley and Half Dome gets the most day use of any wilderness or backcountry zone within the Merced River corridor. From a visitor experience point of view, this increase in visitation means increasingly congested conditions and more and more garbage (especially water bottles) left along the trail. I don't hike the trail to Half Dome during peak visitor season because there are just too many people making too much noise (the number of people using cell phones along the trail (specifically above Vernal Falls, above Nevada Fall and on the summit of Half Dome) have increased significantly (or so it seems clear to me) in the last two or three years."
(Individual, Carmichael, CA, Comment #25-1)

Response: The VERP program will monitor numerous indicators that look at visitor use levels within the Merced River corridor. Some of these include as "Number of Encounters with Other Parties" and "Number of People at Selected Sites." Another indicator—"Wildlife Exposure to Human Food"—will monitor availability of human food and sources of food such as, garbage.

Concern 192: The National Park Service should include visitors who do not come to Yosemite Valley in surveys conducted to develop standards for visitor experience.

"Any surveys conducted to develop standards for quality of visitor experience must include people who do not come to Yosemite Valley. This must be done in order to factor in those people who are already displaced (AT ANY SEASON) because of actual or perceived crowding. Thus, if people don't come in summer but come at some other time, then summer is too crowded."
(Individual, Fresno, CA, Comment #82-36)

Response: Beginning in the summer of 2005, the National Park Service will conduct a Visitor Use Survey designed to gain information about visitor use patterns and overall visitor satisfaction in Yosemite National Park. This very comprehensive survey will only be conducted throughout the park. However it is acknowledged that there may be important information gained by surveying those who no longer come to the park.

Concern 81: The National Park Service should clarify why campfires are limited in Yosemite Valley.

"The whole advent of limiting camp fires. I don't understand it. It's very frustrating."
(Individual, Comment #45-4)

Response: Additional information regarding fires and campfires in the park can be found in the Yosemite Fire Management Plan. The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. Based on the above, this public concern is not within the scope of this document.

Concern 82: The National Park Service should recognize that the Campground Reservation system is limiting the number of campers and increasing day users.
"The other is the reservation systems… It's not working. It's limiting campers and increasing day use people."

(Individual, Comment #45-5)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. Future decisions that may relate to camping and the park's existing campground reservation system will be subject to the appropriate level of environmental review and public involvement. Yosemite's VERP component

of the User Capacity Management Program will monitor specific indicators to determine if visitors to the park are adversely affecting resources in the river corridor, and take appropriate management actions to ensure that the Merced River's Outstandingly Remarkable Values are being protected and enhanced.

Concern 83: The National Park Service should restore campsites and allow more freedom in camping related recreation activities.

"If there were more campsites in the valley, which we believe there should be, we wouldn't have huge peaks in the visitation. Because if you have a campsite, you know where you're going, you know where to stay. It's very fixed and you don't need a big support structure. Things like ice and maybe some firewood are nice amenities, but we seem to have to make the trip anyways to the two or three outlets that we have."
(Individual, Santa Monica, CA, Comment #39-4)

"It was the -- it's the momentum, what we call harassment of our camping experience, from getting rid of fire falls because somebody decided it was bad for the environment -- we're north pine campers -- to taking out river sites after they paved them all and put down concrete bumpers. They decided to take out half of them. Closing the group camping. I don't know why."
(Individual, Comment #45-2)

"I see, also, that Alternative 2 seems to have the potential of more campsites, and I think this is good. I hope you will always opt for more space for those who want to experience Yosemite's sights and sounds from a tent over those who need a lodge room or cabin."
(Individual, Comment #80-2)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. The issues regarding more freedom in camping and related recreation activities raised by this concern will be addressed as appropriate, in future implementation plans.

Concern 120: The National Park Service should have continued with the Firefall.

"Now the Merced River Plan is in your hands -- you tell us; we are turning to you for the next phase of development." I bet! I don't mean to sound cynical, but I guess I am. If you listened to me...You would have kept the firefall -- dubbed as TOO commercial while putting in a full bar at the Lodge, not that I don't like the bar -- it just seems a contradiction."
(Individual, Comment #3-15)

"One of my favorite things was to sleep out under the stars and a full moon. Of course my wife-to-be and I both loved to watch the Fire Fall and wish it could be staged again. I know it's not an act of nature, but for two lovebirds it had deep meaning."
(Individual, Castro Valley, CA, Comment #18-1)

Response: It is widely held that the Firefall was a lasting and endearing Yosemite tradition. While the Firefall of alpenglow can still been on the Valley's walls, the Glacier Point tradition will best live on in memories and photographs. The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. Based on the above, this public concern is not within the scope of this document.

Carrying Capacity

Concern 80: The National Park Service should recognize that Yosemite is literally being "loved to death."

"Thank you for the opportunity to participate in managing Yosemite. I have visited it for over 60 years and it is one of my favorite spots on earth. I am afraid that with the destruction of habitat where we live, more and more pressure is being put on public places like Yosemite and in my view Yosemite is literally being "loved to death.""
(Individual, Lake San Marcos, CA, Comment #53-1)

"As striking as it is, the Merced River is a very stressed environment. Non-native fish prey on native creatures. Riverside buildings disrupt water flow. Trampling erodes the Merced's banks and irrevocably alters adjacent meadows. Millions of us draw close to the Merced in our enthusiasm for its beauty. With our sheer numbers and widespread lack of knowledge about how to care for the river, we unknowingly destroy some of the beauty we seek."
(Individual, Comment #81-1)

Response: Yosemite is recognized worldwide for its unique and stunning beauty. This beauty is not made up not only of grand vistas and landmarks, but also of its unique components such as the Merced River and its banks, adjacent meadows, wildlife and a healthy ecosystem. The 1980 *General Management Plan* established goals to guide the management of the park to perpetuate its natural splendor for future generations to enjoy. The goals of the 2000 Merced River Plan (as amended by this plan) are consistent with both the *General Management Plan* goals and the requirements of the Wild and Scenic Rivers Act. Together these plans will guide decision-making processes for actions within and adjacent to the river corridor to ensure that proposed projects would protect and enhance river values.

Concern 228: The National Park Service should consider the effects of a busing system on visitor experience.

"you do have the gas-powered busses, but the visitor experience, they're all crowded together. You're all crowded in this big parking lot, and then you have got to take these little busses around the park. So the visitors really don't get what we would consider a nice visitor experience, some of us that have talked about this. It's -- the visitor experience is something where people can actually get out in the Valley and feel somewhat by themselves, and when you're piled into these busses or you are driven around the Valley -- and you have got plans for an 18-bay bus terminal."
(Individual, Citrus Heights, CA, Comment #95-6)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects. It is a working manual for guiding decisions relating to land use and activities in the river corridor. As such, the plan does not implement a busing system and so does not consider the effects thereof. All potential park projects must be compliant with the National Environmental Policy Act and would undergo the appropriate environmental review with public comment. Part of this environmental review would include assessing the potential impacts on visitor experience.

Concern 309: The National Park Service should improve the visitor experience by encouraging mass transit, including the tour bus industry, and recognize that future visitors will likely prefer a bus option.

"We concur with the finding that the visitor experience would be improved through "educational measures related to traffic congestion . . . aimed at encouraging mass transit or other means of reducing traffic congestion, which, based on recent visitor surveys, is one of the most negative factors affecting visitor experience."
(Business, Castroville, CA, Comment #118-2)

"The CBA believes strongly that the tour bus industry can play a vital role in providing visitor access to Yosemite while reducing both the aforementioned automobile congestion and improving air quality."
(Business, Castroville, CA, Comment #118-3)

"we question one assumption that framed the analysis (listed in IV-15 Methodologies): namely, that "the visitor preference for use of private vehicles to access the park would not change." We believe that with an aging population, increased traffic congestion, and expensive fuel, there is a high probability that in the future a greater percentage of visitors will chose the safest, convenient, and most fuel efficient means of accessing Yosemite—the motorcoach."
(Business, Castroville, CA, Comment #118-4)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects. It is a working manual for guiding decisions relating to land use and activities in the river corridor. As such, the plan does not implement a busing system and so does not consider the effects thereof. If the implementation of a busing system is considered as a potential park project, it would have to be compliant with the National Environmental Policy Act and would undergo the appropriate environmental review, including an assessment of impacts on visitor experience, with the public involvement process.

Concern 209: The Revised Merced River Plan should include a quantitative analysis of User Capacity issues.

"[I find the plan] not really addressing some key issues that I understand it was to address. It appears, among other things, to lack any quantitative substance with regard to addressing capacity issues."
(Individual, Comment #93-2)

Response: By its nature, the Final Revised Merced River Plan/SEIS in a programmatic document. As such, it is appropriate that the level of analysis and the actions that are described in this document are presented in more qualitative, rather than quantitative terms. The Final Revised Merced River Plan/SEIS does not propose or implement specific construction or development-related projects. Rather, it describes and analyzes a comprehensive user capacity management program that can be implemented to ensure that the Outstandingly Remarkable Values within the Merced River corridor will be protected and enhanced, consistent with the requirements of the Wild and Scenic Rivers Act.

Access

Concern 121: The Revised Merced River Plan should clarify how Visitor Experience and Resource Protection will control visitation levels.

"Based upon the method that you intend to use to evaluate visitation over the upcoming years, via that VERP system that you love so much, you will see more than five million visitors per year. That is exactly your way of slowing allowing more and more people in, as you develop your crowd control stanchions and systems, i.e., the Lower Falls project, the shuttle systems, etc."
(Individual, Truckee, CA, Comment #26-1)

"Your other options, the ones that cap visitation at 5 million per year is, as you say not your preferred method. They way you represent your views in the study, indicates that you are trying to sell us on the idea that your preferred option, option two doesn't cap visitation, but keeps the control of visitation levels under the control of the public via the VERP system. … I believe that you didn't want to give us any options like that, because you knew many in the public would shun any option that showed a cap at all. Because of that, you knew that if presented in the right way, you could use that desired effect to make all options other than your preferred option look scary. By using that logic, you put a cap of five million on option three and four as the point where no more people would be allowed into the park, and that way the public sees your "preferred" option as looking like the most reasonable. When in fact, your preferred option actually leaves the flood gate open for the potential of far more visitors, perhaps even as many as ten million visitors a year some day. You don't say that in any of your representations of course, which is where I say you are not showing all of your cards to the public. If they knew that, I think they'd probably want to cap it a five million, as crazy as that number seems. Five million is 25% higher than at any time in our history, but by comparison to six million or more, five million actually looks good! But, by the way you presented it, you made it look like the scary options, when in my mind, the VERP option is the scariest."
(Individual, Truckee, CA, Comment #26-2)

Response: "Take only photographs and leave only footprints" is an often-used saying in natural areas. VERP is a user capacity management process that takes a different approach to the notion of a "capacity" by considering the effects of the "footprints" left behind. Rather than focusing solely on numbers of people, the VERP process strives to maintain the conditions desired for a

particular area (in the case of the Merced River, protection of the river's Outstandingly Remarkable Values). How many footprints are there? Where are they going? During what time of day, month, or season do we find those footprints? VERP looks at the condition of various resources (including the visitor experience) and sets a measurable standard for the type of condition that is most desired. If that standard is reached or exceeded, managers must take action to correct the situation and bring conditions back to within standard. This action can translate to limiting visitation in given areas where impacts occur. This is consistent with the best available science on user capacity management. VERP allows park managers to use a number of measures and techniques to address use related impacts, including limits on visitor or other use levels where appropriate. It also allows managers to use many other measures (education, site management, etc.) to address impacts without impacting use levels.

Concern 2: The National Park Service should plan for ways to manage visitor impacts along the river, other than restricting access to the river.

"Under the heading of "why an alternative would or would not work?" -- it won't work if you try to block off all access to the river which I am sure you don't intend to do. People are going to tramp their way down to the river when they are hiking etc. so you might as well plan for it."
(Individual, Comment #3-11)

Response: In order to properly protect and enhance the river's Outstandingly Remarkable Values, the park may implement a range of management actions when conditions are approaching or not meeting standards. The actual management action(s) selected would depend on the particular setting and situation encountered (see list of potential management actions in Chapter II of this document), and may in some instances include restricting access to the river. However, prior to implementing a specific management action, the park would undertake the appropriate level of environmental review and public involvement. In addition, the National Park Service would provide information on the specific management actions being proposed through ongoing public involvement processes, such as the VERP quarterly updates and annual report.

Concern 4: The Revised Merced River Plan should prescribe a Merced River parkway up or down river of Snelling to increase visitor access to the river.

"A Merced River parkway accessible to the public from Hwy 59 bridge, G St bridge, Snelling, or anywhere further up or down river to Yosemite would be a great heritage to leave future generations. We enjoy kayaking this stretch very much but access is difficult nowadays."
(Individual, Winton, CA, Comment #24-1)

Response: The National Park Service has jurisdiction over 81 of the total 122 miles of the Merced River corridor. This includes lands only within the borders of Yosemite National Park and the El Portal Administrative Site. The section of the Merced River parkway in Snelling is well beyond the jurisdiction of the National Park Service. It also extends beyond the Merced Wild and Scenic River's extent, which is from the headwaters in Yosemite National Park to Lake McClure in the Sierra foothills. Based on the above, this public concern is not within the scope of this document.

Concern 56: The Revised Merced River Plan should provide a detailed protocol for tracking visitor distribution and numbers.

"The final plan should provide a detailed protocol for tracking visitor distribution and numbers. Tracking visitor use is a key point in the Merced Wild and Scenic River Management Plan and a detailed plan for exactly how visitor use will be monitored is therefore necessary. The draft plan proposes a "future real time automated traffic data monitoring" system. What exactly does this mean? Will this include automated traffic direction as well? As one method for tracking traffic, CSERC proposes the consideration of RF chip technology. When handed out to incoming vehicles, RF chips can store information on point of entrance, persons per vehicle and destination, and be tracked using monitors placed at key locations such as intersections and parking lot entrances and exits. A more economical alternative involves automated car counters located at key locations (intersections and parking lot entrances and exits) and linked through a network. Such a system could give real-time information on the number of cars in any given area and be used to direct cars away from areas where quotas have been reached."
(Conservation Organization, Twain Harte, CA, Comment # 29-9)

Response: The National Park Service has a program in place that tracks vehicular movements through the eastern portion of Yosemite Valley. In addition, buses and overall visitation counts are tracked at each of the park entrance gates. The park will continue to review and evaluate new technologies related to tracking visitor distribution and numbers, with the goal of updating and enhancing the park's ability to track visitor distribution and numbers in the future.

Concern 139: The Revised Merced River Plan should use Groups At One Time (GAOT) as the numeric capacity metric across all of the user capacity alternatives.

"The most managerially practical and well understood numeric capacity metric is Persons At One Time (PAOT) or Groups At One Time (GAOT). I recommend that each geographic part of the Merced WSR area be subdivided into discrete practical management units with an overall numeric GAOT either as a specific number or numeric range...In addition, each of these units may have other secondary capacity metrics relevant to a specific area or facility such as trailhead quotas, parking spaces, bus capacities, kayaking and commercial rafting capacities, designated campsites, hotel rooms, and employee housing."
(Individual, Fort Collins, CO, Comment #73-12)

Response: The Revised Merced River Plan/SEIS has proposed a range of user capacity program alternatives for the Merced River corridor that evaluate different ways to mange visitor use. One of the three action alternatives, Alternative 4, evaluates managing visitor use by means of determining a social density metric of People At One Time (PAOT). In addition, the VERP program has been adopted across all user capacity program alternatives in order to provide park management with information about impacts to resources and the visitor experience from visitor use. Though the park is capable of implementing a user capacity program that regulates visitor use at the management zone level such as PAOT or GOAT, those methods may not necessarily be the most efficient way to mange visitor use in a large park such as Yosemite.

Limiting Access

Concern 5: The National Park Service should continue to allow private vehicles in the Valley and maintain an appropriate level of parking spaces.

"My number 1 concern is that you don't go the way of Grand Canyon, with bus only roads in the Valley. This drastically lowers the quality of the visiting experience at Grand Canyon. Most of the rim is now off limits if you can't walk several miles."
(Individual, Los Gatos, CA, Comment #2-1)

"Let's be honest—the ONLY goal that matters from the GMP is getting private vehicles out of the Valley and converting access to an urban-style mass transit system. That's why user capacity had to be redefined. There was no way the old definition about adverse impacts to Outstandingly Remarkable Values, visitor experience, and public safety would stand up under the crush of a maniacal busing scheme—but now you only have to worry about sustaining the desired conditions that complement the purpose of the park units & their management objectives."
(Individual, Oakhurst, CA, Comment #28-3)

"Further litigation has brought us to our current circumstance. The genesis of the Valley Plan is less clear to me. It contains major construction and reconstruction projects and essentially it changes the nature of the visitor experience, from one of auto touring and dispersion to one of urban bussing with concentration and regimentation. Why should this be?"
(Individual, Mariposa, CA, Comment #99-2)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. However, it is recognized that during peak visitation times, traffic on Valley roads exceed roadway and parking capacities, adversely impacting the visitor experience and other Outstandingly Remarkable Values within this segment of the river corridor. As a result, an indicator related to the amount of occupied parking versus parking capacity has been developed as part of the VERP program. This indicator will be monitored and depending on monitoring results, appropriate management actions as described in Chapter II of this document could be implemented to help ensure that the Outstandingly Remarkable Values within this river segment are properly protected and enhanced. If it were determined that a reduction in parking or private vehicles was needed, future implementation of restrictions on that capacity would be subject to further National Environmental Policy Act compliance and public involvement.

Concern 8: The National Park Service should institute more controls on visitor use on the Half Dome cables.

