

retrieve groceries, attend medical appointments, or conduct other types of daily activities which are neither recreational nor commercial in nature. These uses are not intended to count towards daily entry limits or similar types of regulated activities. The parks will be working to produce a directive that addresses this kind of use and manages it appropriately but similar to an administrative use.

Changes were made to paragraph (4) and language added to the new paragraph (6) based on input from the EPA regarding air emissions. EPA provided language on pollution control equipment for snowcoaches as well as language to clarify compliance with the FEL for snowmobiles.

A new paragraph (6) was added to each section to define how the makes, models and years of manufacture for snowmobiles will be approved for use in the parks. Specifically it introduced using the Family Emissions Limits (FEL) as the standard for demonstrating compliance with the hydrocarbon and carbon monoxide emission limits. Additional details on FEL are contained in the Summary of and Response to Comments. In general, after demonstrating compliance with BAT requirements particular snowmobile models will be approved for entry into the parks for six winter use seasons. However, the length of approval may be longer or shorter under the adaptive management framework. For example, technologies may begin to improve so rapidly that a shorter approval period could be warranted. In the future, the period of the approval for each snowmobile will be stated when published as an approved model. The period of approval will not be decreased once published. As of the 2003–2004 winter season, the following models of snowmobiles are approved for entry into the parks:

2002 Arctic Cat 4-Stroke Touring, 2002 Arctic Cat 4-Stroke Trail, 2002 Polaris Frontier Touring, 2003 Arctic Cat 4-Stroke Touring, 2003 Arctic Cat 4-Stroke Trail, 2003 Polaris Frontier Classic, 2003 Polaris Frontier Touring, 2004 Arctic Cat T660 Touring, 2004 Polaris Frontier Classic, and 2004 Polaris Frontier Touring. These snowmobiles are approved for entry into the parks through the 2008–2009 winter season.

Under paragraph (6) there are several references to a certain “model year” snowmobile. For the purposes of this paragraph, the model year refers to the calendar year the snowmobile is intended for use but the snowmobile generally becomes available for commercial sale during the previous

calendar year. For example, a model year 2005 snowmobile would generally become available for sale to the public during the fall of 2004.

Also under paragraph (6) a provision was added to specify the minimum barometric pressure at which snowmobiles could be tested to determine compliance with sound emission requirements. Many snowmobiles are tested at the place of manufacture or nearby which can be at a significantly different elevation than Yellowstone or Grand Teton National Parks. In order to make it clear what conditions are allowed for sound testing, a minimum barometric pressure was specified. Additional details on barometric pressure are contained in the Summary of and Response to Comments. Different emission reporting procedures are allowed for 2004 and prior model years because the EPA snowmobile emission regulations implementing FEL were not in effect.

Finally, under paragraph (6) a sentence was added to prohibit the entry of snowmobiles that have been modified in a manner that could affect air or sound emissions. There was a concern that a snowmobile model previously approved for entry could have after-market equipment added or mechanisms adjusted that could increase the decibel level of that model or increase the previously certified air emissions. Besides the possibility of increased air or sound emissions, it was necessary to prohibit these modifications in order to avoid the need for individual snowmobile testing. Modifications of snowmobiles approved under FEL that decrease air or sound emissions could be permitted.

In paragraph (7) language was added to clearly state that oversnow routes are designated in accordance with § 2.18(c). Although it was the intent of the proposed rule to comply with 2.18(c) when designating oversnow routes, it was not clearly stated and thus caused concern to some commentors. The final regulations also remove the language from the proposed rule that could have allowed the Superintendents to designate additional oversnow routes without going through rulemaking.

In paragraph (10) of Yellowstone and the Parkway, the specific group size numbers were removed from the rule. The Superintendents are establishing a maximum group size of 11 initially but will notify the public of this requirement or changes to the requirement through local methods. Had a specific number remained in the regulatory text, a notice in the **Federal Register** would have been required to change it. The final regulations also

eliminate the requirement for a minimum group size of 2 as explained in the response to comments.

Nonetheless, single snowmobile operators are still required to be certified as a snowmobile guide before operating in the park.

Similarly, the specific hours of operation for snowmobiles or snowcoaches are removed from the regulatory text for each of the parks. Initially, the hours of operation will be from 7 a.m. to 9 p.m. Had a specific number remained in the regulatory text, a notice in the **Federal Register** would have been required to change it. Changes to operating hours will be advertised through local methods.

Paragraph (11) for the Parkway was amended by modifying Table 1 to include a maximum number of snowmobiles on the road segment from Flagg Ranch to the South Entrance of Yellowstone. That road segment can only be accessed from inside the Parkway and the daily entry limit at the South Entrance of Yellowstone (only two miles north of Flagg Ranch) limits the number of snowmobiles that could proceed any further north. However, the park felt it was necessary to clarify that snowmobile use is permitted on that roadway and the daily limit is the same as the South Entrance of Yellowstone.

Paragraph (12) for Yellowstone was added to discuss the ways in which the daily entry limits will be applied and enforced. No reservation system exists for Grand Teton or the Parkway thus no similar regulations exist in those sections. First, a reservation system, managed by a contractor, has been set up to allocate all non-commercial daily entries. Commercial entries are allocated to local guiding businesses through a concessions contract. If you choose to use a commercial guiding service to enter the park, you will not need a separate reservation since this is already allocated to the commercial guiding service through their contract to operate inside the national park. Second, each snowmobile entering the park must have an entrance pass in addition to a reservation. Lastly, the Superintendent has prohibited the use of transferred reservations and entrance passes. This is intended to curtail the resale of these items for profit since there are a limited number of non-commercial reservations for each day. Additionally, the NPS is requiring that the person who holds the reservation must accompany the snowmobile group into the park in order to further discourage the mass purchase and resale of reservations. The NPS acknowledges the limitations of our ability to enforce such a requirement but will make every