



Pacific PEER

Public Employees for Environmental Responsibility

November 27, 2019

Compliance Office
Attention: Access Parks Broadband Proposal
P.O. Box 168
Yellowstone National Park, Wyoming 82190

Comments Re: Access Parks Broadband Proposal

These comments on the plan by AccessParks to obtain a right-of-way to install 523 antennas on historic lodges (including the iconic Old Faithful Inn), visitor centers, and other buildings to bring broadband throughout most of the park's developed areas are submitted on behalf of Public Employees for Environmental Responsibility (PEER). Our specific comments are:

1. Plan Violates Yellowstone's Wireless Plan.

Yellowstone's Wireless Plan (September 2008) provides the following with respect to Wi-Fi:

“Wireless internet service would be allowed in those areas and buildings that currently have it installed. These include 19 employee dormitories located at all major developed areas of the park except Tower-Roosevelt; the Yellowstone Park School; and the Mammoth Clinic. Additional Wi-Fi services requests within the park would be evaluated and approved on a case-by-case basis. Access to these systems would continue for dorm residents and park administrative and work functions related to the buildings served.” (p. 22)

On p. 30, the park describes the Wi-Fi aspects of its “Preferred Alternative”:

“Wireless internet service would remain in the areas where it is currently installed... [see above], and would additionally be allowed in park hotel lodging rooms and lobbies, stores, administrative facilities, and medical facilities. Wi-Fi would be available for administrative use by concessioners and partner organizations. Wi-Fi would be available in developed areas where cell towers are installed for residential subscription. The park would work with its concessioners to develop Wi-Fi-free zones, courtesy protocols, and courtesy signing. **Areas such as the Sun Room and porch at the Lake Hotel, the porch of the Roosevelt Lodge, the 1st floor of the Old Faithful Inn, and the Map Room of the Mammoth Hotel, would be kept Wi-Fi-free as much as possible by limiting technologies under the park's control in these areas.**” (Emphasis added)



Pacific PEER

Public Employees for Environmental Responsibility

The Finding of No Significant Impact (FONSI) for the Wireless Plan (April 2009) states:

“This FONSI modifies Alternative C in regards to Wi-Fi in lodging. In order to protect the experience expected at historic lodging locations, the availability of Wi-Fi will not be approved at the Lake Hotel, Old Faithful Inn, the Roosevelt Lodge, Old Faithful Lodge, Lake Lodge or the Mammoth Hotel. Wi-Fi will be limited in these areas, to the greatest extent possible, by limiting the approval of technologies under the park’s control in these areas. Where cell phone service is available, visitors with the appropriate technology (i.e., Blackberries, air cards) may still be able to access the internet at these locations, but **the NPS will not permit commercial WiFi services to be installed. Wi-Fi could be approved at the Old Faithful Snow Lodge, Canyon Village, Grant Village, Lake Lodge cabins and Old Faithful Lodge cabins.** The Table 1 below provides more specifics on locations.”

“The following rationale was developed to reach decisions on which park lodging could have Wi-Fi service opportunities.”

“**WiFi will not be approved if:**

- the lodging structure is a National Historic Landmark (NHL).
- the lodging structure is likely to become a National Historic Landmark.
- in a lobby of historic lodging.
- most visitors are likely to expect a historic or rustic setting or experience.”

“WiFi could be approved in structures if:

- use of Wi-Fi would have little potential to affect other visitors even if the building is historic.
- potential is low that Wi-Fi signals could propagate into areas where Wi-Fi signal was not desired.
- opportunities for Wi-Fi in nearby locations were not available.”

“**The table below lists buildings within developed areas of the park where Wi-Fi coverage will not be approved**, areas where Wi-Fi coverage could be approved in the future, and a brief rationale for the determination. The Wi-Fi service for areas listed in the second column of the table could be provided via commercial vendors approved to provide such service through park concessioners within Yellowstone National Park.

Table 1:



Pacific PEER

Public Employees for Environmental Responsibility

Wi-Fi will not be approved in these locations:

- Old Faithful Inn (NHL)
- Old Faithful Lodge (Historic and in Historic District)
- Lake Hotel (Historic and could become a NHL)
- Lake Hotel Annex (Historic and in Historic District)
- Lake Hotel Cabins (Historic and in Historic District)
- Lake Lodge—Lobby and Porch (Historic and in Historic District)
- Mammoth Hotel (Historic and in Historic District)
- Mammoth Dining Room (More expectation of an historic setting)
- Roosevelt Lodge (Historic and in Historic District)

WiFi could be approved in these locations:

- Canyon Village—Everywhere (little effect to visitors; less expectation of an historic setting)
- Grant Village—Everywhere (not historic)
- Old Faithful Snowlodge (not historic)
- Old Faithful Lodge Cabins – as long as no spillover of signal into unwanted areas (little effect to visitors in common areas of Old Faithful Lodge)
- Old Faithful Upper Store (little effect to visitors)
- Old Faithful Lower Store (little effect to visitors)
- Lake General Store (historic, but allows for an area of service close to Lake Hotel that would not affect visitors at Lake Hotel; less expectation of an historic setting)
- Fishing Bridge General Store (little effect to visitors; less expectation of an historic setting)
- Lake Lodge Cabins (little effect to visitors in common areas of Lake Lodge)
- Lake Lodge Cafeteria – as long as no spillover of signal into unwanted areas (little effect to visitors; less expectation of an historic setting)
- Mammoth Hotel Cabins – as long as no spillover of signal into unwanted areas (little effect to visitors in common areas of Mammoth Hotel)
- Lounge at Mammoth Dining Room – as long as no spillover of signal into unwanted areas (little effect to visitors; less expectation of an historic setting)
- Mammoth General Store (little effect to visitors; less expectation of an historic setting)
- Tower Store (not historic)
- Administrative Use: Employee Dormitories (not historic); Medical Facilities (not historic); Employee Recreation Halls and Pubs (not historic); other administrative areas (not historic).

By limiting authorized locations for Wi-Fi infrastructure, NPS is attempting to establish Wi-Fi-free zones in most historic lodging areas. The first column in the table above



Pacific PEER

Public Employees for Environmental Responsibility

would be kept Wi-Fi-free by limiting technologies under the park's and concessioners' control. Visitors who have purchased subscriptions from cell phone providers for wireless service for use with devices such as Blackberries, smart phones, and laptop computers would likely have access to the Internet in these locations if cell phone service is available. However, overall Wi-Fi use by visitors would be much less than if Wi-Fi was provided through the concessioner. Visitors will still be observed using computers in many locations even in the absence of Wi-Fi access.

Wi-Fi could be approved in the locations listed in the second column of the table above, if the technology used would prohibit, to the best extent possible, coverage into the areas listed in the first column. For locations listed in the interior of the park, a bandwidth upgrade may need to be completed prior to Wi-Fi availability.

Wireless Internet service will remain in the areas where it is currently installed for administrative and employee use (employee dormitories and recreation facilities, medical clinics, and concessioner offices). The preferred alternative will allow Wi-Fi to be installed in park stores as listed in the table above, administrative facilities, medical facilities, and concessioner offices. Wi-Fi may be available for administrative use by concessioners and partner organizations. Wi-Fi may be available in developed areas where cell towers are installed by use of residential subscriptions for the service. The park will work with its concessioners to develop Wi-Fi-free zones, courtesy protocols, and courtesy signing." (p.6, Emphasis added)

The FONSI's "Errata Sheets" for Wireless Plan EA (p. 18), includes the following:

"Wi-Fi will not be approved at the Lake Hotel, Old Faithful Inn, the Roosevelt Lodge, Old Faithful Lodge, the Lake Lodge (except cafeteria) and the Mammoth Hotel and dining room (except for the Mammoth Lounge). Wi-Fi will be excluded as much as possible from these areas by limiting technologies under the park's control in these areas."

The FONSI, under "Substantive Comments," contains the following topic: "Limit Wi-Fi to specific areas or omit completely." Here's how YNP responded (p. 26):

"... in response to comments, the NPS will limit Wi-Fi more specifically than described in the EA. Because Wi-Fi signals can be limited in the distance they can travel by the choice of equipment used, equipment choices will be made to meet the goals of this plan. The preferred alternative states that Wi-Fi will be limited to employee dorms, medical clinics, lodging units, general stores, and administrative facilities. Wi-Fi would be available for administrative use by concessioners and partner organizations. The park would work with its concessioners to develop Wi-Fi-free zones. In order to protect the



Pacific PEER

Public Employees for Environmental Responsibility

experience expected from historic lodging, Wi-Fi will not be approved at the Lake Hotel, Old Faithful Inn, the Roosevelt Lodge, Old Faithful Lodge, Lake Lodge (except the cafeteria), or the Mammoth Hotel. Wi-Fi will not be approved, to the extent possible, from these areas by limiting technologies under the park's control in these areas. Where cell service is available, visitors with the appropriate technology may still be able to access the Internet at these locations, but the NPS will not permit commercial W-Fi services to be installed."

The FONSI provides the following under the heading "Appropriate Siting Examples":

"A historic structure will be considered for a WCF installation only when A) no other potentially acceptable sites are available; B) the lack of other potentially acceptable sites has been documented; C) installation of proposed WCF antennas, conduit, and related equipment is limited to non-historic (non-contributing) additions to the historic structure; and D) the proposed installation would fully comply with the regulatory requirements described in these guidelines. These requirements prohibit new penetrations in the walls, roof, or other features of a historic structure to accommodate WCF equipment or antennas." (p. 48)

It is fair to say, however, that the ParksAccess plan blows through all of these restrictions and caveats.

2. Noncompliance with National Historic Preservation Act (NHPA)

The Parks Access plan impacts more than 400 buildings that have been identified as either eligible for inclusion on the NRHP, as contributors to historic districts, or as National Historic Landmarks. Yet, there is no indication that NPS will undertake consultation and public comments as required by Section 106 of the NHPA.

3. No National Environmental Policy Act (NEPA) Review.

YNP will be preparing a Categorical Exclusion (CatEx) to circumvent any further NEPA review. In an email, a YNP official states:

"The NPS does not believe the project has the potential to cause significant adverse impacts on the environment."