"I actually approve of some half dome control, because of safety. I climbed up the cable area 2 years ago and I was shocked at the recklessness of the people on the cables. You will lose a life on there soon if the line is not made more orderly."
(Individual, Los Gatos, CA, Comment #2-4)

Response: The National Park Service agrees that there is a user capacity issue related to hikers on Half Dome. The VERP program will monitor numerous indicators that look at visitor use levels, such as "Number of Encounters with Other Parties" which monitors the number of people encountered at a given time on the trail through Little Yosemite Valley. Alternative 3 of both the Draft and Final Revised Merced River Plan/SEIS prescribe a day use visitation limit to Half Dome of 800 people per day, even though this destination is outside of the Merced River corridor.

Concern 11: The National Park Service should balance today's visitor use with the sustainability of equal access for future generations in mind.

"The Merced RCMP notes that NPS uses the Visitor Experience and Resource Protection (VERP) framework as its preferred user capacity management tool. The name of this framework implies two key concerns: keeping visitors happy and protecting resources. The name also implies an adjustable balance, which is a blatantly politicized approach. Sustainability (as defined below) does not leave room for giving today's visitors leverage to achieve greater access than the future generations who are not yet here to comment for themselves. In the context of Christopher Stone's famous legal text [Should Trees Have Standing? And Other Essays on Law, Morals, and the Environment. Oceana Publications, 1996.], I put it to you that it is NPS' duty to imagine what future generations would have to say regarding an adjustable balance between current visitors' experiences and their own – and to determine that the entire point of environmental law and sustainability is that the current and future experiences should be as equal as the laws of physics and chance will allow."
(Individual, Berkeley, CA, Comment #4-3)

"As attached as we are, this issue is not about us—nor any of us here now. Yosemite comes to us from the ages and deserves to be handed down through the ages—healthy and intact—so that future generations can also be stunned and awed and experience rapture. That constituency isn't here yet and can't comment, but we encourage you to always keep them in mind. What will they think of the decisions we make now?"
(Individual, Emerald City, CA, Comment #85-1)

Response: The National Park Service administers Yosemite National Park under a series of statutory authorities passed in the late 1800s and early 1900s that include the National Park Service Organic Act of 1916. These authorities mandate that the National Park Service protect and preserve the park's natural and cultural resources while providing for the public's enjoyment of the resources "in such a means as will leave them unimpaired for the enjoyment of future generations." The mission of the National Park Service calls for allowing public use of parks, but not to the detriment of the values that make them unique. Similarly, the Wild and Scenic Rivers Act Section 10(a) calls for protection and enhancement of river values without limiting other uses to the extent that such uses do not adversely impact the values for which the river was designated.

Concern 14: The National Park Service should monitor useage of the river corridor on busy days and when limits are reached, direct visitors to other areas in the Valley.

"I want to emphasize the importance (in the preferred alternative in the Merced River Plan) of monitoring river corridor usage on busy days, and if limits are reached, then visitors will be directed to other areas in the Valley. Good Idea!!!"
(Individual, Comment #16-1)

Response: The VERP program will be monitoring numerous indicators that look at visitor use levels within the Merced River corridor. These include "Number of Encounters with Other Parties," "Number of People at Selected Sites," "Level of Traffic Congestion on Park Roads," and "Number of People Involved with Recreation Activities within the River at Selected Sites." Redirecting visitor use to other areas of the park is a management action that the National Park Service could implement if use levels exceed the established standard.

Concern 16: The National Park Service should provide more camping opportunities as described in other planning efforts.

"The Valley is becoming more exclusive! It can help aid access to join a special Interest environmental based association but this is wrong. Where are the camp grounds that were given lip service in the early Plans? What is going to change other than more limitation of camping and access? You deny it in your folksy newsletter but the reality is clearly there to those of us who care about the Valley and its true open access. I have tried in vain many times to go camping in the Valley and, except in winter, sites are unavailable. This is sad. The visitor center gets a make over but the campgrounds have lost."
(Individual, Comment #21-2)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. Based on the above, monitoring of the indicators and standards as part of the overall User Capacity Management Program will guide future decisions with regard to number and location of camping facilities within the Merced River corridor.

Concern 17: The National Park Service should maintain access to the river for boaters.

"In yet I'm concerned as a kayaker, just a floater down the river, that over the years our access is becoming more and more limited. And I actually think many people see the Park on an inter-tube on a kayak, something floating quietly down the river is a pretty minimal impact. I understand there is erosion and stuff taking place in certain areas. I would just like to see the Park use a common sense approach that allows visitors to use the river."
(Individual, Comment #43-1)

Response: The mission of the National Park Service is to provide for visitor education and enjoyment, and protection of the park's natural and cultural resources for the benefit of future generations. The VERP program will monitor indicators that look at visitor use levels and types of visitor recreation activities within the Merced River corridor. These include "Number of People at Selected Sites" and "Riverbank Erosion." If conditions exceed the established standards, a number of possible management actions could be taken to correct the situation. Currently, the Superintendent's Compendium for Yosemite National Park establishes regulations for use of non-motorized watercraft, including limits on the specific locations for rafting in the Merced River corridor.

Concern 18: The National Park Service should limit visitor levels in the river corridor to protect natural resources and public enjoyment.

"Preserving natural resources and public enjoyment of these resources along the river corridor is a delicate balancing act. Given that rising visitor levels are already creating negative impacts in each of these areas, it seems to me that limiting the number of people allowed to access this area is an effective step toward leaving this piece of Yosemite "unimpaired for the benefit and enjoyment of future generations."
(Individual, Carmichael, CA, Comment # 25-3)

"Protecting the Merced while allowing human use calls for a wise, but potentially difficult, decision. Such a decision would embrace legal requirements and take a long view of preservation. To do this, Yosemite needs to address what both the Ninth Circuit Court ruling and the river point to: the Merced corridor cannot sustain its current level of use, much less a higher one, without further damaging the river environment, perhaps irreparably. Even now, river degradation -- including bank erosion, ever-deepening social trails in adjacent meadows, and traffic and people jams -- is evident."
(Individual, Comment #81-2)

"The Tribes comments on the Revised Merced River Plan will still need to address the issue of visitors the Park will have if there is not a capacity limit put in place. It just seems that more and more visitors come to the park every year, which impacts everything, where will it stop!"
(Tribal Organization, Mariposa, CA, Comment #84-1)

Response: The mission of the National Park Service is to provide for visitor education and enjoyment, and protection of the park's natural and cultural resources for the benefit of future generations. Currently, the National Park Service limits visitor use in numerous ways such as the Wilderness Trailhead Quota System, the Superintendent's Compendium, governing mandates and park policies, and facility capacities. Through the VERP program, the National Park Service would monitor indicators that consider the impacts to resources from visitor use. As a result, park managers would have an obligation to take management action when use levels are found to exceed established standards. Given the type and location of a particular impact, limiting visitor use is a management action the National Park Service could implement to bring conditions back to within the established standard.

Concern 19: The National Park Service should consider a limit on commercial raft and bicycle rentals.

"And by the way -- do they have something of this sort in place for RAFTERS like that have Wilderness quotas?"
(Individual, Comment #3-21)

"As part of the 5-year study program, have Park administrators even considered stopping commercial rentals of rafts and bicycles--instead accommodating these activities only if visitors bring their own equipment? It would be very interesting to see what such a study would reveal with respect to resource and safety issues. Instead, this Revised River Plan mentions "site hardening" (aka throw down some more asphalt) as the solution…"
(Individual, Oakhurst, CA, Comment #55-38)

Response: The Revised Merced River Plan/SEIS is a programmatic plan that does not prescribe specific actions, such as limiting raft or bicycle rentals. However, the Superintendent's Compendium does prescribe a limit on the number of raft the primary concessioner can rent per day. In addition, the National Park Service has adopted the VERP program to provide information about impacts to resources and the visitor experience from visitor use. The park has selected a number of VERP indicators to monitor for the field season 2005 that will be monitoring the affects of rafting and bicycling on resource and visitor experience conditions such as "Number of People Involved in Recreation Activities Within the River Corridor at Selected Sites" and "Level of Congestion on Park Roads" (deals with pedestrian and bicycle traffic at busy intersections). Based on the results of monitoring these indicators, the National Park Service will determine whether they are providing information to park mangers in order to decide whether management actions are needed to limit either raft or bicycle rentals.

Concern 31: The National Park Service should limit the size of motor homes allowed in the park.

"[If you listened to me -- you would have]…limited the SIZE of motor homes…"
(Individual, Comment #3-22)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues.

However, Yosemite National Park does place limits on the size of recreational vehicles. Motor homes in Yosemite Valley are limited to 40 feet in length, and trailers are limited to 35 feet in length. Outside Yosemite Valley some drive-in campsites can only accommodate vehicles up to 35 feet in length.

Concern 75: The Revised Merced River Plan should only consider visitation caps that are scientifically supported.

"The Park Service hopes to scare the public into supporting Preferred Alternative 2 by inserting these visitation caps into the other alternatives. Visitation caps lacking any scientific support are manipulative and stupid; the public is not."
(Individual, Oakhurst, CA, Comment #42-5)

Response: The Final Revised Merced River Plan/SEIS has revised the annual cap on visitation in Alternative 4. Alternative 4 now proposes an annual corridorwide visitation limit of 3.27 million visitors per year, which is the level of visitation in the park when the Merced River was designated Wild and Scenic in 1987. Alternative 3 continues to have an annual corridor visitation limit of 5.32 million. The rationale behind the proposed annual corridorwide visitation limits is to provide a limit on visitation beyond what would be allowed on a daily basis so that the cumulative visitation resulting from day use would not be considerably higher than Yosemite National Park has ever experienced. There is no current data that statistically correlates an annual corridorwide visitation limit with the protection of the Merced River's Outstandingly Remarkable Values. The National Park Service has adopted the VERP program to provide on-the-ground information

about impacts to resources and the visitor experience from visitor use. As opposed to the fixed limits in the Draft SEIS, the Final SEIS annual corridorwide visitation limits are more flexible. Should VERP monitoring indicate that use levels are causing standards to be exceeded in given areas, managers could take action to adjust daily segment and management zone limits as well as adjust the proposed annual corridorwide visitation limits up or down in Alternatives 3 and 4.

Concern 84: The Revised Merced River Plan should include discussion of only those management actions that are likely to be used.

"Opposition to some alternative actions such as Day Use Reservations, quotas and possible entry gate closures was dismissed as management actions unlikely to be used. The YSVB [Yosemite Sierra Visitors Bureau] contends that if this is the case, that the RMRP should not include them in any of the alternatives."
(Individual, Oakhurst, CA, Comment #49-4)

"It is with great disappointment the recent Revised Merced River Plan/EIS (RMRP) again creates the impression that Yosemite National Park is not accessible. Information conveyed by the National Park Service can greatly influence public perception, as we have experienced in the past. Point in case, the opposition to some alternative actions such as Day Use Reservations, quotas and possible gate closures was dismissed as management actions "unlikely to be used." Why include them?"
(Business, Oakhurst, CA, Comment #88-1)

Response: The Final Revised Merced River Plan/SEIS has devoted Chapter II to User Capacity Management and VERP in which a more comprehensive discussion of user capacity elements, including VERP management actions. Management actions triggered by VERP monitoring are not "one size fits all," rather the appropriate management action must be determined based on the specific conditions of the resources or visitor experience that is being affected by visitor use. Table II-3 in Chapter II provides a comprehensive list of the types of management actions park management could choose to implement depending on the degree of visitor use impact. Management actions listed in the Draft Revised Merced River Plan/SEIS were intended to serve as examples because certain types of management actions may not be appropriate to specific areas or situations. Because the Revised Merced River Plan is a programmatic document, it cannot predict and pinpoint what specific actions will be implemented in the future, as the actions taken will vary depending on the types of impacts that are found. An action taken in one situation or in one area of the park may not be effective in another. Also, as conditions change, as technology changes, and as visitor use patterns change, management strategies must change accordingly.

Concern 147: The Revised Merced River Plan should consider a reduction in user capacity in areas where Outstandingly Remarkable Values are at-risk or being degraded by visitor use.

"I think it would be reasonable, if not mandatory, to consider a reduction in capacity, particularly in areas where Outstandingly Remarkable Values are at-risk or being degraded by visitor use."
(Individual, Fort Collins, CO, Comment #73-24)

Response: Where Outstandingly Remarkable Values are at risk or determined to be degraded, park managers will take appropriate action. Reducing visitor use is only one of many possible actions presented in the management action toolbox. Depending on the type and location of impact, it may mean reducing levels temporarily during the course of the day or over the course of a season. It may also mean reducing use levels in areas where the impact is occurring. The VERP

program creates room for flexibility in order to match the cause of impact with the most effective solution.

Concern 172: The National Park Service should recognize that if current use levels are degrading Outstandingly Remarkable Values, than visitation and the size and scale of infrastructure should be reduced.

"If these Outstandingly Remarkable Values are, in fact, being harmed [at present], perhaps the focus of the NPS should be to reduce visitation, and concurrently reduce the size and scale of the infrastructure needed to support those visitors."
(Individual, Fresno, CA, Comment #82-9)

Response: Where Outstandingly Remarkable Values are at risk or determined to be degraded, park managers will take appropriate action. Reducing visitor use is only one of many possible actions presented in the management action toolbox. Depending on the type and location of impact, it may mean reducing levels temporarily during the course of the day or over the course of a season. It may also mean reducing use levels in areas where the impact is occurring. The VERP program creates room for flexibility in order to match the cause of impact with the most effective solution.

Concern 215: The Revised Merced River Plan should present an alternative that reduces use in the summer and analyze different use levels at different times of the year.

"At least one alternative should analyze reduced visitor use in the summer, during the highest visitation times. The alternative should look at different visitation times during different times of year, and different use limits for various times of year. For example, in winter when the animals are stressed and need peace and quiet."
(Conservation Organization, Yosemite, CA, Comment #111-63)

Response: Analysis of different use levels at different times of year is a part of the VERP process described in the preferred alternative. Desired conditions are established based on the river's Outstandingly Remarkable Values. Indicators and standards are then selected. Inherent in the VERP carrying capacity process is the ability – or if standards are exceeded, the mandate – to adjust management actions to address the types of impacts encountered in a given area. Actions might include addressing the types and levels of visitor use—both when and where it occurs—throughout the river corridor. Therefore, seasonal restrictions on use could occur. If changes in the level of use were proposed and would result in substantially different environmental consequences than were identified in this document, an appropriate level of National Environmental Policy Act compliance would be completed.

Concern 310: The National Park Service should set a limit of 20-25% of trail quota users can belong to the Sierra Club.

"Set a limit: only 20-25% of trail quota users can belong to the Sierra Club."
(Individual, Saratoga, CA, Comment #122-1)

Response: The mission of the National Park Service is to preserve and protect the natural and cultural treasures of the nation while allowing all people to enjoy and experience them. The National Park Service is a federal land management agency and does not discriminate against individuals or groups. The Revised Merced River Plan/SEIS is a programmatic plan that does not

prescribe specific actions, such as limiting or guaranteeing access to the wilderness for persons affiliated with specific organizations; rather it sets a framework for decision making. The National Park Service has adopted the Visitor Experience and Resource Protection (VERP) program to provide information about impacts to resources and the visitor experience from visitor use. Based upon VERP monitoring results, the National Park Service would determine whether restricting visitor use in certain areas or park wide would be an appropriate type of management action. Any restrictions on travel, lodging accommodations, or access to any area of the park that might result from the Revised Merced River Plan/SEIS would be equally applied to all visitors, regardless of race, socioeconomic standing, or affiliation with any particular interest group. For more information, consult the "Environmental Justice" discussion in Chapter V, Environmental Consequences.

Concern 324: The National Park Service should offer free entry passes on a return visit to visitors turned away at the entrance gates.

"On peak visitor days to manually direct traffic. Offer free entry passes on a return visit either to Yosemite National Park or another National Park if visitors need to be turned away at the entrance station due to over crowding."
(Individual, Fresno, CA, Comment #128-3)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects. It is a working manual for guiding decisions relating to land use and activities in the river corridor. Potential actions (other than current traffic management plans) which may turn visitors away from the entrance gates, and associated actions would have to undergo the appropriate environmental review with public comment.

Concern 325: The National Park Service should publicize when it is overcrowded and people would be turned away.

"It would be helpful if visitors could be told ahead of any planned trip that it's over crowded, but I don't know how."
(Individual, Fresno, CA, Comment #128-4)

Response: Under the action alternatives, redirecting visitors away from crowded areas in the river corridor is a potential management action to protect river values. No doubt it would necessitate an affective system of communication. However, the 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.

Concern 326: The National Park Service should limit personal vehicles but allow individuals who get motion sickness to enter the park in a private vehicle with a medical note.

"People who have motion sickness on buses and/or when someone else is driving should be allowed to enter by auto with a medical note."
(Individual, Fresno, CA, Comment #128-5)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts that does not dictate any specific action. It is a working manual for guiding decisions relating to land use and activities in the river corridor. More specifically, the Revised Merced River Plan was directed by the court to address the El Portal boundary and a user capacity program. As such, the specific details of potential actions which would limit private vehicles would undergo the appropriate environmental review under the National Environmental Protection Act.

Concern 355: The National Park Service should not implement a quota system (as in Alternatives 3 and 4) since it is not connected to environmental conditions or visitor perceptions.

