

TABLE 4.—AMORTIZED NET BENEFITS PER YEAR FOR YELLOWSTONE AND GRAND TETON NATIONAL PARKS, 2003–2004 TO 2012–2013

	Amortized net benefits per year ^a
Alternative 2:	
Discounted at 3% ^b	–\$29,860,000 to –\$16,470,000
Discounted at 7% ^c	–\$29,663,000 to –\$16,517,000
Alternative 3:	
Discounted at 3% ^b	–\$19,242,000 to –\$14,097,000
Discounted at 7% ^c	–\$19,124,069 to –\$14,167,000
Alternative 4:	
Discounted at 3% ^b	–\$16,609,000 to –\$7,570,000
Discounted at 7% ^c	–\$16,524,000 to –\$7,718,000

^a This is the total present value of net benefits reported in Table 3 amortized over the ten-year analysis timeframe at the indicated discount rate.

^b The economics literature supports a 3% annual discount rate in the valuation of public goods (e.g., Freeman 1993). Federal rulemakings also support a 3% annual discount rate in the valuation of lost natural resource use (61 FR 453; 61 FR 20584).

^c Office of Management and Budget Circular A–94 (revised January 2003).

The range of net benefits for the valuation case represented by Tables 3 and 4 is entirely negative for Alternatives 2, 3, and 4.

Compliance With Other Laws

Regulatory Planning and Review (Executive Order 12866)

This document is a significant rule and has been reviewed by the Office of Management and Budget under Executive Order 12866.

(1) This rule will not have an effect of \$100 million or more on the economy. It will not adversely affect in a material way the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities. These conclusions are based on the analysis contained in the Final SEIS and a report entitled “Economic Analysis of Regulations on Snowmobile Use in the Greater Yellowstone Area” (MACTEC Engineering and Consulting, Inc., November 2003).

(2) This rule will not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency. Implementing actions under this rule will not interfere with plans by other agencies or local government plans, policies, or controls since this is an agency specific change.

(3) This rule does not alter the budgetary effects of entitlements, grants, user fees, or loan programs or the rights or obligations of their recipients. It only affects the use of over-snow machines within specific national parks. No grants or other forms of monetary supplement are involved.

(4) This rule may raise novel legal or policy issues. The issue has generated local as well as national interest on the subject in the Greater Yellowstone Area. The NPS received nearly 360,000 public comment letters on the draft SEIS and over 105,000 comments on the proposed

rule. Additionally, this is only the second NPS regulation to use an adaptive management strategy for managing visitor use levels. That concept, coupled with new provisions for Best Available Technology engine requirements, make this proposed rule unique to the NPS.

Regulatory Flexibility Act

The Department of the Interior certifies that this document will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This certification is based on information contained in the report entitled “Economic Analysis of Regulations on Snowmobile Use in the Greater Yellowstone Area” (MACTEC Engineering and Consulting, Inc. November 2003). This report is available on the Yellowstone website.

Small Business Regulatory Enforcement Fairness Act (SBREFA)

This rule is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. This rule:

- Does not have an annual effect on the economy of \$100 million or more.
- Will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions.
- Does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises. This rulemaking has no effect on methods of manufacturing or production and specifically affects the Montana, Idaho and Wyoming region near the parks, not national or U.S. based enterprises.

Unfunded Mandates Reform Act

This rule does not impose an unfunded mandate on State, local, or tribal governments or the private sector of more than \$100 million per year. The rule does not have a significant or unique effect on State, local or tribal governments or the private sector. It addresses public use of national park lands, and imposes no requirements on other agencies or governments.

Takings (Executive Order 12630)

In accordance with Executive Order 12630, the rule does not have significant takings implications. Access to private property located within or adjacent to the parks will still be afforded the same access during winter as before this rule. No other property is affected.

Federalism (Executive Order 13132)

In accordance with Executive Order 13132, the rule does not have sufficient federalism implications to warrant the preparation of a federalism assessment. It addresses public use of national park lands, and imposes no requirements on other agencies or governments.

Civil Justice Reform (Executive Order 12988)

In accordance with Executive Order 12988, the Office of the Solicitor has determined that this rule does not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of the Order.

Paperwork Reduction Act

This regulation does not require an information collection from 10 or more parties and a submission under the Paperwork Reduction Act is not required. An OMB form 83–I is not required.