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CLERK OF DISTRICT COURT  
DISTRICT OF ARIZONA  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

River Runners for Wilderness, et al.	)	No. CV-06-0894 PCT-DGC
	)	
Plaintiffs,	)	INTERVENOR GRAND
	)	CANYON RIVER
v.	)	OUTFITTERS
	)	ASSOCIATION'S
Joseph F. Alston, et al.,	)	ANSWER TO
	)	PLAINTIFFS' COMPLAINT
Defendants.	)	
	)	

Intervenor Grand Canyon River Outfitters Association ("GCROA"), through counsel, hereby answers the allegations in Plaintiffs' March 28, 2006 "Complaint for Declaratory and Injunctive Relief" (hereinafter "Complaint") as follows:

The numbered paragraphs of this Answer correspond to the numbered paragraphs of Plaintiffs' Complaint.

**INTRODUCTION**

1. The allegations contained in this paragraph consist of Plaintiffs' characterization of the case and require no response. To the extent that a response is required, GCROA denies the allegations.

2. The allegations contained in this paragraph consist of Plaintiffs' characterization of the case and require no response. To the extent that a response is required, GCROA denies the allegations.

3. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent that a response is required, GCROA denies the allegations.

4. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent that a response is required, GCROA denies the allegations.

5. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent that a response is required, GCROA denies the allegations.

6. The allegations contained in this paragraph consist of Plaintiffs' characterization of the case and require no response. To the extent that a response is required, GCROA denies the allegations.

#### **JURISDICTION AND VENUE**

7. The allegations contained in this paragraph consist of conclusions of law concerning Plaintiffs' alleged grounds for jurisdiction, to which no response is required. To the extent that a response is required, GCROA denies the allegations.

8. The allegations contained in this paragraph consist of conclusions of law concerning Plaintiffs' alleged grounds for jurisdiction, to which no response is required. To the extent that a response is required, GCROA denies the allegations.

9. The allegations contained in this paragraph consist of conclusions of law concerning Plaintiffs' alleged grounds for jurisdiction, to which no response is required. To the extent that a response is required, GCROA denies the allegations.

10. The allegations contained in this paragraph consist of conclusions of law

concerning Plaintiffs' alleged grounds for jurisdiction, to which no response is required. To the extent that a response is required, GCROA denies the allegations.

11. The allegations contained in this paragraph consist of conclusions of law concerning Plaintiffs' alleged grounds for jurisdiction, to which no response is required. To the extent that a response is required, GCROA denies the allegations.

12. The allegations contained in this paragraph consist of conclusions of law concerning Plaintiffs' alleged grounds for venue, to which no response is required. To the extent that a response is required, GCROA admits that the Colorado River corridor and Grand Canyon National Park are located within the judicial district of the United States Court of Appeals for the District of Arizona.

#### **PARTIES**

13. GCROA possesses insufficient information or knowledge to form an opinion as to the truth of the allegations contained in this paragraph. GCROA denies all alleged injuries and violations of law.

14. GCROA possesses insufficient information or knowledge to form an opinion as to the truth of the allegations contained in this paragraph. GCROA denies all alleged injuries and violations of law.

15. GCROA possesses insufficient information or knowledge to form an opinion as to the truth of the allegations contained in this paragraph. GCROA denies all alleged injuries and violations of law.

16. GCROA possesses insufficient information or knowledge to form an opinion as to the truth of the allegations contained in this paragraph. GCROA denies all alleged injuries and violations of law.

17. GCROA denies the allegations in this paragraph.

18. The allegation contained in this paragraph that Defendant Joseph F. Alston is being sued in his official capacity is Plaintiffs' characterization of the case and requires no response. GCROA possesses insufficient information or knowledge to form an opinion as to the truth of the remaining allegations contained in this paragraph.

19. The allegation contained in this paragraph that Defendant Fran Mainella is being sued in her official capacity is Plaintiffs' characterization of the case and requires no response. GCROA admits that Fran Mainella is the Director of the National Park Service. GCROA possesses insufficient information or knowledge to form an opinion as to the truth of the remaining allegations contained in this paragraph.

20. GCROA admits that Defendant National Park Service is an agency of the U.S. Department of the Interior. GCROA possesses insufficient information or knowledge to form an opinion as to the truth of the remaining allegations contained in this paragraph.

21. The allegation contained in this paragraph that Defendant Gale Norton is being sued in her official capacity is Plaintiffs' characterization of the case and requires no response. GCROA admits that Gale Norton formerly was the Secretary of the U.S. Department of the Interior. GCROA possesses insufficient information or knowledge to form an opinion as to the truth of the remaining allegations contained in this paragraph.

22. GCROA admits that Defendant U.S. Department of the Interior is a department of the United States government. GCROA possesses insufficient information or knowledge to form an opinion as to the truth of the remaining allegations contained in this paragraph.