"We concur that Alternative 1's lack of interim capacity limits would be rejected by the courts. We also do not believe the segment quotas contained in alternative 3—especially the proposed day use limit on the trail to Half Dome—and the management zone quotas contained in Alternative 4 are appropriate since there is no connection between the quotas contained in these alternatives and either environmental conditions or visitor perceptions noted in the SEIS."
(Business, San Rafael, CA, Comment #112-2)

"[W]e believe strongly that there must be some correlation between limitations on human use and actual or potential damage to the natural resource or visitor experiences; uncorrelated quotas and limitations like those contained in Alternatives 3 and 4 are simply not justified."
(Business, San Rafael, CA, Comment #112-3)

Response: The National Park Service recognizes the concern as it relates to Alternatives 3 and 4. The Ninth Circuit Court of Appeals Opinion issued in October 2003 stated that "…*Based on the plain meaning, we do not read [the Wild and Scenic Rivers Act] to require that the administering agency advance one particular approach to visitor capacity in all circumstances (e.g., a head count of all entrants to Yosemite)…Thus we interpret [Wild and Scenic Rivers Act's] instruction that a Comprehensive Management Plan (CMP) must 'address user capacities' to require only that the CMP contain specific measurable limits on use…"*

Although many may think of a capacity as a number of people in a given area, the concept is much more complex. Research over the years has shown that user capacity cannot be measured simply as a number of people, because the potential for impacts is related not just to the number of people, but to the types of activities people engage in, where they go, what kinds of natural and cultural resources are in the area, and the way the area is managed (Marion 1998, Cole and Stankey 1997). The concept of user capacity relates to the level of use (type and amount) that an area can withstand without having an unacceptable impact on the area's values. The annual corridorwide visitation limits proposed in Alternatives 3 and 4 ensure that visitor use levels do not reach the maximum daily segment or management zones limits on most days during the year—

resulting in what the National Park Service would consider an unacceptable number of annual visitors.

Concern 362: The National Park Service should consider the use of "quotas" as limiting access into Yosemite National Park and restricting the public's right for "public use, resort and recreation."

"QUOTAS, The use of this term in the revised CMP validates my previously expressed concern for the public's right of access to Yosemite Valley, an area of Yosemite National Park that is "…to be held for all time by the United States of America for public use, resort and recreation." When you begin to address user capacities of the river corridor by setting QUOTAS, you are obviously attempting to limit the public's use for resort and recreation. QUOTAS should not be used to manage visitation in Yosemite. The use of the Wild & Scenic Rivers Act for this purpose is wrong."
(Individual, Redwood City, CA, Comment #110-1)

"It is clear that this Revised CMP of the Merced River Plan is being used to amend the adopted General Management Plan to illegally establish QUOTAS for visitation to Yosemite Valley."
(Individual, Redwood City, CA, Comment #110-6)

Response: The National Park Service recognizes the concern as it relates to Alternatives 3 and 4. The Ninth Circuit Court of Appeals Opinion issued in October 2003 stated that "…*Based on the plain meaning, we do not read [the Wild and Scenic Rivers Act] to require that the administering agency advance one particular approach to visitor capacity in all circumstances (e.g., a head count of all entrants to Yosemite)…Thus we interpret [Wild and Scenic Rivers Act's] instruction that a Comprehensive Management Plan (CMP) must 'address user capacities' to require only that the CMP contain specific measurable limits on use…"*

Although many may think of a capacity as a number of people in a given area, the concept is much more complex. Research over the years has shown that user capacity cannot be measured simply as a number of people, because the potential for impacts is related not just to the number of people, but to the types of activities people engage in, where they go, what kinds of natural and cultural resources are in the area, and the way the area is managed (Marion 1998, Cole and Stankey 1997). The concept of user capacity relates to the level of use (type and amount) that an area can withstand without having an unacceptable impact on the area's values. These values are not just limited to the cultural and natural resources but include the quality of the visitor experience and other social factors. In the Merced River corridor, relevant visitor experience and social goals are expressed through the recreational Outstandingly Remarkable Values for the river. The goals of the National Park Service and the Wild and Scenic Rivers Act both allow for public use and enjoyment of the Merced River corridor at levels that protect the natural and cultural values for which the river was deemed worthy of protection. These values include the Outstandingly Remarkable Values of the Merced Wild and Scenic River.

The annual corridorwide visitation limits proposed in Alternatives 3 and 4 ensure that visitor use levels do not reach the maximum daily segment or management zones limits on most days during the year—resulting in what the National Park Service would consider an unacceptable number of annual visitors.

Concern 365: The National Park Service should allow unrestricted access to Yosemite Valley.

"Go outside and look up. The outstanding beauty of the "Cleft" or "Gorge" is the reason that this unique place was set aside for public use as the first such state park. When I lived in Yosemite Valley and would have first time visitors there who arrived in the evening after dark, I was always pleased by their expressions of awe when morning came and they went outside and looked up. To this day, I cannot enter Yosemite Valley without looking up at Half Dome, Yosemite Falls and El Capitan. To use the ORV's of the river corridor to control public access to this place of beauty is unconscionable."
(Individual, Redwood City, CA, Comment #110-4)

Response: The mission of the National Park Service is to preserve and protect the natural and cultural treasures of the nation while allowing all people to enjoy and experience them. However, the agency is also required to implement limits on use in Yosemite through various governing mandates, park policies, and the Wild and Scenic Rivers Act. For example, restrictions on use vary from the number of people allowed in a campsite to the number of people permitted in the wilderness overnight. Current restrictions on use levels are prescribed by the National Park Service to protect public safety, natural and cultural resources, and the visitor experience. Thus, the National Park Service is unable to allow unrestricted access to Yosemite Valley. It should also be noted that according to the Wild and Scenic Rivers Act, the managing agency must institute a capacity on use in the Merced River corridor. By its very nature, a capacity connotes that an upper level must be set which would trigger management action. In some cases, this action could result in some restrictions on use—whether localized or by corridor.

Concern 399: The Revised Merced River Plan should specify how a permit system for specified areas around the river would work.

"Alternative 2 also suggests the use of required permits around selected river areas. There is a danger is that these permits might inhibit the flexibility of climbers to travel and climb in these areas. The plan should better detail exactly how these permits might work. The NPS has an interest in keeping the policies and requirements of issuing permits transparent because it will maintain the transparency goal of VERP."
(Non-Governmental Organization, Mill Valley, CA, Comment #119-4)

Response: The Revised Merced River Plan is a programmatic document that sets the broad policy guidance and frameworks for management of future activities in the Merced River corridor. It is not possible to present or analyze detailed implementation plans for *potential* future management actions As park managers decides on specific management actions to be implemented to address use-related impacts under the VERP program, detailed implementation projects would be initiated at that time with appropriate levels of National Environmental Policy Act compliance.

Concern 457: The National Park Service should not allow Recreational Vehicles in the Valley.

"[N]o RV hookups."
(Individual, Oakhurst, CA, Comment #55-29)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts that does not dictate any specific action. It is a working manual for guiding decisions relating to land use and activities in the river corridor. More specifically, the Revised Merced River Plan was directed by the court to address the El Portal boundary and a user capacity

program. As such, limitations on Recreational Vehicles in the Valley were not considered as part of this planning process but may be considered as part of future planning efforts. Any future park projects would be compliant with the National Environmental Policy Act and would undergo the appropriate environmental review with public comment.

Concern 460: The Revised Merced River Plan should facilitate a positive visitor experience by managing for a maximum of 25 people on a trail at one time, and fewer than 20 people on a 40' x 100' beach.

"My expectations of a visitor experience and expectation in this process, relating to the "Yosemite Valley Corridor" specifically, is a sense of solitude represented by seeing and passing 25 people or less on the trail I'm on....I would expect fewer than 20 people on a 40'X100" beach."
(Individual, Mariposa, CA, Comment #87-3).

Response: The National Park Service recognizes the concern as it relates to Alternatives 4, however management zone limits apply to the entire acreage of a certain type of management zone and are not specific to individual areas within a zone such as a beach. The number of people on a given trail at one time is not being analyzed in this document, though is being monitored through the VERP program. Should monitoring result of VERP determine that a limit on use should be implemented on specific trails, the appropriateness of that type of management action will be evaluated within the context of VERP and the Wilderness Trailhead Quota System.

Reservation System

Concern 9: The National Park Service should limit the number of tour buses.

"As for the RIVER PROTECTION -- you keep mentioning the numbers of people and how you control them by education, numbers of lodging etc., all well and good, but it has been my experience in more recent years that one of the worst impacts on the numbers of people that come in the park are from the increase of TOUR BUSES-- huge tour buses that bring people in droves for the day and don't even have time to experience the park except on a superficial level. I am not naive enough to think that this isn't going to continue, but I do think a good place to start is to limit the number of tour buses that can come in to the valley on any given day (even though they bring money to the concessions)-- yes a QUOTA ON BUSES or pre-reservation system for buses."
(Individual, Comment #3-8)

"Now the Merced River Plan is in your hands -- you tell us; we are turning to you for the next phase of development." I bet! I don't mean to sound cynical, but I guess I am. If you listened to me -- you would have…limited the numbers of tour buses."
(Individual, Comment #3-14)

"The tour busses are just overwhelming. If you want to hear complaints, ask about the tour busses. In the first place, most of those tour busses come in from out of state using out-of-state diesel fuel. They are not even using fuel that's here in California that requires a lower sulfur content. You can also monitor vehicles' emissions. There's no reason to allow vehicles in the Valley that are gross polluters."
(Individual, Citrus Heights, CA, Comment #95-5)

Response: Buses generally enter and leave the park through different entrance stations, and stop at major features, such as the Mariposa Grove, en-route to Yosemite Valley. Tour buses typically stop for only a few minutes at these popular Yosemite Valley features. As a result, visitors arriving

by bus tend to be concentrated in developed areas of the park that provide adequate space for bus parking and have hardened surfaces for walking to view popular features such as Yosemite Falls, Bridalveil Fall, Tunnel View, and the Yosemite Lodge area. Visitors in organized tour groups largely do not have the time to explore undeveloped areas and typically do not stray far from the tour guides or bus.

Alternative 2 does place an interim limit of 92 buses (buses include commercial tour buses, YARTS buses, school buses, etc.) per day. Alternatives 3 and 4 do not propose limits on buses. Under Alternative 2, at the end of the interim period, the National Park Service would evaluate the VERP program's effectiveness in providing park managers with the information needed to manage visitor use in a manner that protects and enhances the Outstandingly Remarkable Values. Based on this evaluation, park managers would present a report to the public documenting how the VERP program has provided the required guidance on visitor use levels and whether facility limits should be continued, modified, or eliminated. If changes proposed at this time would result in substantially different environmental consequences than were identified in the Final Revised Merced River Plan/SEIS, an appropriate level of National Environmental Policy Act compliance would be completed.

Concern 10: The National Park Service should limit day use, potentially through a reservation system, especially during peak periods.

"I am also not opposed, as many are, to PRE-RESERVATIONS FOR DAY USE during the SUMMER HOLIDAY WEEKENDS. After all, one has to reserve even dinner and theater reservations at most places in California so why not ask people to think about when they are coming up on these highly impacted weekends."
(Individual, Comment #3-9)

"Initially the [day use reservation] system would be used only during peak use periods when visitation is expected to exceed capacity. This process should begin with a public awareness and education program describing the need and a system that would guarantee day use entry once a reservation system is in place. Emphasis must be made that a day use reservation system is not designed to limit access it is designed to guarantee access!...A day use reservation system is not only long overdue it is ultimately the only solution to the recreational demands of exploding population growth in near-by central valley and foothill communities…The resulting chaos extant during [peak] period[s] will surly return if a reservation system is not implemented. The system will protect Park resources and insure a quality visitor experience in Yosemite Valley and will help to satisfy the Ninth Circuit Court's directives."
(Individual, El Dorado Hills, CA, Comment #27-8)

"To achieve this level of visitation a system of day-use permits may be necessary for day-use visitors. As a start, on high use visitation days such as holidays and weekends, a program could be established for day-use permits. For years now, permits for entrance into the backcountry wilderness have been required to lessen the impact on the resource and seems to be working."
(Conservation Organization, Oakland, CA, Comment #75-4)

Response: The National Park Service, per the Superintendent's Compendium, has the ability to redirect visitor use in Yosemite Valley during peak visitation periods, such as holiday weekends, and has done so in the past. In the event that visitor use levels reach capacity, the National Park Service would implement a communications strategy to provide information to local and region

communities. Limiting visitor use through a reservation system is a type of management action the park could implement if VERP monitoring were providing information that adverse impacts are occurring to resources and/or the visitor experience. If a reservation system were to be implemented, further National Environmental Policy Act review and public involvement would be required.

Concern 144: The Revised Merced River Plan should consider a range of wilderness trailhead quotas for the trailheads that feed the Merced River corridor.

"Why not consider a range of entrance quotas for the trailheads that feed the Wild and Scenic River?"
(Individual, Fort Collins, CO, Comment #73-19)

Response: Yosemite National Park's existing Wilderness Management Program regulates use in wilderness primarily through the Wilderness Trailhead Quota System. This system has been in place since the 1970s. Over time, and supported by the results of the Wilderness Impact Monitoring System (WIMS), this system has demonstrated that it protects both the visitor experience and the park's natural and cultural resources. It limits and disperses visitor use to provide a quality visit while not causing unacceptable impacts to wilderness resources. In addition, responses from the public during this planning effort have indicated that the existing Wilderness Trailhead Quota System is properly functioning. Given the above, there is no need or justification to consider a range of wilderness trailhead quotas that feed the Merced River corridor.

Concern 159: The National Park Service should consider requiring day-use permits for popular destinations in the river corridor, similar to wilderness permits.

"Management actions might include requiring day-use permits for Half Dome and other popular areas along the river. Day-use permits could be explained and interpreted as wilderness permits currently are."
(Individual, Comment #81-4)

Response: Requiring day-use permits to popular attraction areas is one of the many potential management actions that could be implemented to protect river values if VERP monitoring were providing information that adverse impacts were occurring to resources and/or the visitor experience. The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.

Concern 298: The Revised Merced River Plan should not include potential management actions that limit public access to Yosemite National Park.

"It is my hope that the plan will not limit the number of visitors…"
(Individual, Modesto, CA, Comment #108-1)

"Further, I remain deeply concerned that Yosemite National Park is becoming less accessible to the public. Possible day-use reservations, quotas and entry-gate closures should not be included in the DRMRP as they are counter to a positive visitor experience and contribute the existing belief that Yosemite is becoming less accessible to the public."
(Federal Agency, Washington, DC, Comment #136-7)

Response: The National Park Service has adopted the Visitor Experience and Resource Protection (VERP) program to provide information about impacts to resources and the visitor experience from visitor use. Based upon VERP monitoring results, the National Park Service would determine whether indicators are providing information to park managers about impacts to resources or the visitor experience caused from visitor use. Depending on the level of use resources and the visitor experience can sustain, the type of management actions that could limit visitor use may be implemented to minimize or eliminate adverse impacts. However, the National Park Service has the ability to implement numerous types of management actions, and limiting visitor use may not be appropriate in every situation.

Concern 371: The National Park Service should consider the potential management actions of "entrance station quotas" and/or a "day use reservation system," as lacking sufficient public comment due to the inconsistent information the National Park Service has provided on the subject.

"The public comment process on this very important issue [quotas and gate closures] has been so severely compromised as to render it null and void. Whether you call it "user capacity" or "entrance station quota" or "reservation system", it is all getting at what should have been at the very heart of the DRMRP process. It is the one issue which people have been searching for in the document. To the extent that they might have found anything, they have been misled or confused or both. This part of the process clearly is not compliant with NEPA. That is unfortunate, because it is at the heart of the Ninth Circuit's direction to address user capacity."
(Conservation Organization, Fresno, CA, Comment #113-12)

Response: The National Park Service has adopted the Visitor Experience and Resource Protection program to provide information about impacts to resources and the visitor experience from visitor use. In the event that resources and the visitor experience are being adversely impacted by visitor use, the National Park Service has an obligation to take action to lessen or remove impacts. Entrance station limits and/or a day use reservation system are types of management actions the park could implement (see Chapter II for a list of other potential management actions). However, limiting visitor use through a reservation or permit system would require further National Environmental Policy Act review and public involvement.

Special Populations Access

Concern 311: The National Park Service should limit or restrict access of foreign visitors before restricting the access of U.S. citizens.

"If people visiting the park, or a section of the park are to be turned away or limited, then those who are not U.S. Citizens should be the ones first turned away or redirected. Give citizens priority."
(Individual, Saratoga, CA, Comment #122-2)

Response: The mission of the National Park Service is to preserve and protect the natural and cultural treasures of the nation while allowing all people to enjoy and experience them. The

National Park Service is a federal land management agency and does not discriminate against individuals or groups based on ethnicity. The Revised Merced River Plan/SEIS is a programmatic plan that does not prescribe specific actions, such as limiting certain types of citizen access to Yosemite National Park; rather it sets a framework for decision making. The National Park Service has adopted the Visitor Experience and Resource Protection (VERP) program to provide information about impacts to resources and the visitor experience from visitor use. Based upon VERP monitoring results, the National Park Service would determine whether restricting visitor use in certain areas or parkwide would be an appropriate type of management action. Any restrictions on travel, lodging accommodations, or access to any area of the park that might result from the Revised Merced River Plan/SEIS would be equally applied to all visitors, regardless of race, socioeconomic standing, or country of origin. For more information, consult the "Environmental Justice" discussion in Chapter V, Environmental Consequences.

Environmental Justice

Concern 20: The National Park Service should encourage the development of affordable and equitable accommodations and equal access to recreation opportunities.

"I represent four generations of family, my grandparents, my parents and now I have grown children. Every one of us enjoys a few of the basic things; number one, we like to go to sleep -- we used to like to go to sleep watching the fire flies. We can't do that now, so we go to sleep watching the stars and trying to listen to the river. We like to wake up hearing the birds, seeing Glacier Point and hearing the river. We're farther and farther away. The river sites are very skimpy and it's harder to do that. And for that one week at a time where it used to be unlimited, now we have one week at a time. The rules are multiplying. We've had a barrage of bear management, camp hosts shining flashlights in our eyes, you know, kicking the fires out."
(Individual, Santa Monica, CA, Comment #39-6)

"All documents appear to lead to the conclusion that at the end of the 5-year interim period, camping in Yosemite Valley will return to the pre-decisional number outlined in the Valley Plan: 330 drive-in sites (not the 684 mentioned in the GMP); and 170 walk-in/walk-to/group sites (not the 72 mentioned in the GMP); a grand total of 500. This is substantially less than the 756 campsites proposed in the 1980 GMP and a drastic reconfiguration--cutting low impact, inexpensive, drive-in family campsite opportunities by more than 50%. Guess the GMP capacity goals for camping didn't fit with the current administrative agenda…"
(Individual, Oakhurst, CA, Comment #55-19)

"Low-impact campgrounds should be restored along the upper and lower Merced River to ensure those of minimal economic means can visit and experience Yosemite."
(Federal Agency, Washington, DC, Comment #136-3)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions related to the development of affordable and equitable accommodations. Together, these plans will serve as a working manual for guiding decisions

relating to land use and activities in the river corridor. Visitors to the park can experience a wide range of recreational opportunities, and a goal of the park's User Capacity Management Program is to ensure that the quality of the visitor experience in the river corridor, which in part includes enjoying recreational opportunities, is maintained for all in a manner that protects and enhances the Merced River's Outstandingly Remarkable Values.

