

National Park Service  
U.S. Department of the Interior



Yellowstone and Grand Teton National Parks  
John D. Rockefeller, Jr. Memorial Parkway  
Wyoming, Montana, Idaho

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## Winter Use Plans Record of Decision

Responsible Official:

Karen Wade

Karen Wade  
Intermountain Regional Director  
National Park Service

Effective on:

March 25, 2003

Date

12 Noon MST

Time



## RECORD OF DECISION

### *Winter Use Plans – Supplemental Environmental Impact Statement for Yellowstone and Grand Teton National Parks and the John D. Rockefeller Jr., Memorial Parkway*

#### Table of Contents

	<u>Page</u>
<b><i>Part I: The Decision</i></b>	3
<i>Planning History</i>	4
1990 Winter Use Plan	4
Multi-Agency Winter Visitor Use Assessment	4
1997 Court Settlement - Winter Use Plans Environmental Impact Statement	4
2001 Rule	5
2001 Court Settlement - Winter Use Plans Supplemental Environmental Impact Statement	5
Delaying Rule	5
Purpose and Need for Action	6
Alternatives	7
Environmentally Preferred Alternative	7
<i>Issues or Concerns Not Addressed in the Plans/SEIS</i>	8
<i>Definitions</i>	8
<i>Actions and Assumptions Common to All Units</i>	8
Implementation	8
Regulation/Enforcement/Administration	8
Resource Protection	9
Visitor Use and Access	9
<i>Actions Specific to Yellowstone National Park</i>	10
<i>Actions Specific to Grand Teton National Park and the Parkway</i>	10
<i>Initial Daily Snowmobile Entry Limits</i>	11
<i>Monitoring and Adaptive Management</i>	12
<i>Requirement for Best Available Technology</i>	14
<i>Use of NPS Permitted Guides for Recreational Travel</i>	16
<b><i>Part II: Rationale for the Decision</i></b>	17
<i>Legal Framework</i>	17
Law	17
Executive Orders	18
Regulation	18
Interpretation of Policy	19
<i>Findings: How Environmental Issues were Considered and Addressed</i>	20

**Record of Decision – Winter Use FSEIS and Plans for YNP, GTNP, and the Parkway**

	<u>Page</u>
Park Resources and Values	20
Air Quality	21
Natural Soundscapes	22
Wildlife – Elk and Bison	22
Visitor Experience	22
<i>Findings: Factors Other Than Environmental Consequences</i>	
<i>Considered in Making the Decision</i>	23
Safety and Access	23
Economic Impacts on Local Communities	23
<i>Measures Taken to Avoid Environmental Harm</i>	24
<i>Conclusion</i>	24
<i>Public Involvement</i>	25
<i>Consultation</i>	25
Cooperating Agencies	25
American Indian Tribes	26
State Historic Preservation Offices	26
U.S. Fish and Wildlife Service	26
<i>Information Contacts</i>	27
<i>Attachment A – Monitoring and Adaptive Management Program</i>	A-1
<i>Attachment B – Comparison of FSEIS Alternatives</i>	B-1
<i>Attachment C – Summary of Public Comment</i>	C-1
<i>Attachment D - Winter Use Plan</i>	D-1

**RECORD OF DECISION**

***Winter Use Plans – Supplemental Environmental Impact Statement  
for Yellowstone and Grand Teton National Parks  
and the John D. Rockefeller Jr., Memorial Parkway***

**PART I: THE DECISION**

This decision is made as a result of the Winter Use Plans - Final Supplemental Environmental Impact Statement (FSEIS) for Yellowstone (YNP) and Grand Teton National Parks (GTNP) and the John D. Rockefeller Jr., Memorial Parkway (the Parkway) and will guide winter use management in the three park units. The decision is to select alternative 4, as described and evaluated in the FSEIS, with minor modifications to that alternative explained herein. Elements of the decision are given in detail below as actions and assumptions common to all three units, actions specific to Yellowstone, actions specific to Grand Teton and the Parkway, mitigation, and monitoring. The maps for alternative 4 and the description of each management zone provided in the FSEIS, while not duplicated in this Record of Decision, are features of this decision.

In order to implement the decision, the National Park Service (NPS) will propose to amend its regulations at 36 CFR 7.13 (l), 7.21 (a), and 7.22 (g). Although this decision is final for the purposes of this planning project, I may recommend modifications during the rule making process.

The selected alternative emphasizes cleaner, quieter access to the parks using the technologies commercially available today and calls for improvements in the future.

This decision addresses the full range of issues identified in the SEIS regarding safety, natural resource impacts, and visitor experience and access. It addresses the issues in a manner that will allow snowmobile users to access the parks under very strict limitations including, but not limited to, daily snowmobile entry limits, requirements that they utilize the best technology commercially available, and requirements that snowmobiles visit Yellowstone with a properly trained guide.

All components of the plan for winter use in Yellowstone, Grand Teton and the Parkway are contained in Attachment D.

## *Planning History*

### **1990 Winter Use Plan**

In 1990 a Winter Use Plan was completed for Yellowstone National Park, Grand Teton National Park, and the John D. Rockefeller, Jr., Memorial Parkway. In 1993 a winter operations evaluation was conducted which resulted in an agreement to evaluate winter use across the Greater Yellowstone area in conjunction with the U.S. Forest Service. This effort was in response to an earlier than expected increase in winter use. The 1990 Winter Use Plan projected 143,000 visitors for the year 2000. Winter visitors to YNP and GTNP in 1992-1993 exceeded this estimate.

### **Multi-Agency Winter Visitor Use Assessment**

In 1994 the Greater Yellowstone Coordinating Committee (GYCC), composed of National Park Superintendents and National Forest Supervisors within the Greater Yellowstone Area (GYA), recognized the trend toward increasing winter use and identified concerns relating to that use. The GYCC chartered an interagency study team to collect information relative to these concerns and perform an analysis of winter use in the GYA. The analysis, *Winter Visitor Use Management: A Multi-Agency Assessment*, was drafted in 1997 and approved by the GYCC for final publication in 1999. The assessment identifies desired conditions for the GYA, current areas of conflict, issues and concerns, and possible ways to address them. The final document considered and incorporated many comments from the general public, interest groups, and local and state governments surrounding public lands in the GYA.

### **1997 Court Settlement - Winter Use Plans Environmental Impact Statement**

Considerations embodied in the legal mandates discussed here prompted the Fund for Animals, et al., to sue the NPS in 1997. Specifically, the suit alleged the failure of the NPS to: consult with USFWS on impacts of winter use on threatened or endangered species; prepare an EIS concerning winter use; and evaluate the effects of trail grooming on wildlife and other parks' resources. While denying the allegations, the suit was resolved by a settlement agreement approved by the court in October 1997. The agreement committed the NPS to: write an EIS and determine a new winter use plan for the three park units; request formal consultation with USFWS; and evaluate the possible closure of a road segment in Yellowstone. One outcome of the 1997 settlement agreement was that the NPS evaluated the possibility of closing a winter road in Yellowstone in an Environmental Assessment completed in early 1988. The NPS decided to monitor and research bison use of groomed roads, an effort that has continued over the past six winters. In compliance with the settlement agreement the NPS released a Draft EIS (DEIS) in July 1999 and a Final EIS (FEIS) in October 2000. A Record of Decision (ROD) was signed on November 22, 2000, that included Alternative G as presented in the FEIS with modifications. The ROD called for the phase-out of snowmobiles by the winter of 2002-2003 and motorized access in the future by an NPS-managed snowcoach transportation system.

### **2001 Rule**

On January 22, 2001, a final rule was published in the Federal Register implementing the ROD of November 22, 2000. The effective date of the rule was delayed until April 22, 2001. The final rule, as published, delayed the commencement of the phase-out of snowmobiles provided for in the ROD by one year, with the phase-out to commence during the winter of 2002-2003 as a result of the restrictions on NPS imposed by Congress subsequent to the ROD.

### **2001 Court Settlement - Winter Use Plans Supplemental Environmental Impact Statement**

The International Snowmobile Manufacturers Association (ISMA), et al., filed suit against the Secretary of the Interior, et al., in December 2000. The suit alleged that NPS violated the Administrative Procedure Act, the National Environmental Policy Act, the National Park Service Organic Act, and other laws. The State of Wyoming intervened on behalf of ISMA, and the Greater Yellowstone Coalition, et al., intervened on behalf of the Department of the Interior and NPS. While denying the allegations, Interior and NPS agreed in a settlement that a Supplemental EIS considering new information and technology would further the purposes of NEPA.

Subsequent to the settlement, all agencies who were cooperating agencies during the earlier EIS process agreed to be cooperating agencies for the Supplemental EIS. These agencies are: the U.S. Forest Service; the States of Montana, Idaho, and Wyoming; Fremont County in Idaho; Gallatin and Park Counties in Montana; and Park and Teton Counties in Wyoming. In addition, the Environmental Protection Agency (EPA) was requested by NPS to be an additional cooperating agency in this effort, and EPA agreed.

The purpose for preparing a Supplemental EIS, as published in the Federal Register Notice of Intent, is as follows: “The preparation of a supplemental EIS is deemed necessary to further the purposes of the National Environmental Policy Act. Soliciting more public comment on the earlier decision and alternatives to it would further the purposes of the National Environmental Policy Act (NEPA). Additional information from the International Snowmobile Manufacturers Association will be considered, as well as any other new or updated information not available at the time of the earlier decision.”

### **Delaying Rule**

On March 29, 2002, the NPS published a proposed rule in the Federal Register to generally delay for one year the phase-out of snowmobiles in the parks under the January 2001 snowmobile regulations. The additional time was needed to complete the SEIS. The final rule was published on November 18, 2002, and went into effect on December 18, 2002, providing for the phase-out of snowmobiles to be in effect for the winter of 2004-2005.<sup>1</sup>

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<sup>1</sup> A challenge to this one year delay in the phase out of recreational snowmobile use in the parks was filed in the U.S. District Court for the District of Columbia. *Fund for Animals, et al., v. Norton, et al.*, Civ. No. 02-2367 (EGS)(D.D.C.).

### **Purpose and Need for Action**

The purpose and need for action as the basis for this SEIS, in accordance with CEQ regulations (40 CFR 1502.13), is the same as that for the FEIS. Some of the information in the FEIS purpose and need section was responsive to comments received on the draft SEIS. The fundamental purpose and need for action is framed by a set of desired conditions, compared to existing conditions. The desired conditions are distilled from the large body of laws, regulations, Executive Orders, and policies that guide management of the national park system. Alternatives are different ways of addressing existing conditions and moving toward the desired state.

