

This alternative implements significant daily entry limits, which will result in fewer conflicts with wildlife, fewer air and sound emissions, and improved road conditions. Most snowmobilers entering the parks will be accompanied by a trained guide, which will reduce conflicts with wildlife and address concerns about safety. In addition, most snowmobiles and snowcoaches in the parks would be required to comply with air and sound requirements. For convenience, the snowmobile models that achieve those air and sound requirements are referred to as the best available technology (BAT). Use of BAT snowmobiles is expected to reduce the noise pollution and significantly reduce the amount of air pollution generated.

At the time of the November 2000 ROD, there were no current means of mitigation that would assure impacts to air quality and the natural soundscapes resulting from unregulated recreational snowmobile use could be reduced, predictably and soon, to a level that would not generally impair these resources and values. Cleaner snowmobiles were not commercially available at that time, nor was mass production of such machines imminent. Today, this technology has changed dramatically and is available to the public. Some four-stroke snowmobiles are substantially cleaner than standard two-stroke machines and are capable of reducing hydrocarbon emissions by up to 95% and carbon monoxide emissions by up to 85%. In addition, some four-stroke snowmobiles are quieter than standard two-stroke machines, testing at approximately 73 dB(A) versus 75–78 dB(A) for two-strokes.

This decision also reflects a commitment to provide protection of park resources and values. The decision allows appropriate levels of visitor use while recognizing that winter in YNP, GTNP, and the Parkway is a unique experience not duplicated on other public lands. Such uses are in a manner that ensures protection of park resources and values. Finally, the decision reflects the Service's concern for working closely and cooperatively with gateway communities. Within the limits authorized by the Organic Act and other legal authorities applicable to winter use in the parks, for any park's programs to be truly successful, a strong collaborative relationship with gateway community partners is essential. This relationship has been demonstrated in our planning process both by the role of these communities through the states and counties as cooperating agencies and by the March 2003 ROD.

Furthermore, the applicable laws and policies governing the NPS afford park

managers broad discretion. We are led to the inevitable conclusion that there is no single decision with respect to snowmobiles mandated by these laws and policies. This is reflected by the ROD from November 2000, which would have phased out the recreational use of snowmobiles in these parks over several years, and the March 2003 ROD, which permits recreational snowmobile use under strict numerical and technological limits, with adaptive management, to respond to future impacts from motorized winter use in these parks. The strict requirements set forth in this proposed rule will allow for a reasonable level of recreational snowmobile use to continue in a manner which protects, not impairs, park resources and values.

#### *Entrance Fees and Reservations*

Because of the absence of plowed roads and the limited facilities which are open within the parks in the winter, entrance to the parks via snowmobile or snowcoach is fundamentally different than visits during other seasons. As a practical matter, this proposed rule will effectively require that visitors wishing to enter Yellowstone via a snowmobile or snowcoach have an advance reservation. Therefore, entrance fees to Yellowstone will parallel this reservation system by becoming a daily entry fee system. Snowmobilers or snowcoach passengers wishing to enter the park over multiple days would still be able to purchase a multiple-day entry pass; however, visitors only entering the park on one day would now have the option of purchasing a one-day pass. In the past, the NPS has sold snowmobile entrance passes that allowed entry for seven consecutive days, however we wish to avoid the potential confusion to a visitor who might pay for a seven-day snowmobile entry fee, but only have reservations to actually enter the park for one day. We will be modifying our winter entry fees to reflect this distinction through a separate administrative process.

#### **Description of the Proposed Rule**

Many of the regulations regarding over-snow transportation have been in existence at the park under the authority of 36 CFR Part 7 or 36 CFR 1.5. Regulations such as the operating conditions, designated routes, and restricted hours of operation have been in effect and enforced by NPS employees for several years. They are included in this rule, with only slight modifications, to remind the public of all the regulations that apply to over-snow transportation for each park area. New regulations such as alcohol limits,

BAT requirements, daily entry limits and guiding requirements are new and are explained in detail in this proposed rule.

The NPS is proposing an adaptive management and monitoring strategy to mitigate the impacts described previously on air quality, employee and visitor health and safety, natural soundscapes, wildlife, and visitor experience, while allowing snowmobile access on all major oversnow routes in Yellowstone and Grand Teton National Parks and the John D. Rockefeller, Jr., Memorial Parkway. The NPS will continuously adapt these limits to protect park resources and values while allowing for the enjoyment of those resources by the American people. These preliminary limits are based on the best information available to the NPS, as described in the FSEIS. The NPS welcomes new information and data pertinent to its management of park resources and visitor use and will incorporate new information in the final rule and future adaptive management decisions as appropriate. In order to prevent impairment to park resources and values, this strategy requires implementation of the following components:

#### *Monitoring and Adaptive Management*

Adaptive management allows park managers to take management actions as new information is collected about a specific resource or issue. The NPS will conduct monitoring of park resources and values, including air quality, employee and visitor health and safety, natural soundscapes, wildlife, and visitor experience. If analysis of the monitoring data identifies unacceptable impacts to park resources and values are occurring, management actions will be taken to remedy the problem. Examples of initial methods, indicators, thresholds, and management actions are identified in Attachment A of the March 25, 2003, Record of Decision. Attachment A is available online at <http://www.nps.gov/grte/winteruse/winteruse.htm>. These management actions could include, but are not limited to, adjustment of daily entry limits, adjustment of BAT requirements, closure of road segments, changes in the commercial to non-commercial guiding ratio, establishment of timed-entries, increased road grooming, and others.

To allow for management flexibility (the premise of adaptive management) these proposed rules would authorize the Superintendent to make changes in winter use management, with advance public notice. For example, if improved snowmobile technologies became commercially available, the