Concern 451: The Revised Merced River Plan should gather quantitative studies that depict low income and non-Anglo recreation patterns to better inform park decisions.

"SOCIAL JUSTICE. Scoping letters overwhelmingly expressed concerns about elitism and how the Park was evolving into a resort experience that only the wealthy could afford. According to the Valley Plan, "It is generally believed that low-income and minority visitors to the park are underrepresented in the total visitor population. However, the overnight accommodation and recreation patterns of low income and minority park visitors have not been studied in detail. As a result, the impacts on low-income and minority overnight and day visitors cannot be analyzed quantitatively" (Final YVP/EIS, Volume 1B, page 4.2-247). The Valley Plan further states "the largest percentage of visitors to Yosemite National Park (26%) have an annual household income greater than $100,000. The smallest proportion of visitors (5%) have an annual household income of less than $20,000. By contrast, in the State of California the largest percent of the population (37%) has an annual income below $20,000. The data illustrate that people from low-income households are largely underrepresented in the population of visitors to Yosemite. . . This is true on both a statewide and regional basis" (Final YVP/EIS, Volume Là, page 3-156/7)."
(Individual, Oakhurst, CA, Comment #55-39)

"As a publicly funded entity, the national parks must serve ALL Americans. It appears that many of the plans and policies now advocated in Yosemite are facilitating economic discrimination. Quantitative studies with respect to recreational patterns of low-income and non-Anglo populations are critical to future land-use management zoning and user capacity determinations and should inform Park administrators' decisions. Where are those studies and why aren't they informing not only a Revised River Plan but all future planning documents?"
(Individual, Oakhurst, CA, Comment #55-43)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.

The park's User Capacity Management Program has been designed without regard to visitor income levels or ethnic background. It is a program the park will implement to measure and manage the impacts of use from visitors, employees and residents in the river corridor to ensure that the river's Outstandingly Remarkable Values will be protected and enhanced for the future enjoyment of all.

Furthermore, in the summer of 2005 the National Park Service will conduct a Visitor Use Survey designed to gain information about visitor use patterns and overall visitor satisfaction in Yosemite

National Park. This very comprehensive survey will be distributed throughout the park. This will help to broaden the understanding of recreational and overnight use by various demographics, and will be used to inform future planning efforts.

Special User Groups

Concern 22: The National Park Service should set aside improved camping areas for school groups.

""Now the Merced River Plan is in your hands -- you tell us; we are turning to you for the next phase of development." I bet! I don't mean to sound cynical, but I guess I am. If you listened to me...You would not house school groups at Camp Curry but have maintained group camping areas for them, or if you did house them at Curry then they should be the only ones residing in those particular areas and it should be better set up for this kind of use with group meeting places for the evening and education."
(Individual, Comment #3-19)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts and does not dictate any specific action. It is a working manual for guiding decisions relating to land use and activities in the river corridor. More specifically, the Revised Merced River Plan was directed by the court to address the El Portal boundary and a user capacity program. Any future park project to improve camping areas for school groups would be compliant with the National Environmental Policy Act and would undergo the appropriate environmental review with public comment. Part of this environmental review would include assessing the potential impacts on visitor experience.

Recreation

Concern 150: The Revised Merced River Plan should reexamine the recreation economic impacts on the regional economy.

"In the "Regional Economy" discussion of the Environmental Consequences, it is reported that under the current situation the regional economic impact is $238.8 million dollars given the current 3.6 million annual visitors. Thus, it would appear that the potential economic impact of alternatives 3 and 4 would be substantially larger given a 5.3 million annual user capacity. Yet, in the Environmental Consequences, the SEIS indicates that under Alternative 3 and 4 it is projected that the visitation will decline compared to Alternative 1, and there will be a loss to the regional economy (pages IV-306 and IV-397, respectively). This is confusing and I suspect not factually accurate. I recommend you reexamine the SEIS on this matter, and considerably expand your regional recreation demand and economic analysis given the considerable amount data that has been provided by your consultants."
(Individual, Fort Collins, CO, Comment #73-28)

"I believe your recreation demand analysis [in the Environmental Consequences discussion] is lacking, which of course feeds into your regional economy analysis. I recommend a chart or table that depicts the past 20 years of annual visitation and projected future recreation demand for the next 20 years based upon a reasonable range of a 3%-6% annual increase in visitation. The decision maker and public needs to understand that your annual visitation is likely to pass the 5.3 million mark you use in Alternatives 3 and 4 in a short 10-12 years by my calculations."
(Individual, Fort Collins, CO, Comment #73-29)

Response: The Revised Merced River Plan/SEIS is a programmatic document and provides broad policy guidance for future management of the Merced River corridor. The effects of this plan's guidance on visitor levels and visitor spending are very difficult to predict or evaluate. Visitation would not necessarily grow continuously, as illustrated in the mid-1990s when visitation peaked at over 4 million, then proceeded to drop to 3.37 million in 2004. Therefore, the economic analysis contained in this Final Revised Merced River Plan/SEIS consists of a subjective evaluation of how the economic effects of each proposed action alternative would differ from the effects of continuing current management practices. The future level of visitation could be influenced by the VERP program, but it is impossible to estimate what future visitation levels will be under VERP. In the alternatives that include specific daily or annual visitor limits or caps, it is assumed that these caps could limit future growth in visitor levels as compared to having no limits.

Concern 26: The National Park Service should prioritize visitor recreation useage over preservation of its wild and natural state.

"If could choose between the Merced river being either wild and natural and used less for recreation, or beautiful (as it currently is), and used more for recreation, I would choose the later. After all, the primary reason people come to Yosemite is to enjoy the beautiful views and hiking -- the Merced River's condition (within reason) is a secondary concern; but it's fun to swim in, raft down, hike along, and camp nearby."
(Individual, Kensington, CA, Comment # 7-3)

Response: The National Park Service administers Yosemite National Park under a series of statutory authorities passed in the late 1800s and early 1900s that include the National Park Service Organic Act of 1916. These authorities mandate that the National Park Service protect and preserve the park's natural and cultural resources while providing for the public's enjoyment of the resources "in such a means as will leave them unimpaired for the enjoyment of future generations." The mission of the National Park Service calls for allowing public use of parks, but not to the detriment of the values that make them unique. Similarly, the Wild and Scenic Rivers Act Section 10(a) calls for protection and enhancement of river values without limiting other uses to the extent that such uses do not adversely impact the values for which the river was designated.

Climbing and Mountaineering

Concern 360: The National Park Service should review the Denali National Park study of backcountry encounters (when complete) to better understand climbers use of the wilderness versus other use of the wilderness.

"The AAC has pushed for and helped fund and direct a scientific study of backcountry encounters in Denali National Park in the hope of finding out exactly how climbers differ from other wilderness recreational visitors in their perception of encounters. We hope the study helps develop new management approaches that may be more fruitful for protecting wilderness solitude without resorting to subjective and ultimately flawed indicators and standards."
(Business, San Rafael, CA, Comment #112-13)

Response: Park planners, scientists, and resource managers benefit from the experiences and programs used in other parks. However, every park area is unique, with different resources and different types of visitor use. As part of the Revise Merced River Plan/SEIS process, the planning team looked to numerous methods for addressing the impacts of visitor use—including the

various tools used within the National Park System and in other land management agencies. The National Park Service has adopted the Visitor Experience and Resource Protection (VERP) program to provide information about impacts to resources and the visitor experience from visitor use. As part of this process, Yosemite National Park resource managers have adopted a set of indicators specific to the Merced Wild and Scenic River as presented in the Revised Merced River Plan/SEIS. These indicators are directly linked to the protection and enhancement of the river's Outstandingly Remarkable Values—qualities unique to the Merced River corridor. Based on VERP monitoring results, the National Park Service would determine whether indicators are providing information to park managers about impacts to resources or the visitor experience caused from visitor use, such as climbing. Because VERP is a dynamic and iterative process, as new information is available the National Park Service will have the ability to further refine VERP.

Visitor Services

Concern 87: The National Park Service should consider the low impacts associated with camping.

"The impacts that we've seen over the years as far as result of our use, my family, my 30 to 40 cousins and uncles and aunts and brothers and now children, has been minuscule compared to the impact of what the National Park Service, or the Yosemite park people, have deemed what the park needs to have done for our better experience."
(Individual, Comment #45-1)

"In this plan, it talks a whole lot about the negative impacts of "visitors" on "park resources"; while the unfortunate reality is that in recent years, it is the Park Service and its plans and projects which have made the most negative and significant degradation and destruction of the River's Outstandingly Remarkable Values. While the NPS worries about some "trampling" from visitors walking, it appears to be completely ignoring the incomparable and vastly greater impacts from a myriad of projects, such as the bulldozing along the Merced River Gorge."
(Individual, Comment #93-9)

"We campers are not your problem- we are amazed at how many people are dragged in by bus; they drop their money in the stores and then bussed out again within hours of their arrival. It's like a revolving door"
(Individual, Comment #130-2)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.

The park's User Capacity Management Program has been designed without regard to the type of visitor coming to Yosemite National Park type or the type of recreation visitors may become involved with. It is a program the park will implement to measure and manage the impacts of use

from all users (visitors, employees and residents) in the river corridor to ensure that the river's Outstandingly Remarkable Values will be protected and enhanced for the future enjoyment of all.

Concern 320: The National Park Service should consider how good facility design can manage adverse impacts of visitor use.

"Additionally, we note that many resource management textbooks have been written on facility design and visitor rules that can effectively manage the adverse impacts of visitor use and discourage excessive visitor use without requiring a staff-intensive effort to monitor and police visitor quotas…Thus for most wild and scenic river management situations, the design approach will often prove best."
(Conservation Organization, Sacramento, CA, Comment #116-12)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts that does not dictate any specific action. It is a working manual for guiding decisions relating to land use and activities in the river corridor. Future planning efforts will evaluate a variety of facility designs and will take into account the mitigation of visitor impacts. The VERP program is one component of the park's larger resource and visitor management programs that has the ability to affect land use planning and facility placement within the river corridor. Land use planning covers a wide range of issues, some of which are not directly impacted by visitor use. However, in land use planning, information gathered through resource monitoring programs, such as the VERP program, are used to assist in land use decisions. These monitoring programs affect land use planning by providing information on resources and visitor experience. In addition, the VERP program can improve the understanding of how various land use decisions affect visitor use levels and behaviors, and how those changes may affect other desired conditions. The National Environmental Policy Act process will continue to be the framework used to evaluate land use changes and associated implementation projects, but the VERP program will in the future provide much needed information related to visitor patterns and levels to support land use planning.

Although VERP does not drive land use planning in general, many of the management actions that could be implemented as a part of the VERP program can affect land uses, especially those related to infrastructure for visitor services. So, in one sense, the VERP program may drive land use changes because data from monitoring indicates a need to make adjustments to infrastructure or services to better meet desired conditions (e.g., resize parking areas, realign sections of a trail).

Concern 28: The National Park Service should restore lodging and camping to pre-flood levels.

"My number 2 concern is that you raise the lodging and camping levels back to the pre-flood level. None of your plans do that."
(Individual, Los Gatos, CA, Comment #2-2)

"My concern is that many campsites were destroyed, not by floods, but by aggressive acts of overzealous eco-extremists. Those are the river campgrounds... I understand the need to protect the Wild and Scenic River but camping facilities and hotel rooms have been removed by the hundreds in the name of "saving the river from ourselves.""
(Individual, Comment #21-1)

"Even more disconcerting is the sleight of hand with which these numbers are presented in the Plan (and in the press): ". . . Camping would be allowed to increase by 162 sites to a total of 628 sites. This level would be well below the number of campsites that existed in the Valley prior to the 1997 flood" (page 11-34). Scoping letters overwhelmingly demanded a reevaluation of camping opportunities and in fact, the scoping history section claims to have addressed access to camping in this document. Without a closer examination of how the numbers add up (and subsequently disappear), park administrators are trying to appear as if they "heard" the public outcry and are doing something about it. Nothing could be farther from the truth."
(Individual, Oakhurst, CA, Comment #55-20)

Response: The Revised Merced River Plan/SEIS is a programmatic plan that will guide future planning efforts, however does not dictate specific actions, including those related to lodging and camping. It is a working manual for guiding decisions relating to land use and activities in the river corridor. More specifically, the Revised Merced River Plan was directed by the court to address the El Portal boundary and a user capacity program. The park's User Capacity Management Program will measure and manage the impacts of use from visitors, employees and residents in the river corridor to ensure that the river's Outstandingly Remarkable Values will be protected and enhanced for the future enjoyment of all. Any future park projects in the Merced River corridor, including those that include lodging and camping proposals, will have to be compliant with requirements of the 2000 Merced River Plan as revised by this document. In addition, future projects of this nature will undergo the appropriate level of National Environmental Policy Act compliance and public involvement.

Concern 29: The National Park Service should prioritize the restoration of camping accommodations over an increase in lodging accommodations.

"I would like the camp sites destroyed by the 1997 flood to be restored. The Merced should be maintained as it currently is (I think it is nice in its current condition, bridges and all), and the destroyed campsites should be restored."
(Individual, Kensington, CA, Comment #7-2)

"Interim facility capacity outlined in the Revised River Plan is 1,262 units--which as noted in the Congressional Report on the Flood Recovery Request (3/26/97) was right in line with the GMP proposed lodging goals: "In other words, if the Federal government does not spend $28 million to build new revenue- generating facilities for the concessioner, the goal of reducing lodging accommodations to the level identified in both the General Management Plan and the Concession Services Plan will be achieved. . . " But apparently, Park administrators and the concessioner had other ideas as to how lodging should be reconfigured to maximize profit."
(Individual, Oakhurst, CA, Comment #55-22)

"I'm very concerned about the overnight visitor population in Yosemite valley. With the time allotted, I want to focus mainly on the campsite issue. The 1980 General Management Plan called for an overnight camping population of 3252 people. Existing campsites currently provide for 2034 persons. Interim RNP numbers document, we're discussing today, are 2934. Yet, the valley plan calls for 2340..It needs to be noted that the GNP numbers are reflected in removal 116 campsites and 268 lodging units for the purpose of protecting river banks of Merced river."
(Individual, Ahwahnee, CA, Comment #96-3)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts that does not dictate any specific action nor does it establish priorities regarding land use objectives. It is a working manual for guiding decisions relating to land use and activities in the river corridor. More specifically, the Revised Merced River Plan was directed by the court to address the El Portal boundary and a user capacity program. Any future park projects would be compliant with the National Environmental Policy Act and would undergo the appropriate environmental review with public comment.

Concern 331: The National Park Service should relocate Housekeeping Camp.

"Housekeeping campsite has tents too close to the river. This area should be (tent use) moved further from the river."
(Individual, Fresno, CA, Comment #128-10)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. The issues relating to the relocation of Housekeeping Camp raised by this concern will be addressed as appropriate, in future implementation plans.

Concern 44: The National Park Service should focus on returning the number of drive-in campsites in Yosemite Valley to the level recommended in the General Management Plan.

"In summary, Park administrators' allegiance to the 7,711 overnight visitor capacity in the 1980 GMP on the surface appears insincere. However, the Revised MRP does leave the door open with such statements as: "Management actions taken in areas zoned for intensive use could include additional visitor services." If there are any such plans for expanding services, the focus should be on returning the number of drive-in campsites in Yosemite Valley to the level recommended in the GMP"
(Individual, Oakhurst, CA, Comment #55-28)

Response: The Merced River Plan prescribes that, in Camping (3A) zones, use will be directed away from sensitive areas and river access will be provided via trails to direct visitors to areas better able to withstand heavy use. It further states that in these zones, access will be facilitated with development such as trails and restrooms, and there will be a moderate to high tolerance for resource impacts in localized areas. The desired conditions prescribed for Camping (3A) zones within the river corridor places an emphasis on integrating the protection and enhancement of biological and cultural Outstandingly Remarkable Values, with the diversity of recreational Outstandingly Remarkable Values. Thus, placement of additional campsites in Yosemite Valley is consistent with the approved management zone objectives associated with desired conditions.

The General Management Plan called for a reduction of 116 campsites from existing levels in 1980 which was 872 campsites, to the proposed level of 756 campsites in Yosemite Valley; most of them within the Merced River corridor. The Final Revised Merced River Plan/SEIS proposes 638 campsites for Yosemite Valley in Alternative 2, which is a further reduction from the General

Management Plan proposed levels. However, the numeric approach to managing carrying capacity within the river corridor will be amended by this plan through the VERP program. Indicators and standards have developed to monitor achievement of the desired resource and social conditions within the river corridor, and will continue to be refined over time. Adjustments to location, number, and infrastructure will be made when warranted. It is anticipated that relocation of certain campsites from sensitive areas will serve the resource goals of both the General Management Plan and the Merced Rive Plan, both of which provide guidance for the Yosemite Valley Plan. Therefore campsite relocation and expansion of the current inventory fulfills goals and works towards achieving desired conditions within the river corridor.

Site Design and Landscaping

Concern 32: The National Park Service should improve lighting at Yosemite Lodge.