These bulleted statements express desired conditions or objectives for winter use management, tying directly to laws, regulations, Executive Orders, and policies:

- Visitors have a range of appropriate winter recreation opportunities from primitive to developed. Winter recreation complements the unique characteristics of each landscape within the ecosystem.
- Recreational experiences are offered in an appropriate setting; they do not take place where they will irreparably impact air quality, wildlife, cultural areas, the experiences of other park visitors, or other park values and resources.
- High quality facilities are provided in parks to support the need for safety and enhanced visitor experiences.
- Conflicts among user groups are minimal.
- Visitors know how to participate safely in winter use activities without damaging resources.
- Oversnow vehicle sound and emission levels are reduced to protect employee and public health and safety, enhance visitor experience, and protect natural resources.

Those elements of the November 2000 decision and rule are being reevaluated as a function of the new information about snowmobile technology. That earlier decision is presented as alternative 1a, no action, in the SEIS. Alternative 1b is the same in all respects to alternative 1a as far as final implementation is concerned, but it would allow another year for phase-in. The basis for alternatives 2, 3, and 4 describes how different levels and locations of snowmobile use could be accommodated. In the previous EIS, recreational use considerations and supporting facilities were limited to those considered technically possible at the time, or feasible for development and implementation. Alternatives evaluated in the Draft EIS that proposed implementation of “clean and quiet” standards were criticized during the public comment period as impractical because technology was unavailable or because NPS was alleged to have no authority to impose such measures.<sup>2</sup> Because of the settlement agreement, the SEIS specifically evaluates improvements in snowmobile technology as to how they may change impacts on park

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<sup>2</sup> The analysis and the alternatives in the FSEIS are not vastly different than those in the Final EIS. What appears to have changed is the snowmobiling public's perception regarding new technology, or its willingness to consider its use, and industry's willingness and ability to produce it. Also, based on public comment, it appears the snowmobiling public acknowledges NPS' authority to impose these kinds of restrictions, which was not the case in the response to alternatives in the Draft EIS.



## Record of Decision – Winter Use FSEIS and Plans for YNP, GTNP, and the Parkway

resources and values, such as air quality, the natural soundscape, and visitor experience. Because use limits are imposed as features of the SEIS alternatives, social and economic impacts were also reevaluated.

The decision to be made based on the analysis in the Final SEIS must consider the conclusions in the Final EIS regarding adverse impacts from existing types and levels of use and the finding in the November 2000 ROD and the January 2001 final rule that these impacts (individually and collectively) constitute impairment of park resources and values.<sup>3</sup> NPS stated in the proposed rule implementing the ROD that, “it would be necessary to establish very strict limitations on that use (snowmobiles) to remain consistent with the NPS Organic, the relevant Executive Orders, the NPS general snowmobile regulations, and other applicable requirements.”

Director’s Order 12, which provides current direction on the preparation of environmental documents, requires an assessment of impairment for each resource impact topic.

### Alternatives

Five alternatives for winter visitor use in the three park units are evaluated in the FSEIS. Three of the alternatives (alternatives 2, 3, and 4) are limited specifically to actions that allow snowmobile recreation to continue in the parks. Alternative 1a was the selected alternative in the *Record of Decision for the Winter Use Plans and Final Environmental Impact Statement for Yellowstone and Grand Teton National Parks and the John D. Rockefeller, Jr., Memorial Parkway* (ROD) as modified by the final rule published in the Federal Register on January 22, 2001. This alternative serves as the no action alternative. Alternative 1b is the same as alternative 1a, but it defers implementation for one more year. The remaining alternatives for the SEIS were formulated in response to the concern that information on new snowmobile technologies and other connected issues was not included in the original Final EIS. Consequently, alternatives 2, 3, and 4 were formulated specifically to provide an additional basis for the choice of snowmobiles as a mode of winter transportation in the parks. Alternative 4, the preferred alternative, was not included in the Draft SEIS, but has been included and analyzed in the Final SEIS. Attachment B - Table S-1 from the FSEIS summarizes the features of all alternatives.

### Environmentally Preferred Alternative

Based on reduced impacts to human health and safety, air quality, visitor access, the natural soundscape, and wildlife the NPS has identified alternative 1b as the environmentally preferred alternative. The environmentally preferred alternative only takes into account primarily environmental impacts, whereas the NPS preferred alternative takes into account a broader set of factors, including laws, regulations, and policies; socioeconomic effects; public comments; an appropriate phase-in; as well as environmental concerns. The NPS believes that through monitoring and adaptive

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<sup>3</sup> This is a matter of record. The SEIS is a supplement to the Final EIS per the settlement, and the context in which it is being written is the acceptance of new data, not a conclusion that the Final EIS and ROD are incorrect as alleged in the ISMA litigation.

## Record of Decision – Winter Use FSEIS and Plans for YNP, GTNP, and the Parkway

management, the resource conditions that would have been achieved under Alternative 1b can be reached with the selective alternative.

### *Issues or Concerns Not Addressed in the Plans/SEIS*

The scope of analysis determines the range of alternatives to be considered. Pages 7-8 in the Final EIS describe the scope of analysis resulting in the seven alternatives evaluated in that document. The analysis in the FSEIS is more limited in scope than that in the FEIS, focusing primarily on the impact of snowmobile use that would continue under essentially four differing alternatives. Existing condition is described as the current decision. Because the settlement agreement was fundamentally predicated on “furthering the purposes of NEPA,” and considering new information about snowmobile technology that was unavailable at the time of the Final EIS and ROD, only those alternative elements having to do with snowmobile and snowcoach use were evaluated. All components of the Winter Use Plan for YNP, GTNP, and the Parkway are listed in Attachment D.

### *Definitions*

Refer to Glossary, Page 295 in the FSEIS

### *Actions and Assumptions Common to All Units*

#### **Implementation**

- Unless otherwise noted, the parks will implement all actions identified by alternative 4 of the Final SEIS the winter following the Record of Decision (ROD) for the winter use plans. Actions requiring a change in regulations will be implemented once the new regulations are effective.
- In the development of various implementation details the NPS will coordinate and consult with gateway communities, concessioners, and winter permittees.
- NPS will coordinate with gateway communities, concessioners and winter permittees, and state tourism programs on a new marketing strategy designed to facilitate winter visitation.
- For the winters of 2003-2004 and 2004-2005, implement initial daily snowmobile entry limits. These daily entry limits will remain in effect in perpetuity unless changed by the superintendents. Changes to the daily entry limits will be made with appropriate public notice in accordance with 36 CFR 1.7.

#### **Regulation/Enforcement/Administration**

- None of the actions preclude road or other closures for safety, resource protection, or other reasons as identified in 36 CFR 1.5 or 2.18.
- Require new oversnow vehicles purchased by the parks to conform to the best available technology requirements, and that other vehicles are retrofitted whenever

## **Record of Decision – Winter Use FSEIS and Plans for YNP, GTNP, and the Parkway**

possible with new technologies designed to lower sound and emission levels. Given the need for pursuit and off-road search and rescue use, vehicles used for law enforcement or emergency purposes could be exempt from BAT requirements.

- Increase the field presence of park employees during the first two years under the new plan to monitor, anticipate, detect, and mitigate impacts to park resources and values and to increase visitor safety.

### **Resource Protection**

- Implement a comprehensive monitoring program building on previous scientific studies and monitoring regarding winter visitor use and park resources. Revise daily limits, modify best available technology (BAT) requirements, increase the percent of commercially-guided daily entries, close selected areas of the park, including sections of roads, to visitor use if monitoring indicates that human presence or activities have a detrimental effect on wildlife populations or other park resources or values that could not otherwise be mitigated. The appropriate level of environmental assessment under NEPA will be completed for all actions as required by CEQ regulations (40 CFR parts 1500-1508).
- Notice will ordinarily be given by July 1 before any closure or new requirements are implemented for future winter seasons unless immediate action is deemed necessary to avoid impairment of park resources or to protect public safety.

### **Visitor Use and Access**

- NPS will determine visitor use capacities based on studies that set indicators and thresholds for desired visitor experiences and resource conditions. The NPS will monitor indicators to maintain the conditions for each management prescription. If necessary, techniques such as reservations, permits, and differential fees will be implemented (see Final SEIS Zone Descriptions as presented in Table 8).
- Backcountry non-motorized use will continue to be allowed throughout the parks except where designated otherwise for resource protection purposes (shown as Area of Designated Trail Use or Zone 11 on Figures 8 and 14 in the Final EIS).
- Other means of oversnow travel not foreseen in this Record of Decision must be specifically approved by the park superintendents.
- Oversnow vehicles must comply with appropriate BAT requirements.
- Prohibit recreational motorized oversnow travel from 9 P.M. to 7 A.M. unless specifically authorized. This was the nighttime closure that was implemented during the 2002-2003 winter season and was successful at improving visitor safety while reducing conflicts with wildlife.
- Continue with and improve the information program on snow and trail conditions, points of interest, and available recreational opportunities. Through partnerships, establish park visitor contact opportunities in gateway communities and utilize state tourism programs.

## Record of Decision – Winter Use FSEIS and Plans for YNP, GTNP, and the Parkway

- Implement a reservation system through a third party to manage the daily entries that are non-commercially guided. This reservation system would potentially allow for re-allocation from non-commercial to commercial allocations, if the non-commercial entries are not fully utilized on a given day. However, unused commercially guided entries would not be reallocated for non-commercial use. The reservation system would be in place for the winter of 2003-2004, and all visitors to YNP wishing to snowmobile would need reservations.
- Complete the concession contracting process prior to the beginning of the 2003-2004 winter season for commercially-guided snowmobile entries.
- Develop a non-commercial guide training and certification program to be implemented the winter season of 2004-2005. Such training may be available as an option in 2003-2004, and would be mandatory in subsequent winters.

### *Actions Specific to Yellowstone National Park*

- Continue allowing personal non-recreational use of snowmobiles by employees and their families living in the interior of Yellowstone. This use will not count against daily entry limits. Subject to available funding, provide administrative snowmobiles and snowcoaches for their use and encourage them to replace personally owned snowmobiles with ones that meet BAT requirements.
- Allow on a limited basis as administrative use, snowmobiles by concessioners to support their operation. Require best available technologies (through permit and contracts) and encourage the use of snowcoaches.
- With one exception, those roads that were restricted to snowcoach-only motorized travel in the winter of 2002-2003 will remain as snowcoach-only unless modified by the superintendent in accordance with the adaptive management provisions of this decision. The Lake Butte Road would be open to snowmobiles beginning in the winter of 2003. I am permitting snowmobile travel along this side road only because its closure to snowmobiles does not achieve a spatial separation of snowcoach and snowmobile users. There currently are no snowcoaches operating along the East Entrance-Fishing Bridge road segment or on the Lake Butte side road. In addition, this side road differs from others because it is only approximately one mile long and provides access to one specific scenic point, as opposed to a “thru” route paralleling main roads.

