

NPS Response: While NPS does not agree with this blanket statement, actual monitoring will tell the NPS if the thresholds are exceeded. It is not possible to exceed the thresholds set by the ROD until the rule is actually implemented. Further, the SEIS impact analysis was based on models, projections, and expert judgements. While each of these have inherent limitations, they provide the best estimate of impacts. The models' fundamental purpose is to allow comparisons to be made among the alternatives.

Issue: One commentor said it is unacceptable to wait until a "future winter season" to make changes based on adaptive management. They said it should not take a full year to remedy health problems.

NPS Response: Existing regulations ensure that the Superintendent may take emergency action for safety (including health problems), resource protection, or other reasons under the authority of 36 CFR 1.5. For non-emergency adaptive management actions, we would ordinarily announce changes by July 1. These changes would be implemented in a future winter season. For some changes, this could be the following winter season, beginning that December (six months after the announcement). Other changes, which might require a phase-in, could be implemented in December of the following year (an 18-month phase-in).

Daily Entry Limits

Issue: There is no emissions-related basis for the specific limits on snowmobiles proposed in the regulations. The Final SEIS air quality analysis indicates the modeled levels of CO and PM10 will be well below the NAAQS limits. The Prevention of Significant Deterioration increment consumptions under these alternatives were below that permitted under the Clean Air Act. Emissions from snowmobiles do not result in a situation inconsistent with the NPS mission.

NPS Response: The parks are designated as Class I airsheds under the Clean Air Act, which requires that their air quality be the most pristine in the nation. The BAT requirements and daily entry limits are a necessary alternative to eliminating all snowmobile use in the parks.

Issue: One commentor requested that the NPS reconsider the requirement to count commercial guides towards the daily entry limits.

NPS Response: Exempting commercial guides from the daily entry limits would cause a substantial increase in the number of snowmobiles

operating in the parks. This increase would not be supported by the SEIS' analysis of impacts. Through adaptive management, daily entry limits could be subject to review and change.

Issue: One commentor questioned how the 40 snowmobiles allowed per day on Jackson Lake will be monitored, and if they would need a reservation.

NPS Response: The NPS will monitor the amount of snowmobile use on Jackson Lake through ranger patrols and visual observation by park staff. Entry to the lake is only at two locations, which may be readily monitored. Snowmobiles will have to be trailered to these two locations as there is no direct access to the lake from points where snowmobiles are otherwise permitted. The operational details of the monitoring are beyond the scope of this rule. If monitoring shows that the number of snowmobiles using Jackson Lake is sufficient to warrant a more stringent monitoring and/or reservation system, a reservation system will be developed as needed (in accordance with 36 CFR 1.5(d) and 1.6).

Issue: Several commentors stated the proposed restrictions on the number of snowmobiles allowed into YNP each day will increase, not decrease, the total number of snowmobiles permitted in the parks throughout a winter season.

NPS Response: This is the first time there has been a limit on snowmobiles in the parks. Therefore, it is inappropriate to compare daily entry limits with historic averages. Additionally, the limits are set below peak usage in the Parks, so they may reduce visitation on particular days. The daily entry limits do not automatically constitute an "increase" from historic visitation. First, it is uncertain at best if visitors will redistribute themselves to other entrances or to other days of the week because their preferred entrance and/or day are already fully utilized. Second, snowmobile visitation numbers for the past 10 years have not exhibited significant growth, nor are there any factors that lead NPS to conclude this trend will change (EIS 184 and SEIS 132).

Guiding

Issue: Some commentors suggested that NPS should not require that all snowmobilers travel in groups of at least two snowmobiles. These commentors believed photographers and other individuals wishing to travel alone should be permitted to do so.

NPS Response: We have removed group size limitations from the final regulation. This will allow the Superintendent the flexibility to determine group size requirements

based on adaptive management. Changes to group size requirements would be announced using one or more of the methods identified in 1.7 of this section. Initially, we will allow groups of 1–11 snowmobiles, which will permit individuals traveling by themselves to do so. The goal of establishing a minimum group size of two snowmobiles was to concentrate snowmobilers into groups, thus reducing the overall number of snowmobile-wildlife encounters. However, after taking into account public comments and further assessing visitor use patterns, we believe our interest in concentrating snowmobiles will be best achieved by other means. First, the requirement that 80% of all visitors travel with a commercial guide will concentrate groups together, because it is more economical for a guide to offer services with more snowmobiles in the group. Past practice in Yellowstone indicates that most commercially guided groups contain 8–11 snowmobiles. We believe this practice will continue. Further, only a very small number of snowmobile visitors travel by themselves (about 2% according to a 2002–2003 visitor survey). NPS believes this small number of additional groups would have negligible impacts to wildlife. Finally, visitor experience will be enhanced by allowing visitors the opportunity to have a solitary experience on snowmobiles.

Issue: Some commentors suggested that the NPS should adopt different ratios of commercial and non-commercial guides.

NPS Response: We are initially requiring that 80% of all entries be accompanied by a commercial guide, and 20% be accompanied by a non-commercial guide. Through adaptive management, we may alter this ratio. However, at this time we believe it to be prudent to maintain the 80/20 ratio, which was analyzed in the SEIS, selected in the ROD, and specified in the proposed rule in order to retain some opportunity for the public to view the park outside of a commercial group.

Issue: One commentor suggested that the non-commercial guide training should not be too cumbersome, and should be offered through the Internet or by mail. Another commentor suggested that the NPS invest the time and resources into making the non-commercial training program work and give it 2–3 years to work out any issues before making any changes.

NPS Response: NPS is currently developing the non-commercial guide training program. We have previously stated a goal to have the training be