"Now the Merced River Plan is in your hands -- you tell us; we are turning to you for the next phase of development." I bet! I don't mean to sound cynical, but I guess I am. If you listened to me...You would have insisted on improved lighting for paths at the lodge for guests."
(Individual, Comment #3-17)

Response: The National Park Service has developed Design Guidelines for Yosemite Valley, which include lighting guidelines, that account for not only the protection of visitor safety, but for the protection of a dark night sky. The issue of lighting at Yosemite Lodge was addressed in the Lodge Area Redevelopment Project Environmental Assessment completed in 2003. The Revised Merced River Plan is a programmatic plan that will guide future planning efforts that does not dictate any specific action. It is a working manual for guiding decisions relating to land use and activities in the river corridor. More specifically, the Revised Merced River Plan was directed by the court to address the El Portal boundary and a user capacity program. Any future park projects to address site design would be compliant with the National Environmental Policy Act and would undergo the appropriate environmental review with public comment.

Health and Safety

Concern 89: The National Park Service should provide information upon entry of the park on the risks associated with drowning in the river.

"VISITORS SHOULD BE MADE AWARE OF THE RISKS OF DROWNING IN THE RIVERWHEN THEY ENTER THE PARK."
(Individual, Comment #54-2)

Response: Messages regarding river safety have been distributed throughout the park for years. Important safety information is included in free visitor publications handed out at entrance stations and visitor centers. Included in these publications are sections detailing how to be safe around bodies of water, including the river.

National Park Service Interpretive Services

Concern 235: The National Park Service should educate the public on how to enjoy Yosemite National Park without degrading resources.

"Public Education in which the visitor is "encouraged" to make certain decisions based upon information regarding anticipated experiences (i.e. potential crowds) should be the primary management tool employed before the implementation of specific restrictions and limits."
(Conservation Organization, Oakland, CA, Comment #69-10)

"Any Plan to be effective needs to have an interaction between Park Service interpreters and the public. The public needs to be informed as how best to interact with the wonders of Yosemite and how best to visit this wonderful place. People need to be informed as to why they should not tramp across the meadows, pick the flowers and feed the bear or deer."
(Conservation Organization, Oakland, CA, Comment #75-10)

"Be proactive about education as well. Interpretive Rangers already work hard, but they are too few and need more support. (Yes, the current Administration has pinched NPS—and we're mad about that—but we're all holding up our best visions here, aren't we?) Anyone so blessed as to visit the Valley—and certainly anyone living there (various employees)—should be apprised of the proper way to treat this International Treasure. People usually don't mean to cause damage, and often don't even know that they are."
(Individual, Emerald City, CA, Comment #85-5)

Response: Fostering a sense of stewardship among visitors to Yosemite National Park is central to the mission of the National Park Service. In Yosemite, visitors learn about the importance of protecting natural and cultural resources through numerous park publications, exhibits in visitor centers and in wayside locations throughout the park, through guided interpretive walks and talks, and through impromptu encounters with rangers. As part of the park's VERP program, continued education and awareness is a key part of the management action toolbox. For more on the relationship of interpretation/education and resource protection, see Chapter II of this document.

Concern 335: The National Park Serviced ranger-led walks should not encroach in the meadows.

"Ranger led walks should not encroach in meadows. Visitors attending these walks need to be reminded to stay on boardwalks and/or paths."
(Individual, Fresno, CA, Comment #128-14)

Response: Resource protection is the job of every employee in Yosemite National Park. When leading groups, rangers and other interpreters are mindful of staying on trail to protect meadows and other sensitive areas. This in turn becomes part of their educational message about how visitors can become good stewards of their national parks.

Concern 117: The National Park Service should complete the Yosemite Transportation Center exhibit in El Portal.

"Recommendation: That the Yosemite Transportation Center be placed in the active park program once more. That adequate space be found for it and the exhibits be completed as planned."
(Individual, Comment #10-3)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. Based on the above, this public concern is not within the scope of this document.

Other Services and Facilities

Concern 337: The National Park Service should hand out or rent scoops and bags for visitors to pick up their pets' waste.

"Hand out or rent out scoops and bags for visitors to pick up after their pets doo doo."
(Individual, Fresno, CA, Comment #128-16)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts that does not dictate any specific action. It is a working manual for guiding decisions relating to land use and activities in the river corridor. More specifically, the Revised Merced River Plan was directed by the court to address the El Portal boundary and a user capacity program. While pets are not excluded from Yosemite National Park, they and their human companions have rules to live by. Included is picking up and disposing of waste appropriately. This message is presented in many of the park's free visitor publications available at park entrances and visitor centers. Regulations regarding pets are not within the scope of this planning effort.

Concern 450: The National Park Service should take responsibility for impacts associated with commercial rafting because they have allowed the concessioner to market recreation activities.

"We do not understand why the NPS would allow the concessioner to operate a busy raft concession that accelerates severe erosion of the river bank alongside Stoneman Bridge; drive huge diesel vehicles through peaceful Sentinel Beach wiping out picnickers (guess they aren't of the same financial priority to the concessioner) while ultimately degrading the entire area. Though the concessioner may profit from rentals, concessioner profits should not determine park policy. And as we feared the NPS is now using these areas as examples of damage caused by visitors to justify why more restrictions must be implemented--when it's really a situation of "cause and effect" as initiated by the Park' s own concessioner as Park administrators look the other way."
(Individual, Oakhurst, CA, Comment #55-36)

"This leads to the discussion as to whether the National Park Service should be in the business of "marketing" recreation (e.g., raft rentals, bicycle rentals, fishing/backpacking/mountaineering sales) or merely "accommodating" recreational activities for those who supply their own equipment. The ready availability of Park rentals, pandering to impulse decision-making by visitors, serves to increase activity in sensitive areas, resource "wear and tear," and potential safety issues. Conversely, if rentals are not available, visitors self-select their participation in a recreational activity based on whether or not they've chosen to go through the hassle of bringing/supervising their own equipment. The visitors themselves voluntarily reduce the impacts as opposed to the Park issuing more restrictions."
(Individual, Oakhurst, CA, Comment #55-37)

Response: The National Park Service does currently limit the number of commercial rafts that can be rented per day by the park concessioner to 100 per day. There is currently no limit on private raft use in Yosemite Valley. One of the 2005 field season VERP indicators will be monitoring the type and number of people associated with specific recreation activities, such as rafting, along the Merced River.

Transportation

Concern 90: The Revised Merced River Plan should include on data from historic peak years (as described in the Yosemite Valley Plan) instead of using only recent data in Chapter 3.

"In the same manner alluded to above in items 9 and 10, p. III-141, Table III-21: 2003 Yosemite Valley Energy Consumption, relies upon another low year compared with the years cited in the 2000 YVP. Again, this is misleading because it avoids what any third grader could deduce: that energy consumption will increase proportionally when visitation increases above the levels seen in only the past 7 years. The data cited is therefore inadequate to its intended purpose. The DMRCMP does not contemplate or attempt to bring about adequate annual reductions in energy usage."
(Individual, Fremont, CA, Comment #51-14)

"Once again, as in items 9, 10 and 13 above, traffic data cited from 2003 on p. III-111, "Average daily traffic volumes in August 2003 were about 4,750 vehicles on Southside Drive and 4,790 vehicles on Northside Drive (NPS 2003a)" is misleading because data was cited from a low year compared to historic peak years referenced in the YVP."
(Individual, Fremont, CA, Comment #51-15)

"The same misleading jargon applies to the current number of bus parking spaces per day also cited on p. D-4, Table D-2 and in Footnote c. Commercial/Noncommercial Buses Limited/Managed to Existing Parking Interim Limit: 38 bus parking spaces used to manage 92 buses per day." Footnote c states, "Current number of bus parking spaces in Yosemite Valley (per Cindy Miller, NPS Traffic Management, December 2004) used to manage 92 commercial or transit buses per day (estimate based on commercial bus use August 1996 and transit bus use of August 2000); also see p. IV-161." In fact, NPS has chosen to cite the lowest year ensuing since the 1998 data used in the YVP for the numbers of commercial buses, 41 in 2004 (p. III-113). Average numbers of buses in 1998 per day during June, July, August and September were considerably higher than this and weekend numbers were even higher (weekend days typically, although not exclusively being when the highest daily impacts occur.) In fact, the impacts of commercial buses were not adequately mitigated when the Lower Yosemite Falls project occasioned moving commercial buses closer to humans staying at Camp 4, where many of them have remained."
(Individual, Fremont, CA, Comment #51-17)

Response: As a result of this public concern, changes to the Final Revised Merced River Plan/SEIS have been made in some resource topics of the Affected Environment (Chapter IV) to reflect that some current data may be lower than what the park has historically accommodated in prior peak years.

However, the information presented in the Affected Environment section is intended to present current and/or recent trends (versus historical peak information) and serve as a basis to effectively evaluate the significance of potential impacts. Typically the Affected Environment consists of identifying and determining pre-project environmental conditions.

Concern 452: The National Park Service should consider all of the environmental, safety and social impacts associated with a busing system and infrastructure required to accommodate it.

"As stated in a 1994 Alternative Transportation Feasibility Study: "potentially higher levels of particulate and nitrogen oxides (Nox) emissions would be generated by high volumes of bus travel on park roads;" "increased noise levels on park roads and in the Valley would be associated with high volumes of bus travel." Those facts are validated in the Yosemite Valley Plan. So many negatives--and still the vision of mandatory busing lives on. Since the concept of busing was originally proposed in the '70s, a host of environmental regulations have ensued targeting vehicle emissions. It makes no sense to replace cleaner cars with oversized dirty buses--buses that will only amplify the noise, the smell, and the glare, qualities that the 1980 GMP sought to reduce. With responsible traffic management solutions coupled with user capacity determination informing management zoning decisions--the entire issue of busing needs to be reexamined from an environmental perspective based on facts."
(Individual, Oakhurst, CA, Comment #55-48)

"Until Park administrators embrace an informed, diverse public as a value-added part of their team instead of as an adversarial entity to be circumvented, neutralized, even marginalized, then all Park plans will continue to be mired in controversy--all the while, Yosemite loses."
(Individual, Oakhurst, CA, Comment #55-49)

"There are also emergency concerns with respect to mass transit tourism from both an evacuation perspective as well as a single accident perspective. A bus going over an embankment can require life-or-death medical attention for 40 or more people all at one time. What, if any, medical facilities are available in the gateway communities or the Park to handle large numbers of people; are there airlift capabilities beyond 1 or 2 helicopters; how many ambulances are available; will emergency vehicles even be able to access an accident competing for space on 2-lane mountain roads."
(Individual, Oakhurst, CA, Comment #55-50)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects. It is a working manual for guiding decisions relating to land use and activities. As such, the plan does not implement a busing system and so does not consider the effects thereof. If the implementation of a busing system is considered in the future, the project would have to be compliant with the National Environmental Policy Act and would undergo the appropriate environmental review with public involvement.

Traffic Condition

Concern 290: The National Park Service should consider the increased traffic within the corridor associated with overflow from the Mariposa Grove of Big Trees.

"[O]ut-of-area cars are being parked there [at the Wawona Store]. Visitors to the Mariposa Grove of Big Trees have very limited parking at the park entrance to, or inside, the Grove. They are instructed to park at the Wawona Store and be shuttled to the Grove. The proposed preferred option moves vehicles from the area of the Mariposa Grove, which is outside the Merced River area, to parking facilities that are inside the river boundary established by the Wild and Scenic Rivers Act."
(City Agency, Mariposa, CA, Comment #138-2)

Response: The National Park Service has recognized that traffic congestion has implications to the overall visitor experience, can contribute to the degradation of some of the river's Outstandingly Remarkable Values, and can also affect vehicle and pedestrian safety. As part of the park's VERP program, an indicator of "Occupied Parking versus Capacity" has been developed that has a direct relation to the number of vehicles on roads, in that if vehicle parking can be accommodated, then roadway and intersection congestion will be minimized, especially during peak visitation periods. If monitoring the number of vehicles in any activity area at any one time indicates that existing parking capacity is being exceeded, park managers will implement appropriate management actions (see list of potential management actions in Chapter II) to ensure that congestion on roads is minimized and related Outstandingly Remarkable Values in affected areas are being protected and enhanced.

Concern 291: The National Park Service should consider the impacts on traffic associated with shuttling visitors to and from the Wawona SDA camp during construction.

"[I]t is anticipated that, at least during the construction phase, the SDA Camp will be shuttling visitors that will park at the Store. The result is artificially limited parking and premature saturation of the lot. This will cause more frequent implementation of Management Action than would occur if the lot were used for local traffic only,. The congestion already impedes ingress and egress by residents, particularly on Forest Drive. (ref. –Pg. D4, ff and Table D2 of Revised Plan)"
(City Agency, Mariposa, CA, Comment #138-3)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. Based on the above, this public concern is not within the scope of this document.

Should the Seventh Day Adventist camp propose construction activities that occur on their own private property the National Park Service would work cooperatively with Mariposa County, Wawona residents, and the Seventh Day Adventist to identify specific mitigation measures and traffic management actions to minimize impacts to park visitors and local residents..

Traffic Management Operations

Concern 195: The National Park Service should provide more private vehicle parking and better traffic management for the area.

"Parking for cars is inadequate as a percentage of total transported visitors per parking space type."
(Business, Groveland, CA, Comment #86-3)

"Private Vehicles — due to the corridor' whitewater river rafting and camping focus, most travelers through our corridor are in cars and looking for overnight camping and day use parking for hikes and site visits. Additionally, during the high season, a majority of travelers are driving cars and campers/RVs touring the western USA in a fashion not supported by bus-based systems. More private vehicle parking and traffic management accommodations are needed."
(Business, Groveland, CA, Comment #86-4)

Response: The National Park Service has recognized that traffic congestion has implications to the overall visitor experience, can contribute to the degradation of some of the river's Outstandingly Remarkable Values, and can also affect vehicle and pedestrian safety. As part of the park's VERP program, an indicator of "Occupied Parking versus Capacity" has been developed that has a direct relation to the number of vehicles on roads.. If monitoring the number of vehicles in any activity area at any one time indicates that existing parking capacity is being exceeded, park managers will implement appropriate management actions (see list of potential management actions in Chapter II) to ensure that congestion on roads is minimized and related Outstandingly Remarkable Values in affected areas are being protected and enhanced.

Concern 33: The National Park Service should re-establish a railway and extend it into the Valley to relieve traffic congestion.

"Suggest provision for a reestablished railway right-of-way through to El Portal and into the Valley to relieve automobile traffic and provide day visitor convenience from merced rail and air terminals plus auto parking outside of the park. This rail should be based upon a modern mountain type railroad similar to that of the MOB between Montreux and Gstaad Switzerland."
(Individual, Comment #20-1)

"We are expressing this opinion and providing this information in the hope that you and other leaders within the Park Service Planning group take serious consideration of a future rail system in your scooping process. The added benefit of this rail system would enhance the transportation structure for the New UC Merced Campus. As the map would indicate it would be a direct connection to the Campus on La Paloma Rd. to the Amtrak system and the proposed High Speed Rail ,to include future Airport facilities at the Former Castle Air Base."
(Business, Merced, CA, Comment # 92-2)

"And, the best alternative we have to the automobile for the next 20 plus years is a regional public bus system? While we support a regional bus system proposal as part of the solution, by itself, it is a bland, status quo response that lacks imagination and fails to add the journey as part of the Yosemite adventure. Now that the National Park Service will recommence a revised plan for the valley and region, we think it's important the rail alternative be recognized in the NPS plan. We are not suggesting they study the alternative in exhausting detail at this time, but we do believe that the option needs to be recognized because decisions will be made over the next several years that may preclude forever the ability to develop such an alternative."
(Business, Merced, CA, Comment #92-3)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects. It is a working manual for guiding decisions relating to land use and activities. As such, construction of a railway to relieve traffic congestion was not considered during this planning process. If a railway system were to be considered as a potential park project, it would have to be compliant with the National Environmental Policy Act and would undergo the appropriate environmental review with public involvement.

Concern 35: The National Park Service should implement a parking lot at Taft Toe and bus day users throughout the rest of the Valley.

"The Yosemite Valley Plan calls for Out of Valley Parking, along the three entrance routes, in order to reduce congestion in the valley. This concept failed miserably at Bryce Canyon. Since many visitors enter the valley through one route and exit through another route, without ample prior orientation, it would seem pragmatic to utilize the unique situation now in place. No matter which entrance is used, or which exit is used, all vehicles must now circuit the "round-about" of one-way traffic via Pohono Bridge, Bridal Veil Meadow, El Capitan Bridge, etc.

The one place that all visitors have in common to pass, is the area at Taft Toe, where one of the alternative plans proposed for the Yosemite Valley Plan, suggested a parking lot. If this were constructed, instead of the three "Out of Valley Parking Lots", it could be used by all. A mutual Visitor Orientation Center utilized adjacent, to show films and answer visitor's questions, could help visitors understand the various options, before they might board a valley shuttle bus, at that point. Many visitors, on a tight time schedule, might opt to think that they had already seen the Valley View, Bridal Veil Falls, Ribbon Falls, El Capitan, Cathedral Rocks, the Visitor Orientation Center, and exit the valley at that point, without congesting the East Valley. For those visitors wishing further investigation of the valley's wonders, the West Valley Shuttle Bus System could carry them on to the Interpretive Visitor Center, and connect to the East Valley Shuttle Bus System.

Those with lodging or camping reservations could proceed in their own vehicles. Off season times might allow the choice of proceeding to the Camp Six Parking Area, in their own vehicles, or allowing "first come first serve" use of that parking area as an option, before restricting private vehicle passage into the East Valley."
(Individual, Marble Quarry, CA, Comment #23-3)

Response: The parking area at Taft Toe was considered in an alternative in the Yosemite Valley Plan. However, the Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects. It is a working manual for guiding decisions relating to land use and activities. As such, a parking and busing system was not considered during this planning process. If the implementation of a busing system and the placement of parking areas were to be considered in the future, it would have to be compliant with the National Environmental Policy Act and would undergo the appropriate environmental review with public involvement.