### *Actions Specific to Grand Teton National Park and the Parkway*

- Snowplanes will continue to be prohibited in accordance with 36 CFR 7.22. For the purpose of winter fishing, limited snowmobile use on Jackson Lake’s frozen surface will be permitted in accordance with the daily limits identified in Table 1 of this ROD. Only snowmobiles that meet the best available technology and other requirements will be permitted access. Maximum speed will be limited to 25 miles per hour and access will be permitted from Colter Bay and Signal Mountain only. Those using the lake surface must have in their possession a valid Wyoming fishing license, fishing equipment, and may only travel directly to and from a fishing area.

## Record of Decision – Winter Use FSEIS and Plans for YNP, GTNP, and the Parkway

Other recreational snowmobile use on Jackson Lake will be prohibited. Jackson Lake could have motorized and non-motorized zones to provide spatial separation of users. I am permitting snowmobile use on Jackson Lake with strict limitations to allow for a continuation of the long-standing practice of winter ice fishing in cooperation with the State of Wyoming Department of Game and Fish.

- Phase-in administrative snowmobile types that meet the best available technology requirements. Administrative use of snowmobiles in Grand Teton is limited to law enforcement, utility and maintenance access, permitted scientific studies, search and rescue or other use as approved by the superintendent.<sup>4</sup>
- In GTNP and the Parkway, BAT requirements would apply to all snowmobiles on the Continental Divide Snowmobile Trail (CDST). BAT requirements would also apply to all snowmobiles originating at Flagg Ranch and traveling west on the Grassy Lake Road. Snowmobiles originating in the Targhee National Forest and traveling eastbound on the Grassy Lake Road would not be required to be BAT because it is not necessary due to the low volume of use and the fact that most use originates on the Targhee National Forest and the majority of that use does not travel beyond Flagg Ranch. Resulting impacts on park resources and values including wildlife and visitor experience are negligible. However, these snowmobiles may not travel further than Flagg Ranch. These requirements would be effective beginning with the winter season of 2004-2005. I am not requiring eastbound snowmobile travel on the Grassy Lake Road to meet BAT requirements so as to allow snowmobile use that originates in the Targhee National Forest the opportunity to utilize the facilities at Flagg Ranch Resort for visitor safety and comfort.

### *Initial Daily Snowmobile Entry Limits*

Implementation of these limits is to ensure that use is strictly limited and the level of impact associated with peak use is dramatically reduced. The limits will ensure use does not exceed the current average use through the West Entrance, but allow for modest increases at the other entrances and road segments, and the level of impact associated with it. Historically, use has fluctuated daily, increasing especially during certain holiday periods. Use limits should act to regulate such fluctuations and visitation and therefore lessen subsequent impacts. Use limits identified in Table 1 include the guide and their snowmobile; thus, both commercial and non-commercial guides are counted towards fulfilling the daily entry limits. Based on the use of cleaner and quieter snowmobiles required by this ROD utilizing BAT and concerns for safety and wildlife impacts, during the winters of 2003-2004 and 2004-2005 limits will be as follows:

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<sup>4</sup> EO 11644, sections (3) and (4)

**Table 1. Initial daily limits on recreational snowmobile use for Yellowstone/Grand Teton/Parkway entrances and road segments**

<b>Entrance or Road Segment</b>	<b>Daily Limit for Commercially Guided Snowmobile Use</b>	<b>Daily Limit for Non-Commercially Guided Snowmobile Use</b>	<b>Total</b>
North Entrance	40	10	50
East Entrance	80	20	100
West Entrance	440	110	550
South Entrance	200	50	250
Grassy Lake Road	N/A	N/A	75*
Continental Divide Snowmobile Trail	N/A	N/A	75*
Jackson Lake	N/A	N/A	40*

\* Given the unique aspects of travel on these road segments and Jackson Lake, the users are not required to be accompanied by a guide. Guiding is not required due to the low volume of use, the conditions for access to the lake for winter fishing, the through road characteristics of the CDST, as well as the inter-agency jurisdiction on the Grassy Lake Road. With respect to the Grassy Lake Road and the CDST, impacts on park resources and values are negligible.

- Initially, visitors who enter Yellowstone through one entrance, exit the park at another entrance in order to spend that night out of the park, and then re-enter on the following day will not be counted towards the daily entry limits on the following day. Also, visitors spending the night in Yellowstone such as at Old Faithful or Canyon would only count towards the daily entry limit on the day they initially enter the park.
- Initially, snowmobiles rented at Old Faithful by an authorized concessioner will not count against daily entry limits. Both of these provisions may be modified through adaptive management.

### *Monitoring and Adaptive Management*

In order to assess the long-term effects of management actions on park resources and values, resource inventory, monitoring, and adaptive management are incorporated into this decision. The key resources and values potentially impacted by winter recreation use in the three park units are air quality, wildlife, sound, water resources, safety, and visitor experience.

An adaptive management plan is different from a monitoring plan in that it allows park managers to act when information exists about a specific resource but conclusive data is currently unavailable. The first step in adaptive management is to develop and implement a management scenario based on the best available information. The next step is to implement an evaluation program to assess the success of the management scenario relative to defined resource thresholds. This evaluation is critical within the framework of adaptive management because of the uncertain results of the initial predictions.

## **Record of Decision – Winter Use FSEIS and Plans for YNP, GTNP, and the Parkway**

Managers then review the results of the evaluation program and may adjust activities or use limits to mitigate unplanned or undesirable outcomes. For example, if the visitor limits set for a park entrance have a greater or lesser effect on resource thresholds than predicted, then the number of snowmobiles allowed to enter the parks could be raised or lowered accordingly. Further discussion on the adaptive management process may be found in Appendix I of the Final EIS.

Monitoring is also a component of this decision. General resource monitoring applies when adequate information exists to make informed management decisions based on discrete and accepted thresholds. It is the process of collecting information to evaluate whether or not the objectives of a management plan are being realized.

Attachment A outlines specific indicators, thresholds, and potential management actions for monitoring these resources and values. The indicators will be monitored to ensure protection of natural resources and park values and evaluate management success.

Monitoring programs will be coordinated between Yellowstone and Grand Teton National Parks. The programs will function and be coordinated through the resource management staffs of both parks. Annual plans and reports will be developed through the resource management staffs. Actual monitoring responsibilities for park personnel will be assigned through annual plans.

Monitoring programs will be conducted on a sampling basis for the purpose of effective use of funds and personnel. It is expected that initial monitoring will be intensive, both in geographic and temporal extent, so that correlations can be made and results can be extrapolated. It is also expected that monitoring over time will become less intensive and arrive at a low intensity, maintenance level. Sampling schedules may vary from year to year, focusing on different areas within the park units. The parks will report the results of monitoring programs annually to the public.

If there is insufficient funding to fully implement monitoring and adaptive management programs, the management options identified in Attachment A are available to park managers to protect park resources.

If monitoring or adaptive management lead park managers to take management actions (such as changing the daily entry limits, altering the commercial:non-commercial guide ratio, revising BAT requirements, etc.), the superintendents will provide appropriate public notice in accordance with 36 CFR 1.7. Implementation of these actions could require changes to the superintendent's compendium. To provide the public with sufficient notice, changes to the superintendent's compendium would ordinarily be made by July 1 and implemented in a future winter season. Generally, the parks would not initiate formal rulemaking and publish in the Federal Register to effect changes in winter use management.

*Requirement for Best Available Technology*

The NPS Organic Act (16 USC 1,3) authorizes the Secretary of the Interior to make such rules as are necessary to “conserve the scenery and the natural and historic objects and the wildlife” of national parks. The BAT approach is not a restriction on what manufacturers may produce but an end-use restriction on which commercially produced snowmobiles and snowcoaches may be used in the parks. This exercise of the NPS Organic Act authority is not an effort by the NPS to regulate manufacturers and is consistent with Sec. 310 of the Clean Air Act, which preserves the authority of other federal agencies.

In recent years, some snowmobile manufacturers have made significant improvements at reducing air and noise emissions in some snowmobile models. To date, the 2002 Arctic Cat 4-Stroke Touring and the 2002 Polaris Frontier four-stroke represent the cleanest and quietest production snowmobiles that have been tested. These snowmobiles are capable of reducing hydrocarbon emissions by 95-98% and carbon monoxide by 85%, as compared to a standard two-stroke snowmobile. In addition, four-stroke snowmobiles typically perform at sound levels below 73 dB as measured on the A-weighted scale, as compared to two-stroke snowmobiles which typically perform at 75-80 dB(A). Four-stroke snowmobiles also produce more even frequency spectra and are less audible over a distance, relative to two-stroke snowmobiles.

Therefore, to mitigate impacts to air quality and the natural soundscape, NPS is requiring that recreational snowmobiles entering the parks be Best Available Technology (BAT). Initially, BAT would be set as any snowmobile commercially available that can achieve a 90% reduction in hydrocarbons and a 70% reduction in carbon monoxide from EPA’s baseline assumptions for uncontrolled snowmobiles as published in the Federal Register on November 8, 2002. Thus, any recreational snowmobile entering YNP must achieve emissions below 15 g/kW-hr for hydrocarbons and 120 g/kW-hr for carbon monoxide. Snowmobiles must be tested on a 5-mode engine dynamometer with all test data provided to the NPS for review.

Snowmobiles would also be required to operate at or below 73 dB(A), as measured at full throttle according to Society of Automotive Engineers (SAE) J192 test procedures. The SAE J192 test protocol is at full throttle but does not require the snowmobile being tested to be a specific speed. The equipment that measures sound levels is 50 feet from where the snowmobile passes by and has traveled down a 150 foot track. The initial BAT requirement for sound was established by reviewing individual machine results from side-by-side testing performed by the NPS’ contractor, Harris Miller Miller & Hanson Inc. (HMMH) and the State of Wyoming’s contractor, Jackson Hole Scientific Investigations, Inc (JHSI). These separate reports independently concluded that the six four-stroke snowmobiles tested between 69.6 and 77.0 dB(A) using the J192 protocol. On average, the HMMH and JHSI studies measured 4-strokes at 73.1 and 72.8 dB(A) at full throttle, respectively. When these tests were performed on the 4-stroke snowmobiles, they were moving past the test equipment at between 26 and 28 miles per hour (at full



## Record of Decision – Winter Use FSEIS and Plans for YNP, GTNP, and the Parkway

throttle). The SAE J192 test also allows for a tolerance of 2 dB(A) over the sound limit to account for variations in weather, snow conditions, and other factors. It would be the responsibility of the snowmobile manufacturers and/or guides and outfitters to demonstrate snowmobiles which are compliant with BAT requirements.

