



August 24, 2017

Mr. Todd Willens  
 Acting Assistant Secretary for Fish and Wildlife and Parks  
 U.S. Department of the Interior  
 1849 C Street, N.W.  
 Washington, D.C. 20240

Dear Mr. Willens:

The Outdoor Recreation Industry Roundtable (ORIR), which represents a large majority of the \$887 billion per year outdoor recreation industry, applauds the announcement by the National Park Service that it is withdrawing its Director’s Order #100. ORIR had urged the Order’s recall, citing its significant flaws:

- It was published with very little outreach and very limited opportunity for comments;
- It established a “Precautionary Principle,” stifling innovation and hampering the agency’s ability to adapt to new conditions on the ground;
- It established an arbitrary and unsupported new requirement for “scientific literacy” on the part of park superintendents and other agency leaders; and
- It asserted that any decisions it shaped were not subject to review.

We believe that withdrawing Director’s Order #100 reverses a very poor policy decision and positions the National Park Service to adopt more nimble, innovative and effective management practices as it enters its Second Century.

**Limited Public Input**

The organizations, businesses, individuals and gateway communities actively engaged in supporting and protecting America’s national parks had very little opportunity to comment on the proposed order. The recreation community’s request, as well as multiple Congressional requests, for an extension of the 30-day comment period were ignored. The absence of any public meeting on the proposal denied meaningful public involvement in a significant federal action, violating the letter and the spirit of multiple laws applying to the National Park Service.

**“Precautionary Principle”**

The Director’s Order created new policies and processes that were counter-productive to good management. It established a “Precautionary Principle,” stifling innovation and

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hampering the agency's ability to adapt to new visitor desires and employ new technologies, management capabilities and partnerships. We warned that it endangered strategic use of pilot efforts in a proactive manner to resolve visitor distribution and management challenges.

The directive was a major and self-imposed constraint as the National Park Service enters its Second Century. New and expanded visitor activities and new facilities were to be permitted only when there was no possibility of contribution to climate change. For an agency already struggling for relevancy – and especially in the large number of park units in and near urban settings – discouraging innovation would have hampered NPS' execution of its Organic Act of 1916 (highlights added):

*The service thus established shall promote and regulate the use of the Federal areas known as national parks, monuments, and reservations hereinafter specified by such means and measures as conform to the fundamental purposes of the said parks, monuments, and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.*

Director's Order #100 also established a new and very direct requirement designed to handicap front-line agency managers: the stern directive that **park managers must not allow uses that would cause unacceptable impacts**. While in isolation such guidance may appear appropriate, we note that the definition of "unacceptable" impacts has changed over time. Uses ultimately judged to create unacceptable impacts have been ended with **little or no lasting adverse consequences to the involved parks**. We support well-planned testing of new uses – including events designed to increase awareness of the purposes and stories of specific park units – with an understanding that these uses might be determined to be unacceptable in the future.

### **"Scientific Literacy"**

The withdrawn Director's Order established a key new requirement never considered by the Congress or interested parties:

*We will ensure all superintendents and those who aspire to positions of leadership in the NPS possess scientific literacy appropriate to their positions and resource management decision-making responsibilities. Scientific literacy is defined as the knowledge and understanding of scientific concepts and processes relevant to biological, physical, social, and cultural sciences, and an understanding of the strengths and limitations of scientific findings and the appropriate application of scientific research to management and policy issues.*

We support the concept of scientific literacy but contend that skills other than scientific literacy may be of equal or greater importance to the well-being of America's national parks, including visitor management, communications, financial management and general leadership. Especially considering the significant morale challenges facing the agency and allegations of inappropriate management actions, we question the establishment of scientific literacy as the primary skillset for agency leaders.

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**No Review**

A final and significant concern regarding the withdrawn Director's Order was its assertion that decisions it shaped would not be reviewable. It is neither appropriate nor logical that any agency directive is claimed to be beyond any public review.

The Outdoor Recreation Industry Roundtable greatly appreciates the decision to withdraw Director's Order #100 and looks forward to working with the National Park Service to encourage and support the public's use and enjoyment of America's magnificent national parks.

Sincerely,

America Outdoors Association  
American Horse Council  
American Recreation Coalition  
American Sportfishing Association  
Archery Trade Association  
BoatU.S.  
International Snowmobile Manufacturers  
Association  
Marine Retailers Association of the Americas

Motorcycle Industry Council  
National Marine Manufacturers Association  
National Park Hospitality Association  
Recreation Vehicle Dealers Association  
Recreation Vehicle Industry Association  
Recreational Off-Highway Vehicle Association  
Specialty Equipment Market Association  
Specialty Vehicle Institute of America