## FACTS

23. GCROA admits the allegations in this paragraph.

24. GCROA admits the allegations in this paragraph.

25. The allegations contained in this paragraph are too vague and ambiguous to enable GCROA to admit or deny, and GCROA denies the allegations on that basis.

26. The allegations contained in this paragraph are too vague and ambiguous to enable GCROA to admit or deny, and GCROA denies the allegations on that basis.

27. The allegations contained in this paragraph are too vague and ambiguous to enable GCROA to admit or deny, and GCROA denies the allegations on that basis.

28. The allegations contained in this paragraph purport to characterize an unidentified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

29. The allegations contained in this paragraph are too vague and ambiguous to enable GCROA to admit or deny, and GCROA denies the allegations on that basis. GCROA avers, however, that the stretch of the Colorado River that runs through Grand Canyon National Park is heavily managed and regulated by several upstream dams, including Glen Canyon Dam.

30. GCROA admits the allegations in this paragraph.

31. GCROA possesses insufficient information or knowledge to form an opinion as to the truth of the allegations contained in this paragraph.

32. GCROA denies the allegations contained in this paragraph. To the extent that the allegations contained in this paragraph purport to characterize specified documents, those documents speak for themselves and contain the best evidence of their

contents, and thus no response is required.

33. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent that a response is required, GCROA denies the allegations.

34. The allegations contained in the first sentence of this paragraph purport to characterize an unidentified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required. To the extent that a response is required to the first sentence of this paragraph, GCROA denies the allegations. The allegations contained in the second sentence of this paragraph are too vague and ambiguous to enable GCROA to admit or deny, and GCROA denies the allegations on that basis.

35. The allegations contained in the first sentence of this paragraph are too vague and ambiguous to enable GCROA to admit or deny, and GCROA denies the allegations on that basis. GCROA denies the allegations of the second sentence.

36. GCROA admits that, since the completion of the Glen Canyon Dam, recreational use of the river—both professionally- and self-guided—has increased. GCROA denies the remaining allegations in this paragraph.

37. GCROA denies the allegations in this paragraph.

38. The allegations in the first sentence purport to characterize the 1972 River Use Plan, which speaks for itself and contains the best evidence of its contents, and thus no response is required. GCROA denies the remaining allegations in this paragraph.

39. GCROA possesses insufficient information or knowledge to form an opinion as to the truth of the allegations contained in this paragraph, and on this basis

denies the allegations.

40. GCROA possesses insufficient information or knowledge to form an opinion as to the truth of the allegations contained in the first sentence of this paragraph, and on this basis denies the allegations. GCROA denies the remaining allegations in this paragraph.

41. The allegations contained in this paragraph purport to characterize specified documents, which speak for themselves and contain the best evidence of their contents, and thus no response is required.

42. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

43. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

44. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

45. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

46. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

47. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

48. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

49. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

50. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

51. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

52. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

53. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

54. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents,



and thus no response is required.

55. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

56. GCROA admits the first sentence of this paragraph. The allegations contained in the second sentence of this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

57. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

58. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

59. The allegations contained in this paragraph purport to characterize an Act of Congress, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

60. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

61. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

62. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

63. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

64. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

65. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

66. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent that a response is required, GCROA denies the allegations.

67. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

68. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

69. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents,

and thus no response is required.

70. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

71. The allegations contained in the first and second sentences of this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required. The allegations contained in the last sentence of this paragraph are vague and consist of conclusions of law, and thus no response is required.

72. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

73. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

74. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

75. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

76. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents,

and thus no response is required.

77. GCROA admits the allegations in this paragraph.

78. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

79. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

80. GCROA denies the allegations in this paragraph.

81. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

82. The allegations contained in this paragraph purport to characterize an unspecified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

83. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

84. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

85. GCROA admits the allegations in this paragraph.

86. The allegations contained in this paragraph purport to characterize an

unspecified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

87. The allegations contained in this paragraph purport to characterize an unspecified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

88. GCROA denies the allegations contained in this paragraph.

89. GCROA denies the allegations contained in this paragraph.

90. The allegations contained in the first sentence of this paragraph are too vague and ambiguous to enable GCROA to admit or deny, and GCROA denies the allegations on that basis. GCROA denies the remainder of the allegations in this paragraph.

91. GCROA admits that commercial concessionaires are not subject to the waiting list. GCROA denies the remainder of the allegations contained in this paragraph.

92. GCROA denies the allegations contained in this paragraph.

93. The allegations contained in this paragraph purport to characterize certain documents, which speak for themselves and contain the best evidence of their contents, and thus no response is required.