For non-historic snowcoaches, BAT air emissions would be the same as those for snowmobiles: 15 g/kW-hr for hydrocarbons and 120 g/kW-hr for carbon monoxide by the winter of 2005-2006. For sound emissions, snowcoaches would be required to operate at or below 75 dB by the winter of 2008-2009 as measured at 25 mph on the A-weighted scale at 50 feet. Historic snowcoaches (defined as a Bombardier snowcoach manufactured in 1983 or earlier) would initially be exempt from air and sound requirements; however, NPS would work with snowcoach owners to retrofit historic snowcoaches to meet BAT requirements. Because of the relatively few Bombardier snowcoaches currently operating (about 29), the NPS believes it is reasonable and prudent to work with outfitters and concessioners to determine how best to upgrade their equipment.

It is the goal of the NPS that these be considered initial thresholds. The NPS fully expects, and industry has stated that, technological improvements will continue and that snowmobiles entering the parks will be even cleaner and quieter than the machines evaluated for the SEIS. NPS plans to work cooperatively with manufacturers and guides and outfitters in preparing and publishing annually a list of snowmobile makes, models, and year of manufacturer that meet BAT requirements. Each model of snowmobile would be certified for entry into the parks for six years after the time it was published on the list. Individual snowmobiles modified in such a way as to increase sound and air emissions of HC and CO would be denied entry to the parks. At this time, NPS has sufficient test data on the 2002 Arctic Cat 4-Stroke and the 2002 Polaris Frontier to determine that they meet BAT requirements established in this ROD.<sup>5</sup> No other models of snowmobiles would be allowed into the parks unless they were subjected to the testing described above and met BAT requirements. It would be the responsibility of the end users (guides and outfitters, or private riders) to ensure that their snowmobiles met the BAT requirements.

All commercially guided snowmobiles entering YNP beginning with the winter season of 2003-2004 would be required to be BAT. Beginning with the winter season of 2004-2005, all snowmobiles would be required to be BAT.

All commercially guided snowmobiles entering GTNP and the Parkway beginning with the winter season of 2003-2004 would be required to be BAT. Beginning with the winter season of 2004-2005, all snowmobiles would be required to be BAT. Snowmobiles originating in the Targhee National Forest and travelling on the Grassy Lake Road into the Parkway would not be required to be BAT; however, these snowmobiles could not travel further than Flagg Ranch.

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<sup>5</sup> At this time the NPS has not received test data on 2003 and 2004 snowmobiles. Once this information has been received a determination will be made with regard to BAT requirements.

## Record of Decision – Winter Use FSEIS and Plans for YNP, GTNP, and the Parkway

Under the adaptive management framework, BAT requirements could be adjusted annually to protect park resources and values, including air quality, natural soundscapes, wildlife, visitor experience, and employee health and visitor safety. Based on technology improvements in the past few years, the NPS expects that snowmobile technology will continue to improve, reducing sound and air emissions. In the future, other testing methods than those presented here, could be approved by NPS on a case-by-case basis. NPS would initially certify makes, models, and year of manufacture as opposed to individual machines for entry.

### *Use of NPS Permitted Guides for Recreational Travel*

To mitigate impacts to wildlife, visitors, employees, and safety, all recreational snowmobiles operated in Yellowstone National Park would be required to be accompanied by a trained guide. Eighty percent of the daily limit on snowmobile entries through each entrance would be allocated for commercially guided tours under concessions contracts similar to those currently operating in the parks. Commercial guides would be required to be educated in safety, interpretive skills, and appropriate actions for minimizing impacts to resources and other visitors. The remaining 20 percent of snowmobile entries will be available for non-commercially guided trips that require a member of the group to be certified by NPS as qualified to lead a group of snowmobilers. Non-commercial guides would undergo a training program approved by NPS that would address park rules, safety considerations, and appropriate actions to minimize impacts to wildlife and other park resources. Guided groups may contain from 2 to 11 snowmobiles, including the guide's machine.

Beginning with the winter season of 2003-2004, eighty percent of daily snowmobile entries through each Yellowstone entrance would be required to be accompanied by a commercial guide. The remaining twenty-percent would be available for individuals with no guiding requirement for the 2003-2004 winter season only. Beginning with the winter season of 2004-2005, all of the daily snowmobile entries reserved for non-commercially guided parties would be required to be accompanied by a non-commercial guide who had completed the NPS-approved training program. This delay in the implementation of the non-commercial guiding requirement for one season is to allow sufficient time for the NPS to work with states, counties, and other partners to develop a comprehensive non-commercial guide training program.

In the Parkway, all snowmobile parties traveling north of Flagg Ranch would be required to be accompanied by a guide, with the same ratio and phase in as described above for YNP. Our experience is that such snowmobilers do travel to YNP and this will avoid problems resulting from unguided parties arriving at the South Entrance of YNP. All other snowmobilers in Grand Teton and the Parkway would not be required to be accompanied by a guide. Guiding is not required due to the low volume of use, the conditions for access to Jackson Lake for winter fishing, the through road characteristics of the CDST, as well as the inter-agency jurisdiction on the Grassy Lake Road. With

## **Record of Decision – Winter Use FSEIS and Plans for YNP, GTNP, and the Parkway**

respect to the Grassy Lake Road and the CDST, impacts on park resources and values are negligible.

Under the adaptive management framework, guiding requirements, including the commercial/non-commercial guide ratio and any training requirements for members of non-commercially guided parties could be adjusted annually to protect park resources and values, including air quality, natural soundscapes, wildlife, visitor experience, and employee health and visitor safety.

Non-commercial guides may not provide guiding services for a fee or compensation.

### **PART II: RATIONALE FOR THE DECISION**

This section provides the rationale for selecting Final SEIS alternative 4, as modified, as the decision and the basis for winter use plans in the three park units. In arriving at this decision, I have considered the detailed analysis of effects in the Final SEIS for a range of alternative plans that would govern winter use. I have considered how each alternative responds to the purpose and need for action to improve existing conditions in the parks and move them toward a desired condition that is implicit in NPS mandates. In doing so, I considered the impacts for each alternative program and considered them for their affirmative direction for protecting park resources and values, and their enjoyment by future generations, from adverse impacts or impairment. I also considered the degree to which each alternative would enhance the condition of resources or values and the enjoyment thereof. Other considerations include socioeconomic impacts, effects on lands adjacent to the three parks, the plans or desires articulated by local communities and nonfederal governments, and the full body of public comments on the draft SEIS. All these considerations are presented below as they contribute to the decision.

The fundamental basis for the decision is the direction provided in laws, regulations, executive orders, and policies that relate to human uses of the parks and their effect on park resources and values. This basis is overlain by the analysis of effects on park resources and values disclosed in the FSEIS. Then, conclusions or findings are made about the alternatives and their effects in relation to the key mandates regarding adverse impacts and impairment. Other considerations are incorporated into the discussion.

#### *Legal Framework*

##### **Law**

The fundamental purpose of the national park system established by the Organic Act and reaffirmed by the General Authorities Act, as amended, begins with a mandate to conserve park resources and values. This mandate is independent of the separate prohibition on impairment and is always applicable, with respect to all park resources and values, even when there is no risk that any park resources or values may be impaired.

## **Record of Decision – Winter Use FSEIS and Plans for YNP, GTNP, and the Parkway**

NPS managers must always seek ways to avoid, or to minimize to the greatest degree practicable, adverse impacts on park resources and values. The laws give the NPS the discretion to allow some impacts to park resources and values when appropriate and necessary to fulfill the purposes of a park as long as that impact does not constitute impairment.

The Park Service mandate includes providing for the enjoyment of park resources and values by present and future generations. NPS policies acknowledge that providing opportunities for public enjoyment is a fundamental part of the NPS mission. While the policies permit recreation and other activities, including NPS management activities, they may be allowed only when they will not cause an impairment or derogation of a park's resources, values or purposes. Recognizing that the enjoyment of the national parks by future generations can be assured only if the quality of park resources and values is left unimpaired, Congress has provided that when there is a conflict between conserving resources and values and providing for enjoyment of them, conservation is to be the primary concern.<sup>6</sup>

### **Executive Orders**

Areas and trails for off-road vehicle use shall be located in areas of the National Park System only if the agency head determines that off-road vehicle use in such locations will not adversely affect their natural, aesthetic or scenic values. Use will be controlled or directed to protect the resources, promote safety, and minimize conflicts among various users of those lands. Also, the agency head shall monitor the effects of such use that may be authorized, and upon that information they shall from time to time amend or rescind designations, or take other actions to eliminate adverse impacts.<sup>7</sup> If the agency determines that the use of off-road vehicles (including snowmobiles) will cause or is causing considerable adverse effects on the soil, vegetation, wildlife, and wildlife habitat, such areas shall immediately be closed to that use.<sup>8</sup>

### **Regulation**

NPS regulations implementing the foregoing Executive Orders specifically provide that snowmobiling may be allowed only where it is consistent with the park's natural, cultural, scenic and aesthetic values, safety considerations, park management objectives, and will not disturb wildlife or damage park resources. NPS regulations generally limit snowmobile use to designated routes and water surfaces used by motor vehicles and motor boats during other seasons.<sup>9</sup> Specifically in YNP snowmobiles are confined to park roads open to automobiles and other vehicles during other times of the year. In GTNP and the Parkway snowmobiles are confined to road corridors and the frozen surface of Jackson Lake open to motorized use during other times of the year.

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<sup>6</sup> The Redwood Act of March 27, 1978 (P.L. 95-250) serves as the basis for any judicial resolution of competing private and public values and interests in the national park system, and affirms the primary consideration of conserving, unimpaired, park resources and values.

<sup>7</sup> EO 11644, Use of Off-Road Vehicles on Public Lands, Federal Register, Vol 37, No. 27-Wed. February 9, 1972.

<sup>8</sup> EO 11989, Off Road Vehicles on Public Lands, Federal Register, Vol 42, No: 101-Wed. May 23, 1977.

<sup>9</sup> 36 CFR 2.18 Snowmobiles.