Concern 223: The National Park Service should limit private vehicles and provide clean public transportation.

"Why not put that money into clean public transportation and limit vehicular traffic to through traffic and RV's only?"
(Individual, Sonora, CA, Comment #90-2)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts that does not dictate any specific action. It is a working manual for guiding decisions relating to land use and activities in the river corridor. More specifically, the Revised Merced River Plan was directed by the court to address the El Portal boundary and a user capacity program. As such, the specific details of potential actions which would limit private vehicles

would undergo the appropriate environmental review under the National Environmental Protection Act, including public involvement.

Concern 224: The National Park Service should explore a full range of regional and local Valley transportation alternatives.

"In prior correspondence to NPS, we took issue with the quality of transportation elements in both the Housing and Valley Implementation Plans. Specifically, we found that none of the plans adequately dealt with the full range of regional transportation alternatives available, and, perhaps more importantly, failed to preserve the ability to provide other transportation alternatives at a future date."
(Business, Merced, CA, Comment # 92-1)

"In the future, the Valley should start looking at a different transportation system than what they have composed. I wrote a comment on the transportation system previously, particularly the buses."
(Individual, Citrus Heights, CA, Comment #95-4)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects. It is a working manual for guiding decisions relating to land use and activities. As such, transportation alternatives were not considered during this planning process. The National Park Service currently has a traffic management plan in place. The development of a transportation management plan that explores a wide range of transportation alternatives could be included in future planning processes. Any proposed transportation options or traffic management plan would have to be compliant with the National Environmental Policy Act and would undergo the appropriate environmental review with public involvement.

Concern 225: The Revised Merced River Plan should improve the transportation analysis in the document to provide a level of detail that describes the transportation elements of the plan.

"However, with specific reference to the transportation elements of the plan, we cannot support any of the alternatives proposed. The level of detail necessary to fully understand the transportation elements of the plan, the plan's failure to reflect the diversity available in transportation services, lack of a long-range perspective, and failure to relate to other Park transportation needs, sets the tone for our recommendation that the National Park Service planners expand the range of alternatives as it relates to transportation."
(Business, Merced, CA, Comment #92-4)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. Although the VERP program will monitor parking and related impacts, the Revised Merced River Plan/SEIS does not contain a transportation element.

Concern 434: The National Park Service should develop a traffic management plan.

"[C]urrently the park service lacks any national plan or system to manage traffic"
(Individual, Oakhurst, CA, Comment #101-4)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects. It is a working manual for guiding decisions relating to land use and activities. As such, transportation alternatives were not considered during this planning process. The National Park Service currently has a traffic management plan in place. The development of a transportation management plan that explores a wide range of transportation alternatives could be included in future planning processes. Any proposed transportation options or traffic management plan would have to be compliant with the National Environmental Policy Act and would undergo the appropriate environmental review with public involvement.

Concern 453: The National Park Service should clarify what the long-term options for transportation are.

"The Revised River Plan also proposes to increase the number of tour buses including buses with commercial permits (e.g., YARTS) from the Valley Plan peak estimate of 6O to 92 per day on an interim basis. Long- term options for transportation are vague: "In the long-term, park management could implement management measures that would change visitation patterns and transportation conditions in the Valley." There is no discussion as to what those changes might be other than generating fear that there is the possibility of increased implementation of restricted access."
(Individual, Oakhurst, CA, Comment #55-52)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects. It is a working manual for guiding decisions relating to land use and activities. As such, transportation alternatives were not considered during this planning process. The National Park Service currently has a traffic management plan in place. The development of a transportation management plan that explores a wide range of transportation alternatives could be included in future planning processes. Any proposed transportation options or traffic management plan would have to be compliant with the National Environmental Policy Act and would undergo the appropriate environmental review with public involvement.

Roads, Trails, and Bridges

Concern 92: The National Park Service should remove the road from the El Capitan meadow and turn it into a bike and pedestrian zone.

"Also, when road changes come up please include the removal of northside drive from El Capitan Meadow and turning this area also into a bike and pedestrian zone. Fix the road-now-turned-bikepath to allow drainage from the black oak woodland to the meadow, strengthening both."
(Individual, Oakdale, CA, Comment #59-2)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects, such as removing roads. It is a working manual for guiding decisions relating to land use and activities. As such, specific road alignments were not addressed during this planning process. If the National

Park Service considered the removal of Northside Drive in the future, it would have to undergo the appropriate environmental review with public involvement as required under the National Environmental Policy Act.

Parking

Concern 146: The Revised Merced River Plan should consider a range of existing parking capacities that feed into the Merced River corridor.

"Why not consider a range in the existing parking capacity that directly feeds into portions of the Wild and Scenic River?"
(Individual, Fort Collins, CO, Comment #73-22)

Response: The existing parking facilities presented in the Revised Merced River Plan/SEIS depict the current level of parking facilities within the Merced River corridor. The VERP program has the ability to affect land use planning by providing information on resources and visitor experience and can improve the understanding of how various land use decisions affect visitor use levels and behaviors. The VERP program will in the future provide much needed information related to visitor patterns and levels to support land use planning. Although VERP does not drive land use planning in general, many of the management actions that could be implemented as a part of the VERP program can affect land uses, especially those related to infrastructure for visitor services such as parking facilities. Thus, the VERP program may drive land use changes because if monitoring indicates a need to make adjustments to infrastructure or services to better meet desired conditions (e.g., resize parking areas).The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.

Concern 200: The National Park Service should adopt a legitimate number of parking spaces that are consistent with the *General Management Plan* for "interim limits."

"To protect Merced Wild and Scenic River Outstandingly Remarkable Values, the National Park Service should adjust those General Management Plan numbers downward to conform with existing overnight facilities and legitimate, paved parking spaces - these numbers would constitute the interim limits."
(Individual, Fresno, CA, Comment #82-31)

Response: The Yosemite National Park *General Management Plan* was adopted in 1980. In that era, visitor carrying capacity for national park plans was based on the capacity of facilities and infrastructure. Changes to existing facilities and infrastructure were recommended to fulfill and support management objectives. In this method, facility capacity defined the visitor carrying capacity.

In the Yosemite 1980 *General Management Plan*, the total visitor capacity "goals" it established were well below the actual level of facilities. That is, the existing facility capacities were greater than the capacities deemed optimum by the plan. Thus the *General Management Plan* called, not

only for a reduction in facility capacity, but relocation of many existing facilities out of Yosemite Valley. These goals to remove and relocate facilities have guided all park planning efforts subsequent to the *General Management Plan*, including this plan. (For a comparison of facility capacities, see tables III-5 and III-6).

In the 1990s, national scientific and scholarly research, and National Park Service policy discussions, resulted in the adoption a new methodology for determining visitor carrying capacity. This methodology—the VERP framework—is described in the 2001 National Park Service Management Polices and in new Park Planning Program Standards signed in August 2004.

While the land use management zones and general management direction of the 1980 *General Management Plan* still largely meet the 2004 Park Planning Program Standards, the 1980 approach to visitor carrying capacities does not. In order to meet the new policy standards, Yosemite National Park will amend that element of the *General Management Plan* by translating the former carrying capacity approach to the more responsive VERP process through each new planning effort undertaken. The visitor carrying capacity approach proposed herein for the Revised Merced River Plan/SEIS would therefore amend the subject corridor portion of the *General Management Plan* with regard to carrying capacity.

In the future, overall visitation could increase or decrease under Alternative 2 as compared with *General Management Plan* levels. The overall level of park visitation, including the types and levels of use, would be informed by the results of monitoring as a component of the VERP program, which is designed to ensure visitor levels do not degrade Outstandingly Remarkable Values.

Concern 237: The National Park Service should eliminate bus parking in the Valley and create parking at Badger Pass and El Portal.

"I think there should be no bus parking. Buses should drop off there load of visitors and then be sent to Badger or El portal to wait a few hours before returning."
(Individual, Fresno, CA, Comment #78-1)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects, such as eliminating bus parking or creating new parking areas. It is a working manual for guiding decisions relating to land use and activities. As such, the plan does not specifically address bus parking and so does not consider the effects thereof. If the creation of new bus parking areas is considered in the future, the project would undergo the appropriate environmental review with public involvement have to be as required under the National Environmental Policy Act.

Concern 289: The Revised Merced River Plan has misrepresented the number of usable parking spaces at the Wawona store.

"Parking Capacity at Wawona Store. This is misrepresented in the Management Plan. There are not as many useable parking places as sited."
(City Agency, Mariposa, CA, Comment #138-1)

Response: For counts of parking spaces in formal, paved parking lots, the number of parking spaces were counted based on the striped delineation of parking spaces. Some parking lots in the Yosemite Valley (such as Curry Orchard and Camp 6) do not have striped delineation of the

spaces. For lots without striping, parking capacity was determined by counting the number of parked vehicles and estimating a vehicle capacity for unoccupied areas. Physical evidence such as tire tracks and typical space requirements were used to determine the number of vehicles that would be able to fit in the lot.

For counts of parking spaces along the roadsides, the number of parked cars was counted as an indicator of the number of spaces available. For some locations, no vehicles were parked along the roadside during the inventory, but the condition along the roadside edge or shoulder showed that vehicles often parked in specific areas. For those locations that showed signs of previous parking activity, an estimate was made of the number of vehicles that could reasonably park along the roadside edge.

The information from the field inventory was supplemented with data from park staff about attended parking operations. During peak activity days in Yosemite Valley, traffic operations staff direct day visitors to park as efficiently as possible in the Camp 6 parking lot and at selected roadside areas around Camp 6. The column labeled as "Day-Visitor Attended Parking" shows a maximum parking capacity that is used only during peak visitor demand days.

Concern 295: The National Park Service should maintain critical day-visitor parking to deal with the increased traffic congestion during peak visitation.

"Day-use parking slots are critical given that a lack of them diminishes public access and will compound traffic problems, particularly during peak visitation periods."
(Federal Agency, Washington, DC, Comment #136-2)

Response: Yosemite's VERP program will be monitoring for the level of congestion on park roads in the 2005 field season. The Revised Merced River Plan/SEIS proposes an interim limit of 2,197 day-visitor parking spaces in Yosemite Valley. The interim limits would not be eliminated at the end of 5 years, unless park managers were confident that the VERP program was providing sound guidance on appropriate types and levels of visitor use and adequate protection of the Outstandingly Remarkable Values within the river corridor. If changes proposed at this time would result in substantially different environmental consequences than were identified in this document, an appropriate level of National Environmental Policy Act compliance would be completed. The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects. It is a working manual for guiding decisions relating to land use and activities. As such, the plan does not specifically address the maintenance or removal of parking areas and so does not consider the effects thereof.

Concern 305: The National Park Service should substantially decrease roadside parking adjacent to the Merced River in El Portal to increase riparian vegetation, which in turn improve air quality and provide natural flood control.

"A vegetation buffer in the floodplain is already extremely inadequate due to "road presence." However, this is further exacerbated by the lack of natural riparian vegetation as a result of roadside parking and its associated (1) dissemination of vegetation and (2) soil compaction (which further exacerbates the inability of vegetation to regrow)."
(Individual, El Portal, CA, Comment #114-1)

"Removing vegetation from riparian areas impairs their ability to provide: (1) flood control, and (2) protect water quality, in several ways. Protection from road runoff (e.g. oil from automobile traffic) and natural flood control is substantially reduced by removing the natural barriers of live vegetation and roots from soil in the riparian zone. Removing riparian vegetation results in an increase in soil compaction and reduction in soil porosity-parking on top of this soil makes it worse. All of these impacts combine to cause a significant decrease in infiltration and a subsequent increase in the speed and amount of flood runoff. Lastly, sedimentation resulting from the removal of vegetative cover from riparian areas reduces flood storage, as eroded sediments settle out of the current and fill channels and deeper spots on the river so they can no longer convey or hold as much water."
(Individual, El Portal, CA, Comment #114-2)

"I recommend that roadside parking be significantly decreased, from current levels identified in the parking inventory (report by Dale Evans and Associates 2004), along those roadsides adjacent to the Merced River in the El Portal area."
(Individual, El Portal, CA, Comment #114-3)

Response: Yosemite's VERP program will be monitoring for the level of congestion on park roads in the 2005 field season. The Revised Merced River Plan/SEIS proposes an interim limit of 2,197 day-visitor parking spaces in Yosemite Valley. The interim limits would not be eliminated at the end of 5 years, unless park managers were confident that the VERP program was providing sound guidance on appropriate types and levels of visitor use and adequate protection of the Outstandingly Remarkable Values within the river corridor. If changes proposed at this time, such as the removal of roadside parking, would result in substantially different environmental consequences than were identified in this document, an appropriate level of National Environmental Policy Act compliance would be completed. The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects. It is a working manual for guiding decisions relating to land use and activities. As such, the plan does not specifically address the maintenance or removal of parking areas and so does not consider the effects thereof.

In-Park Transportation Services and Facilities

Concern 234: The National Park Service should implement a traffic management plan similar to that of Zion National Park because current traffic congestion degrades the visitor experience and resources.

"Traffic congestion has long been one of the main complaints of Yosemite visitors. Long lines of cars cruising around the borders of the river cannot help but degrade the visitor experience and in turn harm the resource. At times roads even intrude into the scenic river corridor itself. Planners should look at the Zion N.P. Traffic Plan for a model of auto visitation. In Yosemite, those visitors that have reservations for a campsite or lodging could have been issued at the gate a color-coded windshield pass that directs one to a designated parking location. The visitor's car would then stay in that space for the duration of their stay. The free shuttle service would be used for visiting the various Valley locations. This Plan would need to be supported by expanding the shuttle service to include West Valley destinations not presently served. This would greatly reduce the traffic flow that visitors presently have to endure."
(Conservation Organization, Oakland, CA, Comment #75-9)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects. It is a working manual for guiding decisions relating to land use and activities. As such, transportation alternatives were not considered during this planning process. The National Park Service currently has a traffic management plan in place. The development of a transportation management plan that explores a wide range of transportation alternatives could be included in future planning processes. Any proposed transportation options or traffic management plan would have to be compliant with the National Environmental Policy Act and would undergo the appropriate environmental review with public involvement.

Socio-economic Environment

Concern 194: The National Park Service should fairly consider the commercial interests of all gateway communities and the effects to the bus-to-car ratios.

"Personal Vehicles and Campgrounds — our opinion is that the plan unfair1y, and inappropriately favors Valley commercial interests and other gateway corridors. The NPS sites demographics and economics by county, knowing full well that our south Tuolumne County State Highway 120 corridor is a separate arid significantly different micro commerce from that of the county as a whole."
(Business, Groveland, CA, Comment #86-1)

"Bus Traffic - the bus-to-car parking ratio favors other corridors. Our corridor cannot accommodate much if any bus traffic - pass through or overnight. In fact, the larger buses cannot legally travel up our Priest grade and therefore through town."
(Business, Groveland, CA, Comment #86-2)

Response: Yosemite National Park managers are committed to working with gateway, community, and park partners to realize the full potential of improved services to regional and area visitors and the economic vitality of the communities. While the scope of this Revised Merced River Plan/SEIS address the deficiencies in the original Merced River Plan/FEIS, park mangers are actively participating in innovative approaches and forums to realize visitor satisfaction and gateway community goals.

Concern 151: The Revised Merced River Plan should clearly compare projected economic dollars in the region between alternatives.

"I also believe the SEIS needs to clearly compare the projected economic dollars to the region for each alternative. Perhaps a simple matrix displaying the projected expenditures of visitor dollars for each alternative would provide the transparency and clarity needed for due consideration."
(Individual, Fort Collins, CO, Comment #73-30)

Response: The Revised Merced River Plan is a programmatic document and provides broad policy guidance for future management of the Merced River corridor. The effects of this guidance on visitor levels and visitor spending is very difficult to predict or evaluate. Visitation will not necessarily grow continuously, as illustrated in the mid-1990s when visitation peaked at over 4 million, then dropped to than 3.2 million in 2004. Therefore, the economic analysis contained in the Final Revised Merced River Plan/SEIS consists of a qualitative evaluation of how the economic effects of each proposed action alternative would differ from the effects of continuing current management practices. The future level of visitation would be greatly influenced by the

VERP program, but it is impossible to estimate what future visitation levels will be under VERP. It is likely, however, that implementation of VERP could reduce visitor levels in the future (compared to continuation of existing management policies), since traffic and crowding are reflected in various VERP indicators. In the alternatives that include specific daily or annual visitor limits or caps, it is assumed that these caps could limit future growth in visitor levels as compared to having no limits.

Concern 416: The Revised Merced River Plan should examine current socioeconomic and community amenities data to determine whether or not park projections for the local economy are in fact, accurate.

"I would like to address what I consider to be out-of-date data included in the socioeconomic analysis contained within the recent MRP SEIS. I understand that the most recent figures regarding the socio-economic outlook for Mariposa County was obtained by Dornbush and Company in 1999. Having been a local' resident for some time, I feel certain that local economic conditions and demographics have changed in Mariposa County considerably since that time. I recommend that current data be examined to determine whether or not park projections for the local economy are, in fact, accurate."
(Individual, Yosemite, CA, Comment #126-6)

"Page III-128, final paragraph: "Yosemite Valley has the highest concentration of amenities in the park." While this may be a true statement, I would offer that Yosemite Valley has many visitor amenities, but very few amenities for the community of park employees and their dependents. This is an important point because I have come to believe that many people who have not lived in this community think otherwise. A careful assessment of what does exist for employee residents would reveal that there is little left of what was once a vibrant community. The sustained erosion of community life in Yosemite Valley has largely been dismissed by those who have not been directly affected. Those who have been affected have been significantly negatively affected. In my opinion, some steps must be done to address this situation because I am doubtful that the park will be successful in recruiting a new generation of employees willing to accept the burden of required occupancy in a bleak community."
(Individual, Yosemite, CA, Comment #126-14)

Response: The socioeconomic analysis in the Final Revised Merced River Plan/SEIS was based on the best available information from state, local and National Park Service sources. Because the Revised Merced River Plan is a programmatic document, the analysis of these effects is based on a qualitative analysis rather than quantitative analysis or modeling.

