

comparable BAT snowcoach, potentially carrying even more passengers, is audible for only 2,630 feet under the same conditions. Therefore, it is appropriate to allow snowcoaches to be somewhat louder individually, because they can carry many more passengers than a single snowmobile. In addition, the NPS is allowing additional time to phase-in BAT requirements for snowcoaches because of the substantial investment required to upgrade snowcoach technology. Historic snowcoaches are being initially exempted because the NPS wishes to provide incentives to continue operation of these machines to maintain the character of winter touring, as they add to the overall winter experience. Further, there are not very many of these vehicles operating in the parks, (approximately 29) and they provide additional options for visitors.

Issue: One commentator recommended that 2004 engine technology should be required as it becomes phased-in. They stated that replacement of original equipment manufacturer (OEM) equipment on older snowcoaches does not necessarily result in reduced emissions due to open-loop operation of emission control technology.

NPS Response: The NPS intends to work with operators to better understand snowcoach emissions and how they can be reduced. This recommendation could be part of adaptive management, recognizing a phase-in requirement due to the potentially significant investment.

Issue: A commentator asked the NPS to elaborate on how EPA's Tier 2 standards will significantly reduce the open loop mode of operation for snowcoaches.

NPS Response: New 2004 and later medium and heavy duty vehicles (or snowcoaches) will be cleaner and operate more often in closed-loop mode because of the new EPA rules in effect for 2004 and beyond. Manufacturers now have equipment and engine controls that will keep their engines operating in closed loop for more of their power curve, cutting down on the area where these engines would operate in a period of "enrichment" (open loop). Because the engine controls have not been implemented yet, there is some uncertainty about how much the open loop mode will be reduced.

General BAT

Issue: One commentator recommended that part 7.13 (l)(1) include a term defining BAT.

NPS Response: The regulatory text does not use the term "BAT". Therefore we have not defined it in the regulation.

Adaptive Management

Issue: Several commentators suggested there should be a written plan of what monitoring will be done at the minimum, and how, where, and when it will be conducted.

NPS Response: The Final SEIS and ROD included information (Table 12 and Appendix A, respectively) related to monitoring and adaptive management. We will periodically report to the public on the results of monitoring and adaptive management. Administrative details of monitoring are beyond the scope of this rule. We will continue to work with state regulatory agencies in our monitoring programs.

Issue: Several commentators expressed concerns regarding the timeframe for changes under adaptive management. One commentator recommended taking management actions for future winters in August or September, as opposed to July 1 as specified in the preamble of the proposed rule. Adequate time for appropriate analyses of monitoring results must occur. They suggested that a July 1 date does not allow sufficient time for collecting and reporting environmental monitoring data or for the installation of any updated vehicle equipment.

NPS Response: NPS recognizes that monitoring data can take several months to fully analyze. The winter season ends approximately the first week of March. This provides for over 3 months to complete data analysis and provide results to the NPS. At the same time, gateway communities, concessioners, and the public should have adequate notice before any changes are made to the management of winter use. Thus, it is our goal to notify the public of changes in winter use management by July 1. However, if monitoring results are not available by that time, notice could come at a later time.

Issue: One commentator noted that the adaptive management provisions of this rule will not allow for the public to comment on changes in management of winter use. Another commentator requested that in implementing adaptive management, the NPS consult with the cooperating agencies involved in the SEIS process. Another commentator questioned how substantive changes that might have impacts to the human environment can be accomplished through the adaptive management process. Several commentators suggested that the final regulation be more specific in outlining specific procedures entailed in the Parks' adaptive management process.

NPS Response: The public will be notified of all changes under adaptive

management, and the regulation has been clarified to reflect the process we will use to provide the public with notice. Some changes to winter use under adaptive management will be published in the **Federal Register** to provide notice to the public. Specifically, we will provide notice in the **Federal Register** and through one or more of the methods identified in 36 CFR 1.7(a) for changes to BAT air and sound emissions requirements, the commercial: non-commercial guiding ratio, new snowcoach-only routes, and the daily entry limits. The public will be notified of changes to other elements of this regulation, such as group size requirements, and hours of park operation, through one or more of the methods in 36 CFR 1.7(a). New snowmobile routes would be promulgated as a special regulation in accordance with 36 CFR 2.18(c). This is in keeping with the philosophy of adaptive management and will provide park managers with the flexibility necessary to respond quickly to changing circumstances and conditions. We will involve our partners, gateway communities, former cooperating agencies, and the public, as appropriate throughout the adaptive management process.

Issue: One commentator stated that if the adaptive management thresholds identified in the ROD are not violated, there will be significant pressure on NPS to relax the daily entry limits, BAT requirements, or guiding requirements. Another commentator stated that the proposed rule does not define what "unacceptable impacts" are under the adaptive management provisions, and it avoids establishing any criteria which would, if met or exceeded, require the Superintendent to impose new management strategies.

NPS Response: NPS will only take action under adaptive management when it is warranted based on resource conditions and visitor experience. Preliminary thresholds, and what constitutes "unacceptable impacts" were established in the SEIS and ROD (Table 12 and Appendix A, respectively) to protect park resources. The thresholds are not intended to necessarily automatically trigger action. Instead, these thresholds would be used by park managers, as would other factors, in a larger context of determining when adjustments in winter use management are appropriate.

Issue: The SEIS demonstrated that impacts of this rule already exceed the thresholds set for air quality, visibility, human health, natural soundscapes, wildlife, and visitor experience.