### Interpretation of Policy

Impairment is an impact that, in the professional judgment of the responsible NPS manager, would harm the integrity of park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources or values. Impairment may occur from visitor use or park management activities.<sup>10</sup>

NPS Management Policies 2001 define the terms “resources and values” as the park’s scenery, natural and historic objects, and wildlife, including, to the extent present in the park: the ecological, biological, and physical processes that created the park and that continue to act upon it; scenic features; natural visibility (both in daytime and at night); natural landscapes; natural soundscapes<sup>11</sup> and odors; water and air resources; soil; geological resources; paleontological resources; archeological resources; cultural landscapes; ethnographic resources; historic and prehistoric sites, structures, and objects; museum collections; and native plants and animals. The park’s resources and values also include the opportunity for enjoyment of these resources, to the extent that can be done without impairing them. The term also includes the park’s role in contributing to the national dignity, the high public value and integrity, and the superlative environmental quality of the national park system, and the benefit and inspiration provided to the American people by the national park and any additional specific purposes for which a park was established. An impact is more likely to constitute an impairment to the extent that it affects a resource or value whose conservation is:

- necessary to fulfill specific purposes identified in the establishing legislation;
- key to the cultural or natural integrity of the park or opportunities to enjoy the park; or
- identified as a goal or critical resource in relevant NPS planning documents.

The 2001 NPS Management Policies state that the National Park Service will seek to perpetuate the best possible air quality in parks because clean air is critical to visitor enjoyment, human health, scenic vistas, and the preservation of natural systems and cultural resources. The policies also recognize that many natural resources, including water and wildlife, are sensitive to air pollution. Additionally, NPS must err on the side of protecting air quality and related values for future generations if there is doubt as to the impacts on park resources of existing or potential air pollution.<sup>12</sup> NPS also has recognized that it must preserve the natural quiet and the natural sounds associated with the physical and biological resources of the parks. Managers must monitor sounds and take actions to prevent or minimize unnatural sounds that adversely affect park resources or values and visitors’ enjoyment of them.

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<sup>10</sup> 2001 NPS Management Policies

<sup>11</sup> NPS Director’s Order #47 articulates operational policies requiring the protection, maintenance or restoration of the natural soundscape resource in a condition unimpaired by inappropriate noise sources. Inappropriate noise is that generated by activities at a level described as excessive, which impacts the park’s natural soundscapes and jeopardizes the natural resources or the purposes for which the park was created.

<sup>12</sup> 2001 NPS Management Policies, Chapter 4

## Record of Decision – Winter Use FSEIS and Plans for YNP, GTNP, and the Parkway

The 2001 NPS Management Policies<sup>13</sup> also recognize that the NPS Organic Act directs the agency to provide for the public enjoyment of parks while leaving resources unimpaired for future generations. The policies mandate that the use of parks will be resource-based and non-consumptive of resources. To the extent practicable, the NPS will encourage people to come to the parks and to pursue inspirational, educational, and recreational activities related to the resources found in the parks. NPS must manage visitor use and, as necessary, regulate the amount and kind, and the time and place, of visitor activities.

Finally, the 2001 Management Policies<sup>14</sup> state that the NPS must encourage recreational activities that are consistent with applicable legislation, that promote visitor enjoyment of park resources through a direct association or relation to those resources so long as those uses are consistent with the protection of the resources and are compatible with other visitor uses. NPS must manage recreational use to protect park resources, provide for public enjoyment, promote public safety, and minimize conflicts with other visitor activities and park uses. Unless the activity is required by statute, NPS will not allow a recreational activity in a park if it would involve or result in:

- inconsistency with the park's enabling legislation or proclamation, or derogation of the values or purposes for which the park was established;
- unacceptable impacts on visitor enjoyment due to interference or conflict with other visitor use activities;
- consumptive use of park resources;
- unacceptable impacts on park resources or natural processes;
- unacceptable levels of danger to the welfare or safety of the public, including participants.

Public use of a park is an important reason for creating and sustaining the national park system. In developing the Winter Use Plan and Environmental Impact Statement, the goal of the parks was to provide for a winter use experience to a wide range of people. Given the mandate of the Organic Act, to preserve and provide for public enjoyment, some level of adverse impact from visitor use during the winter is acceptable, if the parks mitigate the impacts to the greatest extent practicable. Should future monitoring disclose that the impacts are too much for the resources to sustain, additional restrictions will be implemented.

### *Findings: How Environmental Consequences Were Considered and Addressed*

#### **Park Resources and Values**

As determined in the November 22, 2000, ROD, the use of snowmobiles at past levels and older technology harmed the integrity of the resources and values of these three

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<sup>13</sup> 2001 NPS Management Policies, Chapters 1 and 8

<sup>14</sup> 2001 NPS Management Policies, Chapter 8

## Record of Decision – Winter Use FSEIS and Plans for YNP, GTNP, and the Parkway

parks, and so constituted an impairment of the resources and values, which was not permissible under the NPS Organic Act. In YNP, the impairment was the result of the impacts from snowmobile use on air quality, wildlife, the natural soundscape, and opportunities for enjoyment of the park by visitors. In GTNP, the impairment was the result of the impacts from snowmobile and snowplane use on the natural soundscape and opportunities for enjoyment of the park by visitors. In the Parkway, the impairment was the result of impacts from snowmobile use on air quality, the natural soundscape, and opportunities for enjoyment of the park.

Under the NPS Organic Act, the NPS may not allow the impairment of park resources and values, and when there is impairment, the NPS must eliminate it. The combination of actions provided for in this Record of Decision will eliminate any remaining impairment in YNP, GTNP, and the Parkway beginning the winter of 2003-2004. Impairment of the soundscape and visitor enjoyment in GTNP due to snowplanes was eliminated after the winter of 2001-2002 due to the prohibition of snowplanes on Jackson Lake and snowmobiles on the Teton Park Road after the winter of 2001-2002.

Snowmobile use for official administrative or emergency purposes in the three park units is specifically allowed under the regulations and executive orders cited herein. Incidental amounts of snowmobile use in GTNP for purposes of winter access to private lands within the park or to adjacent public lands is consistent with the access provisions of the park's establishing legislation.<sup>15</sup> These are not recreational uses, per se, and were not the subject of analysis in the FSEIS.

### **Air Quality**

At the time of the Decision of November 22, 2000, there were no current means of mitigation that would assure the impacts to air quality 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, and mass production of such machines was not imminent. Today, this situation has changed dramatically. Four-stroke snowmobiles are substantially cleaner than standard two-stroke machines, being capable of reducing hydrocarbon emissions by 95% and carbon monoxide emissions by 85%. As the industry has promised, I expect snowmobile technology to continue to improve, which will further reduce adverse impacts to air quality. This decision generally requires that snowmobiles entering the parks for recreational use be best available technology, and it also sets daily entry limits on the number of recreational snowmobiles that may enter the parks. Given these requirements, the adverse impacts and impairment resulting from the current condition will be sufficiently remedied. The NPS will ensure that impairment and unacceptable impacts do not occur through the adaptive management and monitoring process identified in this decision. The preliminary air quality thresholds were established based on the least environmentally damaging environmental conditions achievable under any of the SEIS alternatives. Should these thresholds be exceeded, park managers will undertake mitigating management actions.

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<sup>15</sup> EO 11644, sections (3) and (4), and 16 USC 406d-2(a).

### **Natural Soundscapes**

Also at the time of the decision of November 22, 2000, there were no quieter snowmobiles commercially available. Today, testing data indicates that the four-stroke snowmobiles developed by Arctic Cat and Polaris are quieter than standard two-stroke machines. These snowmobiles were tested at approximately 73 dB(A) whereas a two-stroke was tested at nearly 79 dB(A). Because sound is measured on a logarithmic scale a difference between 79 dB(A) and 73 dB(A) is considered significant. Snowmobiles entering the parks will be required to be best available technology, and I expect snowmobile manufacturers to continuously improve technology, thereby further reducing the audibility of snowmobiles. Additionally, the daily entry limits will substantially reduce the number of snowmobiles present in the park, especially on peak use days, consequently reducing impacts to the soundscape. Together, these requirements will eliminate the impairment to the natural soundscape in the parks. Through the adaptive management and monitoring provisions of this decision, NPS will monitor the soundscape to ensure that unacceptable impacts or impairment are not occurring, and take corrective actions if unacceptable conditions arise.

### **Wildlife – Elk and Bison**

Winter is the most difficult time of year for most wildlife, including elk and bison. The Final EIS and the Supplemental EIS have documented significant environmental impacts resulting from the previous use of snowmobiles in Yellowstone National Park. Under current management, these impacts are impairing wildlife and are inconsistent with relevant laws, executive orders, and NPS' own regulations. This decision sets strict limitations on snowmobiles which will eliminate impairment and mitigate impacts. All snowmobilers in Yellowstone will be accompanied by a guide, who has been trained in appropriate techniques to minimize impacts to wildlife. Eighty-percent of the daily entries will be with commercial-guides, who will in general have even more training, experience, and expertise in dealing with wildlife encounters along roadways, as compared to non-commercial guides. In addition, this decision sets daily snowmobile entry limits, which will significantly reduce the number of overall snowmobile-wildlife encounters along roadways. This decision requires that all snowmobilers travel in groups of 2-11 snowmobiles. This action will further reduce the overall number of snowmobile-wildlife encounters. Under the adaptive management and monitoring provisions of this decision, NPS will monitor wildlife populations and take corrective actions if unacceptable impacts occur.

### **Visitor Experience**

Because of the requirements of this decision, including best available technology, daily entry limits, and guides, the opportunity to enjoy the resources and values of the parks will be restored. In the past, the opportunity to enjoy park resources and values has been impaired for some visitors due to the impacts of essentially unmanaged snowmobile use. In the future, if snowmobiles would have been eliminated, some visitors would be impacted because of the loss of the opportunity to visit the parks on a snowmobile. Visitor experience in the parks will be monitored and adjustments made in the program



when necessary as part of adaptive management. By allowing snowmobile use to continue in the parks, albeit through strict limitations, NPS is preserving the fundamental opportunity for snowmobilers to have a range of choices and experiences and enjoy the resources and values of these parks.

*Findings: Factors Other Than Environmental Consequences Considered in Making the Decision*

**Safety and Access**

Safety issues are related to access issues. Modes of access and volumes of traffic are primary factors in maintaining a safe experience for visitors. Potentially unsafe conditions can be improved, as proposed in several alternatives, by separating different uses and modes of transport, by eliminating wheeled vehicle use in places, and by eliminating large volumes of oversnow motorized use especially where ungulates use groomed surfaces. Safety would be most improved where a number of these measures are combined, as in all Final SEIS alternatives. All of the alternatives hypothesize impacts on the basis of motorized oversnow access at various use levels. However, there are different mixes of snowcoach and snowmobile use distributed differently through the range of alternatives. In some areas, snowmobiles operate on groomed trails in the same locale as non-motorized visitors, wheeled vehicles and large ungulates. Therefore, there is some risk that continued snowmobile use would continue to result in accidents. The selected alternative eliminates the source of most safety concerns due to placing daily entry limits, requiring guides in YNP, and eliminating night-time travel.

