



January 29, 2022

Superintendent -Blue Ridge Parkway

Comments on Proposed Special Use Permit Request by IRONMAN Group.

The National Park Service (NPS) has requested comments on an application submitted by IRONMAN Group to conduct the bicycle portion of an Ironman Triathlon on a portion of the Blue Ridge Parkway in Virginia.

Public Employees for Environmental Responsibility's (PEER) review of the proposal shows that the event does not meet the criteria of the NPS regulations at 36 CFR 2.50. NPS approval of this event would violate NPS rules and is contrary to the mandate of the NPS, imposed by Congress in the Act of August 25, 1916 – the Organic Act. Moreover, NPS approval of this kind of event would be significant because of its precedential nature and would first require full review under the National Environmental Policy Act (NEPA).

PEER reminds the NPS that the Organic Act requires that the NPS conserve the resources of the parks and manage the parks for 'enjoyment.' A park visitor riding a bicycle on the Blue Ridge Parkway, either singly or in a group, clearly falls within the 'enjoyment' that the governing law contemplates. The proposal by IRONMAN is not on a equal footing with the park visitor's bike ride. IRONMAN's proposal differs in its fundamental character.

First, IRONMAN Group is a commercial enterprise of international proportions. IRONMAN group is a sub-unit of the World Triathlon Corporation, a sports event promotion company owned by the conglomerate Advance Publications, and headquartered in Tampa, Florida. Unlike a park visitor's bike ride, Advance Publications stands to profit, indeed intends to profit, from the event. Thus, the event is, by its nature, a questionable use of national park system areas. Embedded within this request for a permit, this commercial event is also intended to create profits for the media that will record, live-stream and broadcast the event. Normally such an activity would be governed by 36 CFR 5.5. The NPS request for comment shows no intent of applying that regulation.

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The proposed event bears no relationship with the types of commercial activity Congress has legally authorized in the national park system in various concession

laws going as far back as the Yellowstone Act of 1872. Those laws authorize private commercial enterprises, under contract with the NPS, to provide limited and specific services (for a NPS-regulated fee) to those visitors coming to enjoy the park and its scenery, wild life and historic resources. The parks are not to be managed as a special venue for spectacles, athletic competitions or the like developed to be a cash register for the promoters.

Second, not only is this a commercial enterprise without any legal authority or relationship to the 'enjoyment' of the parks contemplated by Congress, it actually precludes enjoyment of the park by the public. IRONMAN's request demands that the NPS totally close a portion of the Parkway in Virginia (21 miles +) for a 24-hour period to the enjoyment by the public, which the NPS is actually mandated to provide. This is contrary to law and stands the NPS mission on its head.

Finally, IRONMAN is able to readily find a stretch of road suitable for its Triathlon event nearby the Parkway and need not utilize park the roads and lands owned by the people of the United States and set aside by them through Congress for their use and enjoyment. Surely Advance Publications and its offspring IRONMAN Group can find a 21-mile stretch of road in Virginia on lands that are not under the high level of protection as an area of the national park system. The very notion of excluding the people of the United States from enjoying their park even for one single day is as abhorrent as it is improper. IRONMAN Group is a sub-unit of a company registered in the United States. The status of its company registration, no matter its ownership of significant media markets, does not give that company exclusive use of NPS roads and lands at the expense of the people of the United States, not even for a single day.

To govern and restrict agency managers, NPS adopted its regulation at 36 CFR 2.50 in 1983. The IRONMAN proposal simply fails the most basic tests prescribed in 2.50 – Special Events.

For these reasons PEER urges you to deny the IRONMAN Group request for a Special Use Permit.

Cordially,



Jeff Ruch

PEER Pacific Director