



April 27, 2010

LCDR Kim Mitchell
Military Assistant
Wounded Warrior Care and Transition Policy

Re: Whitewater boating permits on rivers managed by the US Bureau of Land Management (BLM)

Dear Commander Mitchell,

A recent study shows that adventure sports skills like kayaking promotes and encourages the successful development of life skills and doubles the likelihood that disabled veterans will become self-sufficient. As you know, Team River Runner's mission is to create an environment of healthy adventure for healing active duty and veteran service members through paddle sports. Our goals include teaching kayaking and leadership skills so that disabled veterans may become instructors for other Wounded Warriors and eventually lead their own paddling expeditions.

Adventure trips' paddling the grand rivers of our country motivates our veterans. In January, Secretary of Interior Salazar declined to change the BLM's regulation of access to multiday river trips for wounded warriors and other disabled Americans. Current regulations require that all disabled Americans must pay commercial river outfitters for access to these rivers. We hope Secretary of Veterans Affairs Shinseki and Secretary of Defense Gates can convince Secretary of Interior Salazar to revise this decision.

The BLM manages access to more than a dozen popular segments of whitewater rivers in the western U.S. under a series of federal regulations that does not include a special allocation for the disabled. The result is that non-profit organizations (like Team River Runner), providing educational and therapeutic services to the disabled, must pay river outfitters with exclusive permits (Special Recreation Permits, or SRPs) in order to gain access to these rivers. *The cost is two to three times the cost normally paid* if TRR ran the trip itself or via the services of another non-profit that provides similar services to the disabled, such as Colorado Discover Ability (CDA, www.coloradodiscoverability.org). A spreadsheet showing competitive bids is available on request.

The directors of CDA have applied for SRPs and have been told that under current regulations they must either use the services of an existing SRP owner or buy the SRP from an existing permittee. In both cases the cost of providing services to the disabled is two to three times the cost that CDA, a licensed river outfitter on unrestricted access rivers in Colorado, must pay to run other river segments for which it has permits. To address this form of discrimination, CDA researched the issue and found that Dinosaur National Monument and Canyonlands National Park (both in Utah) have special allocations for the disabled for which organizations like TRR and CDA qualify, and Grand Canyon National Park will issue special administrative permits to organizations like TRR and CDA. Furthermore, the US Forest Service (a division of the Department of Agriculture) requires that ski areas under its jurisdiction provide adaptive ski lessons and ski passes at a discount to those for the fully abled. American veterans pioneered the nationwide adaptive ski program.

Adaptive Sports of Durango contracted with CDA in 2009 for a river trip in Dinosaur National Monument with disabled veterans at a cost that was 60% of the discounted cost of a licensed non-profit SRP holder and 30% of the cost of a regular commercial trip. One of the directors of CDA has obtained a permit for 2010 from Grand Canyon National Park for the Wounded Warrior Project and operated by TRR at a cost of 35% of the discounted cost of a regular commercial trip.

TRR, CDA and dozens of other organizations that provide educational and therapeutic services for the disabled are funded by donations and are largely run by volunteers. The result of the BLM regulations is that these donated funds are utilized at a 35-50% rate, or another way to look at it is that TRR, CDA and similar

organizations could provide educational and therapeutic services to two to three times as many disabled veterans if BLM would change their regulations.

CDA filed a FOIA request to determine if it would be possible for BLM to provide an allocation of 2% of the current total allocation for restricted use rivers in Utah and the result was a solid yes (data available on request). However, BLM's response is that they just completed their ten year Resource Management Plans for these rivers in 2008 and would not be changing their regulations for another ten years.

The only alternative until 2018 is a Memorandum of Understanding (MOU) that allows BLM to issue administrative permits one at a time to organizations like TRR and CDA. CDA drafted an MOU modeled after the MOU between the Wounded Warrior Project (www.woundedwarriorproject.org) and the National Park Service (this allowed Grand Canyon to issue the administrative permit to TRR) for 2010). The draft MOU is between BLM and Disabled Sports USA (www.dsusa.org), which is the umbrella organization that provides liability insurance for TRR, CDA and nearly 100 other similar organizations nationwide, and any qualified organization could join it if it wished to run its own river trip. Vietnam Veterans formed DSUSA in the 1970s.

CDA persuaded Colorado Congressman John Salazar to send a letter to BLM Division Chief, Patrick Wilkinson, requesting assistance in obtaining permits for "Wounded Warriors" (see attached). The response was that BLM's current SRP owners were doing an adequate job (see attached). The only rivers open to TRR, CDA and other similar organizations were flat-water segments. Disabled veterans are disabled because they have been shot at and blown up and they need the simulation and challenge of whitewater. They are almost universally wards of the government without the financial resources to pay commercial fees and should have the same access to whitewater at a cost that is manageable by the organizations that support them with donated funds.

CDA then persuaded Congressman John Salazar, Senator Michael Bennet and Senator Mark Udall to write a letter to Secretary of Interior Ken Salazar specifically requesting implementation of an MOU (letter attached) between BLM and (erroneously) CDA. The draft MOU was actually between BLM and DS/USA (see attached) because DS/USA is a national organization open to membership by any qualifying organization. Again, the response was that the BLM's SRP owners were providing the required service and the MOU was not necessary (see attached).

Recently, Bob Ratcliffe, BLM's Chief for the Division of Recreation and Visitor Services, suggested that CDA join the SRP's and other organizations in helping BLM develop a policy that would ultimately result in a change in BLM regulations. Meanwhile, the number of disabled veterans is increasing, and BLM continues to discriminate against them, other disabled Americans and the organizations that support them.

We feel that if Secretaries Shinseki and Gates can present this issue directly to Secretary Salazar (without the "editorializing" by BLM's entrenched bureaucracy) he might reconsider his position and recommended a short-term solution such as the MOU, until formal policies can be developed and codified. We would like to be able to offer river trips at a fair cost to Wounded Warriors on rivers managed by BLM in Utah and Colorado and we appreciate your attention to this matter.

Thank you in advance.

Respectfully,

Joseph Mornini,
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