Presumably, the CatEx justification would be: "Changes or amendments to an approved plan, when such changes would cause no or only minimal environmental impact." (B1). But, as detailed above, this new plan departs substantially from YNP's Wireless Plan.



Pacific PEER

Public Employees for Environmental Responsibility

The new plan could well cause a significant environmental impact from, for example, the visual impact of 523 new telecom antennas in Yellowstone. In addition to the five large microwave dishes and 12 backhaul antennas, the press release also mentions “39 additional antennas” that would be “29 x 9” inches and installed at various locations, and a “6-foot-diameter antenna installed at an existing tower at Old Faithful.”

In addition, the impact of widespread Wi-Fi on Visitor Use was not analyzed in the Wireless Plan EA or FONSI. The Wireless Plan EA, p. 65, makes that clear:

“All current Wi-Fi access is designed for park employees or residents; visitors do not have access to the Internet in Yellowstone unless they have a personal subscription plan via their cell phone provider.”

Further, the Wireless Plan EA and FONSI did not analyze the effects of coverage (cellular or Wi-Fi) in Norris, Madison, or Bechler, three places that the press release mentions that “coverage could eventually extend to” for administrative and employee use.” Yet, there will be no way to prevent the public from also using the Wi-Fi in these areas. However, these are areas currently without cellular service, so these areas were not analyzed in any way in the Wireless Plan. YNP admits in the FONSI (p. 30) that the “plan was prepared in order to protect park resources and values by limiting (underlining in original) the types and locations of wireless services and infrastructure” in the park. Any expansion of “wireless services and infrastructure” to areas without any requires additional NEPA analysis.

The Norris area is specifically mentioned in the FONSI where the park responds to the following “substantive” public comment:

YNP’s response to the following question “What assurances are there that wireless services will not continue to expand unchecked?” is illustrative:

“... **if it is not discussed in the plan, it cannot be approved under the plan.** An example would be: a proposal for new cell phone service at Norris; since providing new cell phone coverage at Norris was not analyzed in the preferred alternative, it would not be considered by the Telecommunications Committee. Because the plan was prepared in order to protect park resources and values by limiting (underlining in original) the types and locations of wireless services and infrastructure, additional detailed NEPA analysis and public comment would be required for any proposed cell phone service not included in the plan.” (p. 30, Emphasis added)

4. Lack of Transparency about AccessParks Plan.



Pacific PEER

Public Employees for Environmental Responsibility

AccessParks is also withholding most photo simulations and equipment specifications on grounds that they reveal trade secrets. The company has provided only three photo simulations and those depict minimal (small) infrastructure.

NPS officials indicate that no additional documentation will be made available to the public.

Under Section 800.2(d) of NHPA regulations, the “agency official must, except where appropriate to protect confidentiality of affected parties, provide the public with information about an undertaking and its effects on historic properties and seek public comment and input.” Section 800.11 (“Documentation standards”) provides that the “agency official shall ensure that a determination, finding, or agreement under the procedures in this subpart is supported by sufficient documentation to enable any reviewing parties to understand its basis.” Section 800.10 also requires that the “agency official, to the maximum extent possible, undertake such planning and actions as may be necessary to minimize harm to any National Historic Landmark that may be directly or adversely affected by an undertaking.” Many of the buildings involved in this proposal are National Historic Landmarks.

There is nothing listed under “Plan Process”, an absence that implies that this will be the only public review allowed for this plan.

5. Premise That Connectivity Is an NPS Service.

The Access Parks website (accessparks.com) contains the following declarations:

“For internet speeds you are used to back at home, look for the AccessParks symbol when you are researching your next outdoor adventure.”

“Connect quickly, then get back to disconnecting.”

“The Mountains Are Calling and I Must Go—John Muir”

“Internet For Longer Stays and More Exploring”—“Visitors stay longer when they can connect with friends, family and work when needed, without frustration.”

“Retain Nature’s Beauty: Cell towers are ugly, and cellular wireless is useless for Broadband. Our proven wireless solutions use existing infrastructure and are hidden from view. We have 13 years of experience solving the connectivity problems in the world, with extreme sensitivity to environmental impact.”

Yellowstone’s endorsement of this pitch suggests that park managers believe that its vistas, geysers, and wildlife are no longer sufficient visitor draws without a high-speed broadband



Pacific PEER

Public Employees for Environmental Responsibility

experience, as well. Moreover, YNP also believes that NPS has an obligation to provide visitors connectivity to commercial wireless services.

In addition, Wi-Fi in the developed areas eliminates the rationale for a network of cell towers spilling signals into Yellowstone's remote backcountry. PEER urges YNP to do one or the other, not both.

Conclusion:

The YNP press release issued earlier this month makes this remarkable statement:

“Consistent with the Yellowstone National Park Wireless Communication Services Plan, wireless access to recommended wilderness and park road corridors would be excluded.”

This proposal is fundamentally inconsistent with the Wireless Plan, by allowing Wi-Fi in areas where the park says it will not be allowed, and in failing to provide additional analysis for areas where there is currently no wireless infrastructure.

###