**Economic Impacts on Local Communities**

The impacts of any alternative on economies beyond the gateway communities are negligible. West Yellowstone is most affected through the range of alternatives because that community is most directly tied to access via snowmobile. Not coincidentally, the West Entrance to Old Faithful road segment is the most adversely impacted oversnow route in the three-unit area. Ranking economic impacts, alternatives 1a and 1b would have the greatest impact of those evaluated in the Final SEIS compared to the existing economic outputs in the 3-state region, the 5-county area, and on West Yellowstone, Montana. None of the FSEIS alternatives would have more than negligible impacts on the other GYA gateway communities. This analysis indicates that these impacts are short term. Compared to current output levels for each of the economic analysis areas, all of the FSEIS alternatives produce less than a 1% decline in both jobs and dollars, except in West Yellowstone, where the percent change in output ranges from –2.3 to –8.5 percent, depending on the alternative.

Potentially affected states and counties were involved as cooperating agencies in the preparation of this SEIS (see pages 16-18 in the FEIS). Through the process, these entities identified no issues concerning conflicts with any land use plans, policies or controls that may exist. Any such impacts are inferred in the analysis (FSEIS pages 246-

## Record of Decision – Winter Use FSEIS and Plans for YNP, GTNP, and the Parkway

251). They are concerned that the decision would significantly impact local economies by drastically reducing snowmobile use and visitation to the area.

### *Measures Taken to Avoid Environmental Harm*

To prevent impairment to park resources and values, alternative 4, as modified, establishes strict limitations on snowmobiles and implements a comprehensive adaptive management and monitoring program. Therefore, the features of alternative 4, as modified, and the mitigation that applies with this decision constitute measures taken to avoid environmental harm. If future monitoring, as provided in this decision, indicates that impacts are too great to sustain additional use, or that impairment occurs, it will be appropriate to implement further management changes. Monitoring plans will describe thresholds of impact, and management actions that will be taken if thresholds are exceeded.

### *Conclusion*

Few issues facing the National Park Service today are as polarizing as whether to permit the recreational use of snowmobiles under the Winter Use Plan. This is reflected by both the substance and volume of comments submitted during the SEIS process. A single hard copy of all the comments would fill 40 four-drawer file cabinets.

The Winter Use Plans being adopted herein also reflect:

- (1) The commitment to provide protection of park resources and values.
- (2) The decision to allow appropriate levels of visitor use 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.
- (3) 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 these parks, for any park's programs to be truly successful, a strong collaborative relationship with our 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 the decision I make herein.

Finally, I am quite aware of the broad discretion afforded under the applicable laws and policies to the Service in the operation of these units. I am led to an inevitable conclusion that there is no single decision mandated by these laws and policies. This is reflected by my Record of Decision from November 2000 which would have phased out the recreational use of snowmobiles in these parks over several years, and the decision I make herein today to permit recreational snowmobile use in the future under strict numerical and technological limits with adaptive management to respond to future impacts from motorized winter use in these parks. The strict standards set forth in this

## **Record of Decision – Winter Use FSEIS and Plans for YNP, GTNP, and the Parkway**

decision allow for a reasonable level of recreational snowmobile use to continue in a manner and form which protects, not impairs, park resources and values.

Therefore, for the reasons described in this decision, I have determined that the limited and restricted snowmobile and snowcoach use that will occur in YNP, GTNP, and the Parkway should not result in an impairment of park resources and values, and with adaptive management to address problems that may arise in the future, is consistent with the requirements of the NPS Organic Act, Executive Orders 11644 and 11989, the NPS's general snowmobile regulations implementing those Executive Orders, and other laws and policies.

### *Public Involvement*

The NPS received approximately 30 individual pieces of correspondence regarding the FSEIS. The majority of comments favored Alternative 1a or 1b as the preferred alternative. Other comments addressed a variety of aspects of managing for winter use such as the Best Available Technology requirements, guide training, interim limits, and allocation of the daily limits to commercial operators. I believe that these comments have been adequately addressed in the FSEIS and this ROD.

For a summary of the SEIS public comment process refer to Attachment C

### *Consultation*

#### **Cooperating Agencies**

The discussion of cooperating agencies is located in the Final EIS on pages 16-18. During the previous EIS process, state and county governments around the GYA requested and were granted cooperating agency status (40 CFR §1501.6) in December 1997 and January 1998. The NPS also requested that the USFS become a cooperating agency because of possible impacts on surrounding national forests from changes in the parks' winter use management; the USFS acceded. In addition to these agencies, the Environmental Protection Agency (EPA) was invited to participate as a cooperator for the SEIS. There are, therefore, 10 cooperating agencies in this effort. All agencies signed a cooperating agency agreement, an example of which is presented in Appendix B of the Draft SEIS. The designated representatives for all cooperating agencies are also presented in Appendix B of the Draft SEIS.

The cooperating agencies participating in the SEIS process submitted a variety of new studies and reports regarding the effect of winter use in the parks and on the local economies in the greater Yellowstone area and new snowmobile technologies. The new information submitted by the cooperating agencies is presented and discussed in detail in *Chapter III – Affected Environment* in the FSEIS.

### **American Indian Tribes**

The NPS is committed to recognizing the past and present existence of American Indians in the region, and the traces of their use as an important part of the cultural environment to be preserved and interpreted. NPS consulted during the SEIS process with the 26 contemporary American Indian tribes currently recognized by YNP and GTNP as traditionally affiliated with the GYA. These tribes are:

- Assiniboine and Sioux Tribes
- Blackfeet Tribe
- Cheyenne River Sioux Tribe
- Coeur d'Alene Tribe
- Comanche Tribe of Oklahoma
- Confederated Tribes of Colville Indian Reservation
- Confederated Tribes of the Umatilla Indian Reservation
- Confederated Salish and Kootenai Tribes
- Crow Creek Sioux Tribe
- Crow Tribe
- Eastern Shoshone Tribe
- Northern Arapaho Tribe
- Flandreau Santee Sioux Tribe
- Gros Ventre and Assiniboine Tribes
- Kiowa Tribe of Oklahoma
- Lower Brule Sioux Tribe
- Nez Perce Tribe
- Northern Cheyenne Tribe
- Oglala Sioux Tribe
- Rosebud Sioux Tribe
- Shoshone-Bannock Tribe
- Sisseton-Wahpeton Sioux Tribe
- Spirit Lake Sioux Tribe
- Standing Rock Sioux Tribe
- Turtle Mountain Band of the Chippewa Indians
- Yankton Sioux Tribe

### **State Historic Preservation Offices**

Consultation with State Historic Preservation Office (SHPO) in Wyoming, Montana, and Idaho during the earlier EIS process is described on page 20 of the Final EIS and page 31 of the ROD. None of the three offices provided substantive comments, and indicated there was no further need to consult as the Final EIS was being prepared for publication. No comments were received from these offices as part of the SEIS process.

### **U.S. Fish and Wildlife Service**

For this process, a Biological Assessment for this Final SEIS was submitted to the U.S. Fish and Wildlife Service (USFWS) on November 17, 2002. The USFWS responded with a biological opinion dated March 21, 2003. The USFWS concurred with the NPS conclusion as stated in the Biological Assessment that the preferred alternative in the Winter Use Plan will have "no effect" on the whooping crane and "may affect, but not likely to adversely affect" the bald eagle, grizzly bear, and the gray wolf. With respect to Canada lynx, it is the biological opinion of USFWS that the preferred alternative in the Winter Use Plan is not likely to jeopardize the continued existence of the Canada lynx.

**Record of Decision – Winter Use FSEIS and Plans for YNP, GTNP, and the Parkway**

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**ATTACHMENT A**  
**MONITORING AND ADAPTIVE MANAGEMENT**

**Table 1. Monitoring and adaptive management indicators, thresholds, and methods.**

Resource or Value	Indicator	Location/ Management Zone	Preliminary Threshold	Preliminary Method	Initial Monitoring Intensity*	Possible Management Options if Threshold is Violated
Air Quality	Park employees and visitors exposure to CO, particulate matter, and volatile organic compounds	Zone 1	1-hr maximum CO (w/bkgd): 8 ppm 8-hr maximum CO (w/bkgd): 3 ppm 24-hr maximum PM <sub>10</sub> (w/bkgd): 23 µg/m <sup>3</sup> No observed employee health problems due to air quality ATSDR (Agency for Toxic Substances and Disease Registry) Minimal Risk Levels	Fixed site monitoring or personal sampling for PM and CO  Personal samples, cartridges, or canisters for VOCs (air toxics)	High	<ul style="list-style-type: none"> <li>▪ Require new technologies</li> <li>▪ Adjust number of daily vehicle entries permitted</li> <li>▪ Establish timed-entry requirements</li> </ul>
		Zone 2	1-hr maximum CO (w/bkgd): 1 ppm 8-hr maximum CO (w/bkgd): 1 ppm 24-hr maximum PM <sub>10</sub> : 5 µg/m <sup>3</sup> No observed employee health problems due to air quality ATSDR (Agency for Toxic Substances and Disease Registry) Minimal Risk Levels	Fixed site monitoring or personal sampling for PM and CO  Personal samples, cartridges, or canisters for VOCs (air toxics)	Low	
		Zone 3	1-hr maximum CO (w/bkgd): 1 ppm 8-hr maximum CO (w/bkgd): 1 ppm 24-hr maximum PM <sub>10</sub> (w/bkgd): 6 µg/m <sup>3</sup> No observed employee health problems due to air quality ATSDR (Agency for Toxic Substances and Disease Registry) Minimal Risk Levels	Fixed site monitoring or personal sampling for PM and CO  Personal samples, cartridges, or canisters for VOCs (air toxics)	Moderate	
		Zones 4-5	1-hr maximum CO (w/bkgd): 1 ppm 8-hr maximum CO (w/bkgd): 1 ppm 24-hr maximum PM <sub>10</sub> : 5 µg/m <sup>3</sup>	Fixed site monitoring or personal sampling for PM and CO	Low	
	Visibility	Zones 1-4	No perceptible localized visibility impacts	Photo Survey and time laps video and nephelometer	High	
		Zones 5-9	No perceptible localized visibility impacts		Low	
	Odor	Zones 1-3	Area free of any noticeable odor resulting from motorized recreation at least 90% of the daytime hours of park operation (8 A.M. – 4 P.M.)	Park visitor survey Scentometer	High	
		Zones 4-5	Area free of any noticeable odor resulting from motorized recreation at least 95% of the daytime hours of park operation (8 A.M. – 4 P.M.)		Low	
		Zones 6-9	Area free of any noticeable odor resulting from motorized recreation		Low	