Concern 196: The National Park Service should adequately address user capacity management and visitor experience from a gateway commerce point of view.

"Visitor Experience/Capacity Management — issues of capacity management are only addressed in the theoretical sense -- long-term measures of Outstandingly Remarkable Values for the recommended Alternative 2. Statements like "Day visitor use of the Valley would be limited by managing to existing parking levels in the cast and west Valley. . ." and "The adoption of the interim parking limit for Yosemite Valley would likely result in the need to implement restricted a0ccs3 policies several times each year. . . "and . . .park management may temporarily restrict vehicles from entering Yosemite Valley when traffic congestion reaches predetermined levels." etc. fail to address the capacity management issues. These statements in fact amplify our concerns for having a comprehensive capacity management plan. Without specific guidelines and procedures the visitor experience is sure to be negatively impacted, aid so is the gateway economy. F Valley restrictions are imposed will travel over Tioga Pass as well as to and from Tuolumne Meadows be possible? How about coordination and communications between the Park and gateway community to ameliorate potential congestion? Or better yet, what action will the Park take to improve traffic flow and provide overload or buffer parking. Bottom Line, there is no plan in the plan that adequately address capacity management. And visitor experience from a gateway commerce point of view."
(Business, Groveland, CA, Comment #86-5)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. The National Park Service has taken into consideration gateway community perspectives with regard to user capacity, however has not based decisions upon a gateway commerce perspective.

Concern 346: The National Park Service should recognize the adverse impacts of interim facilities and a bus quota on the regional economy.

"As described, there would be implementation of interim facilities and bus quotas under this alternative resulting in "local, short-, and long-term, minor benefits to the regional economy," but the real affects of this alternative could be largely dependent upon what specific measures are implemented. Visitor populations could see moderate to major adverse affects, potentially for the long-term if restrictive management actions are taken."
(Business, Madera, CA, Comment #129-1)

Response: A description of the socioeconomic impacts associated with each of the action alternatives can be found in Chapter V environmental consequences of the Final Revised Merced River Plan/SEIS. The National Park Service is committed to working collaboratively with the bus industry and gateway communities regarding management actions that would affect either entity.

The environmental analysis does address the potential for adverse effects to the local economy based on the interim facility limits and bus limits. Under the preferred alternative (Alternative 2), park managers may use a number of techniques to manage to the facility and bus limits, some of

which could have short-term benefits to local communities if visitors are temporarily redirected from Yosemite National Park into local communities. Other measures could have adverse effects, particularly if visitation is reduced over the long term. Therefore, the effects of this alternative on the regional economy could range from short-term benefits to long-term adverse effects as reflected in the document.

Concern 50: The National Park Service should be less development oriented.

"A far greater problem facing Yosemite National Park is illustrated by the list of development projects on pages F1 through F21. It is this type of development orientation of the NPS that will eventually destroy Yosemite and other national parks if it continues.

It should be obvious by any reasonable standards of intelligence that continuing development only sets the state for still further development at a later point in time, and eventually the area is changed beyond recognition. This is not compatible with the original purpose of the NATIONAL PARK SERVICE, to preserve unimpaired these resources for all time."
(Individual, Los Angeles, CA, Comment #15-2)

"You [the National Park Service] have contrived the River Plan to be the foundation for the destructive commercialization rampant in the Yosemite Valley. Knowing you have total control of the process, and a legal authority to sign any ROD you want, one may justifiably ask why invest time, energy, and financial resources to oppose the Park Service destructive commercialization in Yosemite."
(Individual, Oakhurst, CA, Comment #42-2)

"In order to truly "protect and enhance" the Merced River, scaling back on development in and out of the park should be the goal for both NATIONAL PARK SERVICE and the park concession. Though the population of Mariposa County, California, the nation, and the earth continues to grow, we all (this includes private land owners as well as National Park Service employees) must remember that Yosemite and its resources like the Merced River are precious and finite."
(Individual, El Portal, CA, Comment #48-4)

Response: The Revised Merced River Plan is a programmatic plan that, among other elements, prescribes management zoning within the Merced River corridor that determines the types of development that may occur in certain areas. It also establishes a User Capacity Management Program that determines levels of use in certain areas. The Revised Merced River Plan does not prescribe specific actions regarding placement or removal of facilities, infrastructure, and employees. Rather, the Merced River Plan, as amended, sets a framework for guiding future decisions within the river corridor.

As presented in Chapter I, the Revised Merced River Plan/SEIS amends the 1980 *General Management Plan*. In addition, Chapter III presents a discussion of the relationship of each alternative with the visitor capacity goals of the *General Management Plan*. Implementation plans, such as the *Concession Services Plan* and the *Yosemite Valley Plan,* further the goals of the *General Management Plan* to reduce development in the park. However, not all implementation projects have been completed to accomplish these goals.

Concern 387: The National Park Service should recognize that littering in Yosemite National Park is a major environmental issue.

"Garbage. I mean garbage, if you were a read some of things written about how long it takes a cigarette to break down. Shoes, and you know containers and cartons. We have a very serious environmental problem."
(Individual, Fresno, CA, Comment #97-3)

Response: The National Park Service agrees with this concern and is committed to providing trash and recycling receptacles in locations where there is a potential for littering, such as major destinations, scenic pull-outs, trailheads, campgrounds, picnic areas, and food concession facilities. In addition, the National Park Service provides informational materials to each visitor passing through an entrance station about park policies, such as prohibition of littering or feeding human food to wildlife.

Concern 439: The National Park Service should reevaluate the impacts of the sewage treatment plant on the river and river recreation.

"[T]he question I've got, or the comment is about the sewage system they put in El Portal that pollutes our river. If you're protecting river and everything, why is it ya'll keep dumping raw sewage into the river day after day? Time after time up there? I mean there's times we have to get out of the river because our eyes burn and sting too bad. You can't stand to be in the river. We're a long ways down stream. This is a question that I've got. You know, the park's supposed to be protecting and everything. This is supposed to be a wild and scenic river."
(Individual, Midpines, CA, Comment #104-1)

Response: Yosemite National Park mangers are very concerned about water quality and protection of the river. Yosemite National Park continues to conduct emergency, immediate, and intermediate repairs to Yosemite's utility infrastructure in order to comply with the California Regional Water Quality Control Board Cleanup and Abatement Order. This Order requires the park to address capacity and condition problems with the existing wastewater collection system in the Valley to resolve public health, safety, and environmental concerns related to recent utility failures. The Revised Merced River Plan/SEIS is a programmatic plan that does not dictate any specific actions, however water quality will continue to be monitored in numerous locations through the VERP program as a specific measurable indicator.

Concern 88: The National Park Service should consider rockfall zones when siting new campground facilities and in future park planning.

"If I'm not mistaken, this new plan and relocating camp sites is gonna push people closer to the granite walls where the biggest danger is rock slides. We were there at Happy Isles, and it was devastating. You're gonna get us closer to a rock slide experience than a river experience. And just doesn't make sense."
(Individual, Comment #45-3)

"It is not possible to avoid risks to human life or structures due to geologic processes such as earthquakes and rockfalls, or hydrologic processes such as floods and river course changes. Plan accordingly."
(Individual, Sanger, CA, Comment #46-2)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects, such as the siting of new campgrounds. It is a working manual for guiding decisions relating to land use and activities. As such, the plan does not specifically address potential sites for new campgrounds and so does not consider the effects thereof. Any future park projects relating to the location of new campgrounds or other visitor services would undergo the appropriate environmental review with public involvement have to be as required under the National Environmental Policy Act. This review would address safety concerns in the rockfall zones.

Concern 106: The National Park Service should consider funding shortfalls and the administrative and infrastructure costs associated with proposed use limits and Visitor Experience and Resource Protection implementation.

"Limiting use by segment and zone as suggested in alternatives III and IV and would likely be required under preferred alternative II as well, would be an administrative nightmare for the NPS requiring large but unknown numbers of enforcement personnel and infrastructure developments...the impacts of increased enforcement staff and infrastructure would have unacceptable impacts to already overused resources."
(Individual, El Dorado Hills, CA, Comment #27-5)

"Finally, in what I have been able to glean from Alternatives 3 and 4, they appear to be totally infeasible. I think it would be an administrative nightmare trying to implement either 3 or 4."
(Individual, San Francisco, CA, Comment #31-12)

"[I]t's important to recognize the Park Service, and right now in particular, is suffering from a significant fund shortfall. When it comes to operational dollars, resource management, we're looking at less than 50 percent of what the Park Service needs, what Yosemite needs to make sure they have the rangers out there monitoring to measure the health of these resources. And I think it's important to recognize that once we have a plan in place, we're going to need to take steps to ensure that adequate financial resources are there for the Park Service to, in fact, implement this plan. It's not an easy feat given the fact that they're already under-funded, and this would add to their important responsibilities. I would encourage the Park Service to look at ways they're going to address that shortfall and encourage the decision makers or citizens to talk to their decision makers to look for an increase so that the Park Service can do their job."
(Individual, Oakland, CA, Comment #38-5)

Response: Yosemite National Park is committed the fully implementing a User Capacity Management Program that includes the VERP process as a key component. As part of this commitment, a VERP coordinator position has been created and filled. Additionally, funding has been secured for the next 5 years (FY 2004 through FY 2008) to implement the VERP program. Park resource managers have developed a set of initial indicators and standards as part of its *User Capacity Management Program for the Merced Wild and Scenic River Corridor* (NPS 2004a). The first year of monitoring was completed in 2004. In April 2005, the first annual report documenting the results of the 2004 program was posted on the park's web site and a public meeting was held to share program results.

The National Park Service has determined that Alternatives 2, 3, and 4 as presented in this document are all feasible from a cost and implementation standpoint. However, each alternative has various constraints and complexities with regard to implementation, as documented in the

environmental analyses (Chapter V), particularly with regard to the visitor experience and park operations.

Concern 272: The National Park Service should define "visitor experience" in order determine the appropriate level of necessary employees, infrastructure and construction, thereby limiting commercialization.

"Though employees and employee housing may initially seem out of place in any discussion of visitor capacity goals, such a discussion relates directly to the facility services. Defining the visitor experience is the first step in deciding what facilities are needed. There is a direct correlation between facilities and revenue generation; the concessioner claims to want to improve facilities (which of course facilitates higher prices and increased profits), but the question should be--does the Park even need those facilities? ...What is the base level of services to be provided in the Valley and what is the base level of employees required? Each employee needs housing, food, water, parking place, HR services and more, requiring an increased development footprint while adding to the capacity in the park."
(Individual, Oakhurst, CA, Comment #55-30)

"Visitor Experience is not defined in the D. R. MPR. (see WSRA violations) Yet the type of uses determine the base level of services needed. The visitor experience needs to be defined first and based on that, the base level of services needed (not wanted) can be decided; and from there decide number of employees."
(Conservation Organization, Yosemite, CA, Comment #111-51)

"The types and levels of visitor uses determine the base level and kinds of services needed. This is an integral part of determining user capacity. The visitor experience needs to be defined first and then the base level of services needed (not wanted) can be determined; from there decide number of employees needed as well. (Visitor Experience is not defined in the D. R. MPR. See NEPA violations)"
(Conservation Organization, Yosemite, CA, Comment #111-94)

Response: The National Park Service and Yosemite National Park are required by law to protect resources for future generations and provide for the enjoyment by visitors. This dual mission required difficult management decisions including identification of resources so fragile or impaired that they cannot withstand any visitor impacts, to identification of resources that are so spectacular and resilient that they present opportunities to change lives and touch heart. In the process of prescribing management zones in the Merced River Plan, previous visitor opportunity decisions were revisited. Decisions were made about types and levels of use, and the visitor services and infrastructure required to support them. These decisions made in the Merced River Plan furthered the goals of the *General Management Plan*.

Concern 389: The National Park Service should consider the long-term costs associated with not dealing with problems regarding resource protection in the immediate.

"Of course, cost also comes up. Well, it cost more not to do something in the long run. Such as with invasive plan. It cost a lot to manage that stuff, but If you don't do it, it's going to cost you more in the end."
(Individual, Fresno, CA, Comment #97-4)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river

corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.

Concern 393: The National Park Service should consider more natural boardwalk building materials as they are less problematic in the winter.

"You might need more walkways, not fiberglass. The ones they put in Cook's Meadow is fiberglass. And I understand it's extremely slippery in winter. A real hazard to walk across. Also it's a very unnatural material. It doesn't belong in the park."
(Individual, Fresno, CA, Comment #97-4)

"Synthetic boardwalks such as the one in Cook's Meadow is unnatural and very slippery under certain weather conditions."
(Individual, Fresno, CA, Comment #128-8)

Response: This concern will be brought to the attention of appropriate park staff. The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.

Concern 394: The National Park Service should place more signs at entrance stations explaining that feeding park wildlife is prohibited.

"Feeding signs are extremely important to have before you enter the park. I have come across enormous resistance to this. I don't know why. What's the big deal about putting a sign at the entrance gate? When the previous superintendent was there before he left, you know those bear flyers that they had? You had a sign on both sides. They were put on windows and as you drove it was clear that you're not supposed to feed animals. I don't know why they took that down. It was working very visibly."
(Individual, Fresno, CA, Comment #97-9)

Response: The placement of additional signs is one of the many potential management actions that could be implemented if VERP standards are exceeded. However, at this time the Revised Merced River Plan/SEIS is not proposing specific actions. The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans

will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.

Concern 395: The National Park Service should increase fines in order to pay for the cost to collect them.

"How did we get to increase fines so that when you do make a fine, it doesn't cost more to collect it? And what do we do about getting the magistrate to do something about that?"
(Individual, Fresno, CA, Comment #97-10)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects. It is a working manual for guiding decisions relating to land use and activities. As such, the plan does not specifically address fine collection and the effects thereof.

Concern 398: The Revised Merced River Plan should clarify when and by how much entrance fees could be increased.

"Alternative 2 also has its negative aspects. It raises park fees at the gate without explaining the policies that govern the details of this raise hike. Will the fees be raised depending on season or by segment? Will fee increases be linked to types or times of use?"
(Non-Governmental Organization, Mill Valley, CA, Comment #119-3)

Response: Fees assigned to National Park Service administered lands are set by Congress through the Fee Demo Program. As such, the plan does not specifically address park entrance fee collection. The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. Based on the above, the above concern is not within the scope of this document.

Concern 405: The Revised Merced River Plan should designate El Portal as a Spray Free Zone to protect the river from pesticide residue.

"As a parent of a young child it has been recently brought to my attention that there is something occurring here in El Portal that could threaten the health of residents, degrade River values, and that seems to me to be in violation of the WSR Act. Apparently, for years, Mariposa County and the Mariposa Unified School District have been regularly spraying pesticides (a Roundup mixture containing glyphosate) around the pool, library, and school in Rancheria as an attempt to control invasive plants such as the yellow star thistle. I was told by a school district employee last week that pesticide use has been regular fire prevention protocol for the county and the school district in El Portal for years—though the school district never uses pesticides at the school in Yosemite Valley. Fortunately, a group of parents contacted the school principal today and we have offered to weed around the school in order to spare our children and the Merced River ecosystem the consequences of these potentially dangerous chemicals. I have also heard that Caltrans regularly uses pesticides at the edges of Highway 140 along the Wild and Scenic Merced River. It is my hope that including this timely community issue in my comments will not only inform the YNP of this threat to the Merced Wild and Scenic River corridor (as well as the threat to public health)."
(Individual, El Portal, CA, Comment #109-4)

"It was brought to my attention this week that the area surrounding the El Portal Elementary School was to be treated with herbicides such as Roundup. Fortunately, concerned parents and an adaptable principal are working to exchange the application for a group of parents willing to spend a day manually weeding the area. This incident, however, brought to my attention an important aspect of river protection. This may be in one of the MRP documents somewhere that I've missed, but if it isn't, I think that it should be addressed. If we are talking about protecting the river and then we allow the spraying of herbicides within the river corridor, I would think that residue could easily be brought down into the river (especially near the warehouse - I don't know if they spray there as well). If the health of the river is to be maintained, this practice should be looked into and I would advocate that the MRP mandate El Portal as a Spay Free Zone. I've heard of whole counties that are practicing this, it seems that if a whole county can do it, then doing this in the small town of El Portal could not be too difficult. I don't know if this issue can be addressed in the plan at this point, but I felt it should be pointed out anyway. It seems that pesticide residue in the river might have a wider effect on the health of the river than the amount of people on it's banks."
(Individual, El Portal, CA, Comment #120-10)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects. It is a working manual for guiding decisions relating to land use and activities. As such, the plan does not specifically address the use of pesticides. However, the upcoming Parkwide Invasive Plant Management Plan will address the issue of herbicides. These comments will be forwarded to that planning team.

Concern 406: The National Park Service should protect El Portal's community of resources, wildlife and people for generations to come.

"[El Portal] is a special place for many reasons and deserves protection for that. The area has an incredible history and continues to be an incredibly unique place in our fast changing world. We have an obligation to protect and enhance it's community of resources, wildlife and people for generations to come."
(Individual, El Portal, CA, Comment #120-12)

Response: The National Park Service recognizes this concern and the importance of the El Portal community. The upcoming El Portal Concept Plan project will thoroughly review and evaluate the natural and cultural resources in the El Portal Administrative Site in accordance with the guidance for the river corridor for this river segment provided in the 2000 Merced River Plan and revised by this document.

Concern 426: The National Park Service should ban campfires in Yosemite Valley from May through October 15th each year to minimize air pollution.