94. GCROA admits that, after a public scoping process, the National Park Service released its Draft Environmental Impact Statement for the Colorado River Management Plan, Grand Canyon National Park, Grand Canyon, Arizona, in October 2004. The remaining allegations contained in this paragraph purport to characterize this document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

95. GCROA possesses insufficient information or knowledge to form an opinion as to the truth of the allegations contained in this paragraph.

96. GCROA admits the allegations contained in the first sentence of this paragraph. The remaining allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

97. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

98. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

99. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

100. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

101. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent that a response is required, GCROA denies the allegations.

102. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents,

and thus no response is required.

103. GCROA admits the allegations contained in this paragraph.

104. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

105. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required. The allegations contained in the first sentence of this paragraph also consist of conclusions of law, to which no response is required. To the extent that a response is required, GCROA denies the allegations.

106. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent that a response is required, GCROA denies the allegations.

107. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent that a response is required, GCROA denies the allegations.

108. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent that a response is required, GCROA denies the allegations.

109. GCROA possesses insufficient information or knowledge to form an opinion as to the truth of the allegations contained in this paragraph.

## CLAIMS FOR RELIEF

### COUNT I

110. GCROA hereby repeats and incorporates by reference its answers to all preceding paragraphs as if fully stated herein.

111. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent that a response is required, GCROA denies the allegations.

112. The allegations contained in this paragraph purport to characterize a federal statute, which speaks for itself and contains the best evidence of its contents, and thus no response is required. The allegations contained in this paragraph also contain conclusions of law, to which no response is required.

113. The allegations contained in this paragraph purport to characterize National Park Service management policies and Reference Manual #41, which speak for themselves and contain the best evidence of their contents, and thus no response is required.

114. The allegations contained in this paragraph purport to characterize a federal regulation, which speaks for itself and contains the best evidence of its contents, and thus no response is required. The allegations contained in this paragraph also contain conclusions of law, to which no response is required.

115. The allegations contained in this paragraph purport to characterize National Park Service management policies, which speak for themselves and contain the best evidence of their contents, and thus no response is required. The allegations contained in this paragraph also consist of conclusions of law, to which no response is



required. To the extent that a response is required, GCROA denies the allegations.

116. The allegations contained in this paragraph purport to characterize unidentified documents, which speak for themselves and contain the best evidence of their contents, and thus no response is required.

117. The allegations contained in this paragraph purport to characterize National Park Service management policies, which speak for themselves and contain the best evidence of their contents, and thus no response is required. The allegations contained in this paragraph also consist of conclusions of law, to which no response is required. To the extent that a response is required, GCROA denies the allegations.

118. The allegations contained in this paragraph purport to characterize National Park Service management policies, which speak for themselves and contain the best evidence of their contents, and thus no response is required. The allegations contained in this paragraph also consist of conclusions of law, to which no response is required. To the extent that a response is required, GCROA denies the allegations.

119. The allegations contained in this paragraph consist of conclusions of law, to which no response is required.

120. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

121. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

122. The allegations contained in this paragraph purport to characterize a

specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

123. The allegations contained in the first sentence of this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required. The allegations contained in the second sentence of this paragraph consist of conclusions of law, to which no response is required.

124. The allegations contained in the first, second, and third sentences of this paragraph purport to characterize the Wilderness Act, which speaks for itself and contains the best evidence of its contents, and thus no response is required. The allegations contained in the last sentence of this paragraph consist of conclusions of law, to which no response is required.

125. The allegations contained in the first sentence of this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

126. The allegations contained in this paragraph purport to characterize specified documents, which speak for themselves and contain the best evidence of their contents, and thus no response is required.

127. The allegations contained in this paragraph purport to characterize specified documents, which speak for themselves and contain the best evidence of their contents, and thus no response is required.

128. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent that a response is required, GCROA denies the allegations.

129. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent that a response is required, GCROA denies the allegations.

130. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. The references in this paragraph to "certain commercial uses" are too vague and ambiguous to enable GCROA to admit or deny. To the extent that a response is required, GCROA denies the allegations.

131. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. The references in this paragraph to "recreational or other wilderness purposes" are too vague and ambiguous to enable GCROA to admit or deny. To the extent that a response is required, GCROA denies the allegations.

132. The allegations contained in this paragraph are too vague and ambiguous to enable GCROA to admit or deny, and GCROA denies the allegations on that basis. To the extent a response is required, GCROA denies the allegations.

133. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent a response is required, GCROA denies the allegations.

## **COUNT II**

134. GCROA hereby repeats and incorporates by reference its answers to all preceding paragraphs as if fully stated herein.

135. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent a response is required, GCROA denies the allegations.

136. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent a response is required, GCROA denies the allegations.

137. The allegations contained in this paragraph purport to characterize specified documents, which speak for themselves and contain the best evidence of their contents, and thus no response is required.

138. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

139. GCROA denies the allegations contained in this paragraph.

140. The allegations contained in the first sentence of this paragraph purport to characterize specified documents, which speak for themselves and contain the best evidence of their contents, and thus no response is required. The allegations contained in the second sentence of this paragraph consist of conclusions of law, to which no response is required. To the extent a response is required, GCROA denies the allegations.

141. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent a response is required, GCROA denies the allegations.

142. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent a response is required, GCROA denies the allegations.

### **COUNT III**

143. GCROA hereby repeats and incorporates by reference its answers to all

preceding paragraphs as if fully stated herein.

144. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent a response is required, GCROA denies the allegations.

145. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent a response is required, GCROA denies the allegations.

146. The allegations contained in this paragraph purport to characterize National Park Service management policies, which speak for themselves and contain the best evidence of their contents, and thus no response is required.

147. The allegations contained in this paragraph purport to characterize National Park Service management policies, which speak for themselves and contain the best evidence of their contents, and thus no response is required.

148. The allegations contained in this paragraph purport to characterize National Park Service management policies, which speak for themselves and contain the best evidence of their contents, and thus no response is required.

149. The allegations contained in this paragraph purport to characterize National Park Service management policies, which speak for themselves and contain the best evidence of their contents, and thus no response is required.

150. The allegations contained in this paragraph purport to characterize National Park Service management policies, which speak for themselves and contain the best evidence of their contents, and thus no response is required.

151. The allegations contained in this paragraph purport to characterize

National Park Service management policies and other documents, which speak for themselves and contain the best evidence of their contents, and thus no response is required.

152. The allegations contained in this paragraph are too vague and ambiguous to enable GCROA to admit or deny, and GCROA denies the allegations on that basis.

153. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

154. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

155. The allegations contained in this paragraph purport to characterize a specified document, which speaks for itself and contains the best evidence of its contents, and thus no response is required.

156. GCROA denies the allegations contained in this paragraph.

157. The allegations contained in the first sentence of this paragraph purport to characterize specified documents, which speak for themselves and contain the best evidence of their contents, and thus no response is required. The allegations contained in this paragraph also contain conclusions of law, to which no response is required. To the extent a response is required, GCROA denies the allegations.

158. The allegations contained in this paragraph contain conclusions of law, to which no response is required. To the extent a response is required, GCROA denies the allegations.

#### COUNT IV

159. GCROA hereby repeats and incorporates by reference its answers to all preceding paragraphs as if fully stated herein.

160. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent a response is required, GCROA denies the allegations.

161. The allegations contained in this paragraph purport to characterize a federal statute, which speaks for itself and contains the best evidence of its contents, and thus no response is required. The allegations contained in this paragraph also contain conclusions of law, to which no response is required.

162. The allegations contained in the first sentence of this paragraph contain conclusions of law, to which no response is required. GCROA admits the allegations contained in the second sentence of this paragraph.

163. GCROA denies the allegations contained in the first sentence of this paragraph. The remaining allegations in this paragraph purport to characterize specified documents, which speak for themselves and contain the best evidence of their contents, and thus no response is required.

164. GCROA denies the allegations contained in the first sentence of this paragraph. GCROA possesses insufficient information or knowledge to form an opinion as to the truth of the allegations contained in the second sentence of this paragraph.

165. The allegations in this paragraph purport to characterize specified documents, which speak for themselves and contain the best evidence of their contents, and thus no response is required.

166. The allegations contained in this paragraph contain conclusions of law, to which no response is required. To the extent a response is required, GCROA denies the allegations.

#### COUNT V

167. GCROA hereby repeats and incorporates by reference its answers to all preceding paragraphs as if fully stated herein.

168. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent a response is required, GCROA denies the allegations.

169. The allegations contained in this paragraph consist of conclusions of law, to which no response is required.

170. The allegations contained in this paragraph consist of conclusions of law, to which no response is required.

171. The allegations contained in this paragraph purport to characterize National Park Service management policies, which speak for themselves and contain the best evidence of their contents, and thus no response is required.

172. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent a response is required, GCROA denies the allegations.

173. The allegations contained in this paragraph consist of conclusions of law, to which no response is required. To the extent a response is required, GCROA denies the allegations.

174. The allegations contained in this paragraph consist of conclusions of law,



to which no response is required. To the extent a response is required, GCROA denies the allegations.

### REQUEST FOR RELIEF

The remaining paragraphs of Plaintiffs' Complaint labeled A through F on page 35 constitute Plaintiffs' requests for relief, to which no answers are required. To the extent answers are deemed necessary, GCROA denies that Plaintiffs are entitled to the relief requested or to any relief whatsoever.

Dated this 7th day of July, 2006.

Respectfully submitted,



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