Resource or Value	Indicator	Location/ Management Zone	Preliminary Threshold	Preliminary Method	Initial Monitoring Intensity*	Possible Management Options if Threshold is Violated
Natural Soundscapes	Distance and time human-caused sound is audible	Zones 1-5	<p>During daytime hours of park operation (8 A.M. – 4 P.M.) and measured 100 feet from staging areas and roadways:</p> <ul style="list-style-type: none"> <li>▪ Audibility: Not to exceed (NTE) 50%</li> <li>▪ dB of human caused noise: NTE 70 dB(A)</li> <li>▪ Leq (average sound level): NTE 45 dB(A)</li> </ul> <p>Note: Audibility is the percent of time oversnow vehicles are audible to a person with normal hearing. A NTE 50% threshold means that oversnow vehicles will not be audible more than 50% of the time during daytime hours of park operation.</p>	Audibility logging, digital recordings, and sound pressure level measurement	High	<ul style="list-style-type: none"> <li>▪ Require new technologies</li> <li>▪ Adjust number of daily vehicle entries permitted</li> <li>▪ Establish timed-entry requirements</li> </ul>
		Zone 6	<p>During daytime hours of park operation (8 A.M. – 4 P.M.) and measured 100 feet from staging areas and roadways:</p> <ul style="list-style-type: none"> <li>▪ Audibility: Not to exceed (NTE) 25%</li> <li>▪ dB of human caused noise: NTE 70 dB(A)</li> <li>▪ Leq (average sound level): NTE 45 dB(A)</li> </ul>		High	
		Zones 7-8	<p>During daytime hours of park operation (8 A.M. – 4 P.M.) and measured 100 feet from staging areas and roadways:</p> <ul style="list-style-type: none"> <li>▪ Audibility: Not to exceed (NTE) 20%</li> <li>▪ dB of human caused noise: NTE 6 dB(A) below natural ambient sound levels</li> <li>▪ Leq (average sound level): NTE natural ambient sound levels</li> </ul> <p>Note: Vehicle noise, even at 6 dB(A) less than natural ambient, is usually audible due to the lower frequencies of human-caused noise. Additionally, since natural and human-caused sounds tend to be in different frequencies, both can be audible at the same time, even at very low levels.</p>		Moderate	
Safety	Motor vehicle accidents	Zones 1-5	Continual improvement of three-year sliding average	Incident descriptions and GIS mapping	High	<ul style="list-style-type: none"> <li>▪ Alter or implement commercial and non-commercial guiding requirements and/or ratio</li> <li>▪ Increase signage and reduce speed limits in areas of recurring incidents</li> <li>▪ Increase law enforcement and educational information</li> <li>▪ Adjust number of daily vehicle entries permitted</li> </ul>

Resource or Value	Indicator	Location/ Management Zone	Preliminary Threshold	Preliminary Method	Initial Monitoring Intensity*	Possible Management Options if Threshold is Violated
Water/Snowpack	Water quality: VOCs, pH, hydrogen, ammonium, calcium, sulfate, nitrate, and NOx	Zones 1-3	Monitoring will occur until BAT requirements are full implemented and a longer-term threshold will be set then. In the interim, the following thresholds will be used: <sup>†</sup> <ul style="list-style-type: none"> <li>▪ Benzene: EPA maximum limit for drinking water 0.005 mg/L. OSHA permissible exposure in workplace (8 hour day, 40 hour weeks) 1 ppm</li> <li>▪ Toluene: EPA maximum limit for drinking water 1 mg/L. OSHA permissible exposure in workplace 200 ppm</li> <li>▪ Ethylbenzene: EPA maximum limit for drinking water .7 mg/L. OSHA permissible exposure in workplace 100 ppm</li> <li>▪ Xylene: EPA maximum limit for drinking water 10 ppm. OSHA permissible exposure in workplace 100 ppm</li> </ul>	Snowpack sampling, snowmelt runoff, stream runoff, snowmelt/rain event	Moderate	<ul style="list-style-type: none"> <li>▪ Require new technologies</li> <li>▪ Determination and application of best management practices</li> <li>▪ Adjust number of daily vehicle entries permitted</li> </ul>
		Zone 8	<ul style="list-style-type: none"> <li>▪ Benzene: EPA maximum limit for drinking water 0.005 mg/L. OSHA permissible exposure in workplace (8 hour day, 40 hour weeks) 1 ppm</li> <li>▪ Toluene: EPA maximum limit for drinking water 1 mg/L. OSHA permissible exposure in workplace 200 ppm</li> <li>▪ Ethylbenzene: EPA maximum limit for drinking water .7 mg/L. OSHA permissible exposure in workplace 100 ppm</li> <li>▪ Xylene: EPA maximum limit for drinking water 10 ppm. OSHA permissible exposure in workplace 100 ppm</li> </ul>	Snowpack sampling, snowmelt runoff, stream runoff, snowmelt/rain event	Low	
Geothermal Features	Human-caused damage to geothermal areas	Zone 1	No degradation of geothermal resources	Remote sensing and visual observation	High	<ul style="list-style-type: none"> <li>▪ Increase law enforcement and educational information</li> <li>▪ Restrict travel</li> </ul>
Visitor Experience	Smoothness of the groomed surface	Zone 3	No worse than fair 20% of the daytime hours of park operation (8 A.M. – 4 P.M.)	Visual observation	High	<ul style="list-style-type: none"> <li>▪ Increase grooming</li> <li>▪ Adjust vehicle numbers when threshold temperature and/or snow conditions are forecasted or reached</li> </ul>
		Zone 4	No worse than fair 20% of the daytime hours of park operation (8 A.M. – 4 P.M.)		Low	
	Visitor satisfaction levels with opportunities to experience and view wildlife, scenery, and clean air and solitude.	Zones 1-8	Visitors are highly satisfied (+90%) with their park experience		High	<ul style="list-style-type: none"> <li>▪ Establish carrying capacity/adjust visitor numbers</li> <li>▪ Determine unsatisfactory conditions and rectify</li> </ul>
	Visitor perception assessment of important park resources and values	Zones 1-8	Visitors are able to see, smell, and hear the natural environment at roadside pullouts and interpretive trails 90% of each 24-hour period	Visitor survey Encounter rates Time lapse photos Travel simulation models Observations	High	<ul style="list-style-type: none"> <li>▪ Establish carrying capacity/adjust visitor numbers</li> <li>▪ Require new technologies</li> </ul>

<sup>†</sup>Ingersoll (1999) compared his water quality findings for snowmelt runoff to drinking water standards.



Resource or Value	Indicator	Location/ Management Zone	Preliminary Threshold	Preliminary Method	Initial Monitoring Intensity*	Possible Management Options if Threshold is Violated
Wildlife	Bird and mammal habituation and effectiveness of garbage facilities	Zone 1	Garbage unavailable to wildlife	Photo surveys and observations	High	<ul style="list-style-type: none"> <li>Improve or redesign facilities</li> <li>Adjust number of daily vehicle entries permitted</li> <li>Alter or implement commercial guiding requirements and allocations</li> </ul>
	Ungulate (e.g., bison and elk) movements on plowed roads	Zone 2	No unacceptable adverse effects. Unacceptable effects are those considered greater than “adverse negligible.” See Chapter IV, <i>Wildlife</i> , for definitions of effects.	Continue bison monitoring, flights, and photo surveys	High	<ul style="list-style-type: none"> <li>Evaluate alternative transportation systems</li> <li>Close roads (by road segment or seasonally)</li> </ul>
	Vehicle caused wildlife mortality	Zones 2-4	No unacceptable adverse effects	Incident reports, roadside surveys, GIS, and visual observations	High	<ul style="list-style-type: none"> <li>Alter or implement commercial guiding requirements and allocations</li> <li>Evaluate alternative transportation systems</li> <li>Increase law enforcement and educational information</li> <li>Reduce speed limits</li> </ul>
	Wildlife harassment or displacement due to vehicle sounds or movements	Zone 2-5	No unacceptable adverse effects	Incident reports, photo surveys, and visual observations	High	<ul style="list-style-type: none"> <li>Increase law enforcement and educational information</li> <li>Require new technologies</li> <li>Adjust number of daily vehicle entries permitted</li> <li>Alter or implement commercial guiding requirements and allocations</li> <li>Establish additional no-stopping zones</li> <li>Adjust group size requirements</li> <li>Establish timed-entry requirements</li> <li>Close roads (by road segment or seasonally)</li> </ul>
	Wildlife trapped by snow berms in road corridor	Zone 2	No unacceptable adverse effects	Incident reports, roadside surveys, and visual observations	High	<ul style="list-style-type: none"> <li>Increase number of exit berms and re-evaluate location of existing exits</li> <li>Evaluate alternative transportation systems</li> </ul>
	Ungulate (e.g., bison and elk) use of groomed surfaces	Zones 3-4	No unacceptable adverse effects	Visual observations, photo surveys, air surveys, and telemetry. Continue bison monitoring	High	<ul style="list-style-type: none"> <li>Close roads or eliminate grooming operations (by road segment or seasonally)</li> <li>Adjust grooming intensity</li> </ul>
	Carnivore (e.g., wolves and lynx) displacement and habitat effectiveness	Zones 3-9	Insignificant, discountable, or beneficial effects only	Carnivore and snowshoe hare track surveys and air surveys	High	<ul style="list-style-type: none"> <li>Mitigate effects or close area</li> <li>Increase law enforcement and educational information</li> <li>Require new technologies</li> <li>Adjust number of daily vehicle entries permitted</li> <li>Alter or implement commercial guiding requirements and allocations</li> <li>Establish additional no-stopping zones</li> <li>Adjust group size requirements</li> <li>Establish timed-entry requirements</li> <li>Consult with USFWS for appropriate mitigation strategies</li> </ul>
	Wildlife harassment or displacement as a result of visitor activities	Zone 6-9	No unacceptable adverse effects	Incident reports, photo surveys, and visual observations	High	<ul style="list-style-type: none"> <li>Increase law enforcement and educational information</li> <li>Require use of designated trails only</li> <li>Close areas to use seasonally</li> </ul>
	Human-bear conflicts during pre- and post-denning periods	Zones 2 and 7-9	No unacceptable adverse effects	Mapping of denning areas and visitor use patterns and trends. Incident Reports	Moderate	

