

NPS Minimum Requirements Assessment (MRA) Experience

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Wilderness Act 1964

- **Section 4c - PROHIBITION OF CERTAIN USES**

(c) Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area), **there shall be no** temporary road, no use of motor vehicles, **motorized equipment** or motorboats, no **landing of aircraft**, no other form of mechanical transport, **and no structure or installation within any such area.**

- **Section 4d - SPECIAL PROVISIONS**

(d) The following special provisions are hereby made: (4 more pages...)



MRA Process

- **Complete Worksheet**
 - **1st Determine IF there is a Sec 4C Prohibition**
 - **IF yes**
 - **Propose Alternatives**
 - **1 – No Action**
 - **2 – Hoped for proposal**
 - **3 – Realistic Proposal**
 - **4 - Absurd Proposal**
- **Cost IS NOT a Factor**
- **Difficulty IS NOT a Factor**
- **Pack Animal Impact only a Factor in Trailless Areas**
- **Duration of Human Presence IS NOT a Factor**
- **Impact to “Wilderness Experience” IS a Factor**
- **Human Safety IS a Factor**
- **“Down Hill” Environment MAY be a Factor**



NPS Review

- **MRA Time Frame**
 - ~ Draft submitted 4/4/14
 - ~4 x “back and forth”
 - NPS approval ~ 7/9/14
- **MRA Reviewed by:**
 - Assistant Wilderness Coordinator (Alison Steiner)**
 - Wilderness Coordinator (Nancy Hendricks)**
 - District Ranger (Dave Fox)**
 - Aviation Manager (John Goss)**
 - Chief Park Ranger (Kevin Hendricks)**
- **Signed by Park Superintendent (Woody Smeck)**



MRA Outcome

- For “Typical” Maintenance:
Helicopter Access DENIED to all locations Except Paradise Pk
- For “Special” Maintenance (large or delicate components):
Helicopter Access PERMITTED subject to disclosure in MRA
- One “Special” Maintenance PERMITTED to Upper Tyndall in 2014



USACE – NPS General Agreement

- For Addressing “Execution” Details
- Primary Clauses:
 - USACE WILL:
 - Remove Unused Equipment
 - Submit new year MRA by 15 Jan
 - Proposed Annual Maintenance and Measurement Schedule (AMMS) by 15 Jan
 - Submit MSDS with AMMS
 - Submit MRA “Follow Up” with AMMS (done in Sep 2014)
 - Abide by MRA Guidance



USACE – NPS General Agreement

- For Addressing “Execution” Details
- Primary Clauses:
 - NPS WILL:
 - Allow Station Maintenance
 - Provide final comments on MRA with in 90 days OR meet
 - Review and comment of AMMS with in 60 days
 - “...provide the Corps a written process for requesting deviations/amendments to the annual MRA based on urgent and unanticipated requirements not initially identified.”
 - “...will consider the Corps ability to find qualified wilderness maintenance personnel, and fund wilderness maintenance, in the MRA impact vs. benefit analysis of access methods. This will be done with the knowledge that there are practical limits to the Corps ability to mitigate all impacts and that the benefits of some impacts outweigh the detriments.



USACE – NPS Non-Agreement

- “The Corps must obtain prior approval from the NPS for any significant changes to the physical infrastructure of snow pack and weather monitoring sites, **including replacement, component renewal**, or reconstruction of such infrastructure”
- **Still no MRA “Amendment Process”**
- **NPS Denied Helo Access to avoid anticipated failure**



Political Factor

- Rep. McClintock's staff requested review...



Stay Tuned

- USFS Wilderness Proposals
 - **USACE, CA State, Cooperators MUST become involved early and more directly than the public “Comment” process.**



Conclusions

- “Reasonable” review process
- “Reasonable” document requirements
- “Un-reasonable” restriction to Pack Animals
- Wilderness Act exceptions “subjective”
- NPS & Elected Officials must be made to understand the negative environmental impacts of “excessive” restriction
- **Limits to USACE willingness/ability to comply**



Questions?