"Though local and national experts agree that the air in the park hinders visibility of the scenic Outstandingly Remarkable Values of the Merced River corridor while negatively affecting the health of park visitors, human residents, trees, and quite likely wildlife and other plants, there is still no tangible air quality plan or strict emissions regulations in Yosemite National Park. Why is air quality monitored regularly in Jerseydale (NFS land) by NPS but not in El Portal? Yosemite is upwind of some major sources of California's bad air; however, the park is not thoroughly monitoring or actively working to minimize air pollution that originates from within the park via unnecessary campfires and excessive vehicle traffic as well as from out-of-date fire management policies. Given the dry hot Mediterranean climate of the region and the steep walls enclosing Yosemite Valley it is completely inappropriate to allow campfires during the warmest months of peak park visitation. Although there are currently campfire restrictions in Yosemite Valley, there really needs to be a complete ban on campfires there from May through October 15."
(Individual, El Portal, CA, Comment # 109-5)

Response: The National Park Service has current restrictions on campfires in Yosemite Valley. Because the Revised Merced River Plan is a programmatic plan that does not dictate any specific action or projects, changes in these restrictions are not addressed as part of this planning process. This does not preclude the consideration of more stringent restrictions in the future, it simply is not addressed at this time.

Concern 428: The National Park Service should remove the Merced Lake High Sierra Camp and associated stock and horse operations.

"The primary park concessioner (Delaware North Corp.) makes it no secret that honoring Yosemite as a national treasure to be preserved and protected is less important than viewing it as merely another of the corporation's "resort" destinations to be developed and marketed. The Merced High Sierra Camp has been identified as a major source of fecal contamination for the Merced River corridor—perhaps this concession operated facility dependant on horses and stock should be removed."
(Individual, El Portal, CA, Comment #109-7)

Response: The National Park Service will continue to monitor water quality through the VERP program, including locations upriver and downriver of the Merced Lake High Sierra Camp. Reducing stock use within the river corridor could be a potential management action if information gathered through VERP showed an exceedance of the water quality standard set for fecal coliform in those areas. As such, the plan does not call for specific actions, such as the reduction of stock use or removal of the Merced Lake High Sierra Camp. The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.

Concern 429: The National Park Service should discontinue concessioner rafting operations in Yosemite Valley due to impacts associated with trampling river banks and diesel shuttling services.

"[T]he concessioner rafting (as opposed to families/individuals bringing their own raft) may need to be discontinued due to the high impact of multiple rafts entering the river at the same point, trampling vegetation on banks, and the impact of concession diesel trucks picking up the rafts in places that would otherwise be a quiet experience for many visitors."
(Individual, El Portal, CA, Comment #109-8)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.

Concern 430: The National Park Service should close Foresta Road to vehicle traffic and only permit pedestrian and bicycle access between Old El Portal and Rancheria.

"The Foresta Road (the smaller road across the river from 140 that connects Old El Portal with Rancheria) seems like an obvious place to focus tangible restoration of the Merced River corridor; if this non-essential road could be closed to cars and open only to bikes and pedestrians it could enhance the Outstandingly Remarkable Values of every category used in the WSRA. It could initiate a resource restoration process benefiting River plant and animal communities as well as a huge community enhancement for local human residents. The two neighborhoods of El Portal (Old El Portal and Rancheria) would be more linked socially and children and adults could even safely ride their bikes or walk to the high school and elementary school, the library or the pool."
(Individual, El Portal, CA, Comment #109-13)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects. It is a

working manual for guiding decisions relating to land use and activities. As such, the plan does not specifically address use changes for Foresta Road. If the closure of Foresta Road to vehicle traffic is considered in the future, the project would undergo the appropriate environmental review with public involvement have to be as required under the National Environmental Policy Act.

Concern 279: The National Park Service should reevaluate whether the many categorical exclusions actually require an Environmental Assessment.

"And there have recently been more than 100 categorical exclusions which circumvent public review -- a number of the ones we have read, are not accurately reflecting the potential harm and are not accurately filled out. Many probably would actually require at least an EA be put out for public review for compliance."
(Conservation Organization, Yosemite, CA, Comment #111-93)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. Based on the above, this public concern is not within the scope of this document.

Concern 397: The National Park Service should not further develop El Portal.

"There are several issues that surround the Merced River, and the boundaries at El Portal. It's my understanding that the park service intends to leave that open for development or the question of development in the future. I don't think any development should be done."
(Individual, Fresno, CA, Comment #135-2)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.

Concern 164: The National Park Service should develop a park stewardship program for concession and park service employees.

"Concession employees likely spend more person-hours in the river corridor than any other group, but receive little or no training in park stewardship. NPS and DNC have an excellent opportunity here to develop a park stewardship program for employees to help protect the Merced."
(Individual, Comment #81-11)

"Employees whether concession or not should see videos and take a written test regarding do's and don'ts for resource and wildlife protection."
(Individual, Fresno, CA, Comment #128-19)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects. It is a working manual for guiding decisions relating to land use and activities. As such, the plan does not specifically address education programs for concession employees. This does not preclude the consideration of such a program in the future, it simply is not addressed at this time.

Concern 328: The National Park Service should replace asphalt in the meadows with boardwalks.

"Boardwalks are badly needed in place of asphalt in the meadows and the lower Yosemite Falls trail ways."
(Individual, Fresno, CA, Comment #128-7)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.

Concern 343: The National Park Service should restore the trail between Church Bowl and Yosemite Falls.

"Please bring back my Lower Yosemite Falls trail! The trail from Church Bowl that lead "directly" to the Falls was connected!...Auditory, visual and tactile continuity existed!"
(Individual, Fresno, CA, Comment #128-26)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects. It is a working manual for guiding decisions relating to land use and activities. As such, the plan does not specifically address the creation or restoration of trails. This does not preclude the consideration of the Church Bowl/Yosemite Falls trail restoration in the future, it simply is not addressed at this time.

Concern 344: The National Park Service should remove the asphalt bridge at Lower Yosemite Fall.

"The asphalting of the bridge is an offense and I believe was done to cut costs. The wooden bridge existed without asphalt covering for years and could have continued."
(Individual, Fresno, CA, Comment #128-27)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects. It is a working manual for guiding decisions relating to land use and activities. As such, the plan does

not specifically address asphalt in specific locations. This does not preclude the consideration of the Church Bowl/Yosemite Falls trail restoration in the future, it simply is not addressed at this time.

Concern 333: The National Park Service should better enforce park regulations.

"An enforcement ranger told me he has more important things to do than worry about protecting Half Dome from visitor destruction. This is only ONE example of several that tell me rangers need better training in attitude and priority to protect resources."
(Individual, Fresno, CA, Comment #128-22)

"Everything that's been mentioned here will have no value if it's not enforced, and I go to Yosemite a lot and I hear so many excuses from enforcement rangers, personnel and interpretive rangers, just making excuses to make visitors happy at the expense of wildlife. How it is there was so much mention here protecting resources such as social trails. Yet, when I see people crossing a meadow and going where they're not supposed to, and I see an enforcement ranger, I mention it to him. The response I get, "Well they're here to have a good time. I don't want to bother them." So, how's this going to be enforced? The problems you have there now are not being enforced. That too when I pointed out to enforcement ranger "Well you know there might be somebody being murdered across the valley, and I'm supposed to fine somebody because their son threw a milk carton down on the grounds?" The priorities are not there. The attitude is not there."
(Individual, Fresno, CA, Comment #97-1)

"I suggested in the peak period such as up in Glacier Point you have enforcement rangers, maybe 2 or 3 there, to do something about the animals being fed and bringing their dogs up there and letting them lose."
(Individual, Fresno, CA, Comment #97-6)

Response: The Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects. It is a working manual for guiding decisions relating to land use and activities. As such, the plan does not address enforcement issues. The National Park Service is dedicated to enforcing area closures and resource protection issues to the greatest extent possible.

Concession Services

Concern 388: The National Park Service should recognize the revenues the Delaware North Corporation is aiming to gain from the reduction of low-cost facilities and the construction of more expensive lodging facilities, and the political influence they hold.

"There's certainly a temporal relationship with the advent Delaware North in the national park scene, and in the tenure of Interior Secretary Babbitt. And the company has successfully taken over parks such places as Yellowstone, Sequoia Kings Canyon, Grand Canyon, Kennedy Space Center and others. In the mid 1990's Delaware North was grossing $200 million a year, and aiming for a billion dollars a year in revenues from national parks. They had bids out on one hundred national park sites. So I suspect they have access to the levers of the power at the national level and can make their influence felt. When we examine the net result of the current plans for Yosemite, we find a 50 percent drop in low cost accommodations and reconstruction of more expensive lodging facilities. The addition of a few more camp sites will still leave the number much reduced from traditional levels. It appears that monetary return is a major force in changes occurring in Yosemite."
(Individual, Mariposa, CA, Comment # 99-4)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.

Employee Housing

Concern 411: The Revised Merced River Plan should maximize zoning in El Portal that accommodates an increase in employee housing.

"For nearly fifty years, the National Park Service has publicly stated an intention of relocating non-essential functions and certain employee housing to El Portal. As you know, the Service acquired the land now known as the El Portal Administrative Site for that purpose. Notable movement from Yosemite Valley to El Portal has taken place over the past two decades. However, nearly all substantive progress in moving non-essential services and employee housing to El Portal has been undertaken by the National Park Service. There has been no relocation of employee housing by the primary concession contractors during this period. With the exception of small cabin-without-bath units that have been constructed since 1997 to replace housing removed following the January 1997 flood, concessioner employee housing in Yosemite Valley has been "frozen in time" since the 1950's. The vast majority of concession employees reside in what would be considered substandard housing in any community in America. I would venture to guess that much of the existing housing (tent cabins) would not be permitted in any non-park federal jurisdiction, including elsewhere in Mariposa County. From my perspective, the long-term acceptance of this substandard housing has created some important social conditions:"
(Individual, Yosemite, CA, Comment #126-1)

"The significance of this prob1em to the current issues in the Merced River Plan SEIS ie1ate directly to the park's ability to provide a suitable location for the construction of quality concessioner employee housing in El Portal. I believe that the National Park Service must be permitted to exercise considerable latitude in the allocation of scarce land resources for this purpose."
(Individual, Yosemite, CA, Comment #126-4)

"Again, as it relates to the Merced River Plan SEIS, it is important that real solutions to the park housing dilemma be permitted within the Administrative Site in El Portal. From my perspective, the "bottom line" is that the opportunities for affordable housing for park employees in all income ranges will only get worse in the coming decade. I predict that if this happens, all park employers (not to mention many others in Mariposa County) will find it nearly impossible to recruit highly skilled workers who will make a personal commitment to live and work in the area."
(Individual, Yosemite, CA, Comment #126-13)

Response: The National Park Service recognizes this concern. The type of zoning that can accommodate employee housing is (3C) Park Operations and Administration. The preferred El Portal boundary alterative in the Final Revised Merced River Plan/SEIS prescribes 411 acres of (3C) zoning. However, this document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor. The El Portal Concept Plan will determine the placement and siting of facilities in El Portal, including Employee housing.

Concern 413: The National Park Service should require the primary park concessioner to provide quality out-of-park housing for concessioner employees.

"The primary concessioner has not been compelled to address out-of-park housing in a meaningful way. I have many observations about this, but feel that they would be inappropriate to include in a public comment letter. However, I am certain that very few large corporations in America operate with a work force comprised of employees who live in tents or "tough sheds" that have no running water I have witnessed the conditions in the concessioner employee housing—in large part; they are deplorable. I am convinced that the substandard employee housing is the primary factor that prevents the concession from hiring a quality workforce on a consistent basis to provide quality visitor services on a consistent basis. Substandard employee living conditions contribute significantly to marginal visitor services in many respects. The dilemma of suitable employee housing for concessioner employees manifests itself, in my opinion, in a vicious circle that includes dissatisfied employees guests who are disappointed with visitor services, questions by the public regarding park housing policies, and concerns expressed about the over-commercialization of Yosemite."
(Individual, Yosemite, CA, Comment #126-2)

"The poor living conditions of concessioner employees contributes to the operational costs of the park. I will limit my comments in this regard my offering the observation that the park could feasibly reallocate public safety services that are now required to address community-based social issues to assisting in the general public and improving visitor services if employee housing conditions were improved at least to the degree that might be found in a typical community (i.e. small individual apartments). It is true that the new housing complex planned for the Curry Village area will make a marked improvement to the residents in that location (217), however, the majority of concessioner employees will continue to live in high density dormitory, cabin-.without-bath or tent accommodations into the future."
(Individual, Yosemite, CA, Comment #126-3)

"I am certain that no park concessioner, operating under the terms of a relatively shorter concession contract now (or in the future), will make the substantial investment required in housing outside the park or administrative site. This is simple business—return on investment over time. I do not believe that the National Park Service will be able to legally compel a new concessioner to purchase assets of an existing concessioner that might be located on non-federal property. It will be imperative that the NPS have the ability in the future to structure a financially feasible concession contract that can incorporate the development of quality out-of-park housing
(Individual, Yosemite, CA, Comment #126-5)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.

Concern 417: The National Park Service should address planning constraints associated with the lack of affordable housing in the local area.

"The high cost of local real estate is exacerbated by the costs associated with commuting long distances from "town" to park worksites. I. do not believe that the "pros" and "cons" of the out-of-park housing has been sufficiently treated in public documents to show an accurate and comprehensive view of this complex subject to the public who might not be intimately familiar with local or gateway communities. To summarize this point—much has changed in Mariposa, Oakhurst and Groveland in the past thirty years, and I do not believe that the planning documents developed by the National Park Service have fully treated this important topic."
(Individual, Yosemite, CA, Comment #126-8)

"I recommend hat an objective effort be undertaken by the National Park Service to gather further financial data and personal insights as to how park employees in all sectors have been affected by the changing local real estate market and the impacts of commuting from town to park worksites. It is notable, I believe, that over the past twenty years, many employees have grown to consider the El Portal Administrative Site as their "park" worksite and have only limited knowledge or understanding of the dynamics of living and/or working in Yosemite Valley, which remains the primary site of visitor facilities, services and activities. The gradual and insidious lessening of many park employees connection with or immediate understanding of visitor services has, in my opinion, been detrimental to the Park."
(Individual, Yosemite, CA, Comment #126-9)

"Another dynamic associated with the limited middle and lower income housing stock in the local communities relates to the number of mid-range homes now owned and occupied by current park employees. In some cases, these homes will "turn over" as employees retire and leave the area—often selling their homes to new county residents who can "best" any offer made by established, local middle class workers. This is a concern, but so is the prospect that other park workers will retire and stay in the area, effectively "locking up" desirable, middle-income housing when few new housing opportunities."
(Individual, Yosemite, CA, Comment #126-11)

Response: The Revised Merced River Plan is a programmatic plan that, among other elements, prescribes management zoning within the Merced River corridor that determines the types of development that may occur in certain areas, as well as a User Capacity Management Program that determines levels of use in certain areas. The Revised Merced River Plan does not prescribe specific actions regarding placement or removal of facilities, infrastructure and employees. Rather, the Merced River Plan, as amended, sets a framework for decision making within the river corridor.

The Revised Merced River Plan provides a range of alternatives for the El Portal Boundary in Chapter III. The management zone prescriptions within each of the proposed boundary alternatives set a framework for decision making. Follow-on plans— such as the El Portal Conceptual Design Plan—will determine the siting and location of certain types of facilities, including employee housing.

Concern 163: The National Park Service should reduce the number of National Park Service and concession employees living in the Valley.

"Reducing the number of park and concession employees living in Yosemite Valley would ease stress on the river environment. (A good first step would be to use the General Management Plan maximum of 1,790 for the river corridor.) While living in the Valley can be a life-changing experience, providing too much Valley housing is not consistent with protecting the river."
(Individual, Comment #81-10)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do

not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.

Concern 36: The Revised Merced River Plan should indicate whether more park service housing will be implemented in the Valley.

"I am pleased that better employee housing for concessions will be built at Curry Village. Will more park service housing also be available in Yosemite Valley?"
(Individual, Mariposa, CA, Comment #11-3)

Response: The 2004 Court Order directing this revision of the Merced River Plan specifically requires the National Park Service to revise the plan to (1) address user capacity in the river corridor, and (2) reassess the river corridor boundary in the El Portal Segment based on the location of Outstandingly Remarkable Values. This Revised Merced River Plan/SEIS is intended to address the deficiencies in the original Merced River Plan/FEIS with respect to the above two issues. This document along with the original Merced River Plan, are programmatic plans that do not dictate any specific actions. Together, these plans will serve as a working manual for guiding decisions relating to land use and activities in the river corridor.

Concern 281: The National Park Service should reconsider plans to increase employee housing in El Portal.

"The YVP plan in El Portal for employees is for the number of DNC employees rising from the current 52 to 755 !!! NATIONAL PARK SERVICE from 158 to 222, and other employees from 45 to 60. That is, the current total of employees in El Portal is planned to rise from 255 to 1037. The major increase is in concession employees by 14 times!!! That says a lot about the NATIONAL PARK SERVICE commercialization plans for Yosemite as well as El Portal. Under the YVP the total amount of employees park wide would rise by 300 or 400."
(Conservation Organization, Yosemite, CA, Comment #111-102)

Response: The potential relocation of concession and National Park Service employees from Yosemite Valley to El Portal has been proposed in other planning efforts in order to reduce non-essential facilities in Yosemite Valley. The El Portal Administrative Area was designated by congress for the relocation of such facilities. However, the Revised Merced River Plan is a programmatic plan that will guide future planning efforts in the Merced River corridor and does not dictate any specific action or projects. It is a working manual for guiding decisions relating to land use and activities. As such, the plan does not specifically address projects relating to the relocation of housing to El Portal.

The El Portal boundary will guide future planning efforts by designating management zones where development (including employee housing) would be allowed to occur within the Wild and Scenic River boundary. Areas zoned 3C (park operations and administration) indicate areas that allow for development, but this does not necessarily mean all of those areas will actually be developed. More specifically, the plan does not outline specific development projects that will occur in El Portal. Decisions on potential development in El Portal will be evaluated in the El Portal Concept Plan. This plan will require an Environmental Impact Statement, which will include public involvement through the public scoping and comment period process.