## ATTACHMENT B

**Table S-1. Summary of alternative actions Yellowstone and Grand Teton National Parks and the John D. Rockefeller, Jr., Memorial Parkway winter use plan.**

ALTERNATIVES 1a and 1b		ALTERNATIVE 2
<b>Emissions Requirements</b>		
<ul style="list-style-type: none"> <li>▪ Snowcoach travel only managed by concessions permit and required to meet the best available environmental standards, (currently the Mattrack snowcoach).</li> <li>▪ Phase in these requirements through the permitting process.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Rental snowmobiles: 200 g/kW-hr (149g/hp-hr) for CO and 75 g/kW -hr (56g/hp-hr) for HC (EPA emission rule for snowmobiles) beginning in 2003-2004.</li> <li>▪ Public snowmobiles: allow any 4-stroke and any 2-stroke using bio-fuels and lubes.</li> <li>▪ By 2006-2007 all snowmobiles must meet 2012 EPA standards.</li> <li>▪ Snowcoaches: For the first five years, allow snowcoaches irrespective of emissions. After five years, only “new concept snowcoaches” will be allowed.</li> </ul>	
<b>Sound Requirements</b>		
<ul style="list-style-type: none"> <li>▪ Snowcoaches: 75 dB phasing to 70 dB(A).<sup>†</sup></li> </ul>	<ul style="list-style-type: none"> <li>▪ Rental snowmobiles: 75 dB(A).<sup>‡</sup></li> <li>▪ Public snowmobiles: 78 dB(A).<sup>‡</sup></li> <li>▪ Snowcoaches: For the first five years, 78 dB(A), after five years, 75 dB(A).<sup>†</sup></li> </ul>	
<b>Interim Limits and Phase In Period</b>		
<p><b>Alternative 1a</b></p> <ul style="list-style-type: none"> <li>▪ 2003-2004 close Jackson Lake and Teton Park Road to motorized vehicles.</li> <li>▪ 2003-2004 snowmobiles at a maximum of 50% of current average day at West and South Entrances; current use maintained at all other areas.</li> <li>▪ 2004-2005 snowcoach only travel, snowmobile access maintained to inholdings and USFS areas in GTNP.</li> </ul>	<p><b>Alternative 1b</b></p> <ul style="list-style-type: none"> <li>▪ 2003-2004 close Jackson Lake and Teton Park Road to motorized vehicles.</li> <li>▪ 2004-2005 snowmobiles at a maximum of 50% of current average day at West and South Entrances; current use maintained at all other areas.</li> <li>▪ 2005-2006 snowcoach only travel, snowmobile access maintained to inholdings and USFS areas in GTNP.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Interim limit for monitoring and adaptive management program. As monitoring and carrying capacity studies indicate, use numbers may be adjusted.</li> <li>▪ North Entrance limited to 25 snowmobiles per day.</li> <li>▪ West Entrance limited to 825 snowmobiles in year 1.</li> <li>▪ West Entrance limited to 725 snowmobiles in year 2.</li> <li>▪ West Entrance limited to 600 in year 3. (Note: West Entrance limits in years 2 and 3 would only be effective if a commensurate number of seats on “new concept snowcoaches” become available each year at West Yellowstone to replace the visitors lost by the decrease in snowmobiles.)</li> <li>▪ East Entrance limited to 100 snowmobiles per day.</li> <li>▪ South Entrance limited to 225 snowmobiles per day.</li> <li>▪ CDST 75 snowmobiles per day.</li> <li>▪ Grassy Lake Road no snowmobile limit.</li> <li>▪ Snowcoach travel no limit.</li> </ul>

<sup>†</sup>Snowcoach sound measured at 50 ft on the A-weighted scale at full throttle.

<sup>‡</sup>Snowmobile sound measured at 50 ft on the A-weighted scale at 40 mph.

ALTERNATIVES 1a and 1b	ALTERNATIVE 2
<b>Access</b>	
<ul style="list-style-type: none"> <li>▪ All oversnow routes open to snowcoaches.</li> <li>▪ Snowmachine access eliminated on the Teton Park Road and on the frozen surface of Jackson Lake.</li> <li>▪ Levels of snowcoach access would be unrestricted.</li> <li>▪ In 2010, the road from Colter Bay to Flagg Ranch becomes an oversnow route.</li> <li>▪ Increase both the size and number of warming huts.</li> </ul>	<ul style="list-style-type: none"> <li>▪ All oversnow routes open except snowmachine access eliminated on the Teton Park Road and fishermen only the frozen surface of Jackson Lake.</li> <li>▪ Levels of access are restricted to the average peak day numbers for the West Entrance and higher than peak day average for East, South and North Entrances.</li> <li>▪ Snowcoach numbers unrestricted.</li> <li>▪ Increase groomed nonmotorized trails.</li> <li>▪ Increase both the size and number of warming huts.</li> </ul>
<b>Wildlife</b>	
<ul style="list-style-type: none"> <li>▪ Nonmotorized uses in wildlife winter ranges and thermal areas limited to travel on designated routes or trails.</li> <li>▪ Construct wildlife-proof garbage facilities.</li> <li>▪ Manage adaptively-continue scientific studies and monitoring regarding winter visitor use and park resources. Close selected areas of the parks if scientific studies indicate that human presence or activities have a detrimental effect that could otherwise not be mitigated.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Nonmotorized uses in wildlife winter ranges and thermal areas limited to travel on designated routes or trails.</li> <li>▪ Construct wildlife-proof garbage facilities.</li> <li>▪ Employ additional law enforcement.</li> <li>▪ Manage adaptively.</li> </ul>
<b>Winter Season</b>	
<ul style="list-style-type: none"> <li>▪ Late November to mid-March.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Mid-November to mid-December access only by rubber track snowcoaches, snowshoes or skis.</li> <li>▪ Mid-December to mid-March snowmobile and snowcoach travel.</li> </ul>
<b>Interpretation and Orientation</b>	
<ul style="list-style-type: none"> <li>▪ Information program on snow and trail conditions, points of interest and available recreation opportunities.</li> <li>▪ Increase interpretive opportunities on the unique aspects of the winter environment. Provide interpretive programs at destination areas and at warming huts.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Information program on snow and trail conditions, points of interest and available recreation opportunities.</li> <li>▪ Increase interpretive opportunities on the unique aspects of the winter environment. Provide interpretive programs at destination areas and at warming huts.</li> <li>▪ Develop educational video on trail etiquette, snowmobile safety, and proper behavior around wildlife.</li> </ul>

ALTERNATIVE 3	ALTERNATIVE 4
<b>Emissions Requirements</b>	
<ul style="list-style-type: none"> <li>▪ Cleaner and quieter technologies managed by NPS permit and managed adaptively.</li> <li>▪ Interim emission requirements are based on BAT and evaluated annually as emissions are reduced numbers could be increased.</li> <li>▪ Snowmobile and snowcoach BAT is capable of reducing HC by 90% and CO emissions by 70% from EPA baseline snowmobile assumptions. Historic snowcoaches initially exempted.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Cleaner and quieter technologies managed by NPS permit and managed adaptively.</li> <li>▪ Interim emission requirements are based on BAT and evaluated annually as emissions are reduced numbers could be increased.</li> <li>▪ Snowmobile and snowcoach BAT is capable of reducing HC by 90% and CO emissions by 70% from EPA baseline snowmobile assumptions. Historic snowcoaches initially exempted.</li> </ul>
<b>Sound Requirements</b>	
<ul style="list-style-type: none"> <li>▪ Interim sound emission requirements are based on BAT and evaluated annually (as sound emissions are reduced numbers could be increased).</li> <li>▪ Snowmobiles: Any snowmobile 73 dB(A) or less.<sup>†</sup></li> <li>▪ Snowcoaches: Initially, 75 dB(A) by 2008.<sup>‡</sup> Historic snowcoaches exempted.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Interim sound emission requirements are based on BAT and evaluated annually (as sound emissions are reduced numbers could be increased).</li> <li>▪ Snowmobiles: Any snowmobile 73 dB(A) or less.<sup>†</sup></li> <li>▪ Snowcoaches: Initially, 75 dB(A) by 2008.<sup>‡</sup> Historic snowcoaches exempted.</li> </ul>
<b>Interim Limits and Phase In Period</b>	
<ul style="list-style-type: none"> <li>▪ Interim limits for monitoring and adaptive management program implemented in 2003-2004. As monitoring and carrying capacity studies indicate use numbers may be adjusted.</li> <li>▪ North Entrance limited to 100 per day.</li> <li>▪ West Entrance limited to 330 per day.</li> <li>▪ East Entrance limited to 100 per day.</li> <li>▪ South Entrance limited to 400 per day.</li> <li>▪ CDST limited to 100 per day.</li> <li>▪ Grassy Lake limited to 100 per day.</li> <li>▪ Snowcoach travel no limit.</li> <li>▪ Require BAT for all snowmobiles beginning in 2003-2004.</li> <li>▪ Implement guided snowmobile requirements in 2003-2004.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Interim limit for monitoring and adaptive management program during the first two years. As monitoring and carrying capacity studies indicate, use numbers may be adjusted.</li> <li>▪ North Entrance limited to 50 snowmobiles per day.</li> <li>▪ West Entrance limited to 550 snowmobiles per day.</li> <li>▪ East Entrance limited to 100 snowmobiles per day.</li> <li>▪ South Entrance limited to 250 snowmobiles per day.</li> <li>▪ CDST limited to 75 snowmobiles per day.</li> <li>▪ Grassy Lake Road limited to 75 snowmobiles per day.</li> <li>▪ Snowcoach travel no limit.</li> <li>▪ Require BAT for commercially guided snowmobiles in 2003-2004; all other snowmobiles must be BAT in 2004-2005.</li> <li>▪ Implement 80:20 commercial:non-commercial guided requirements in 2003-2004.</li> </ul>

<sup>†</sup>Snowmobile sound measured at full acceleration using SAE J192 test procedures.

<sup>‡</sup>Snowcoach sound measured at 50 ft on the A-weighted scale at 25 mph.

ALTERNATIVE 3	ALTERNATIVE 4
<b>Access</b>	
<ul style="list-style-type: none"> <li>▪ All major oversnow routes open except snowmachine access eliminated on the Teton Park Road and on the frozen surface of Jackson Lake.</li> <li>▪ In 2009, the road from Colter Bay to Flagg Ranch becomes an oversnow route.</li> <li>▪ Increase groomed nonmotorized trails.</li> <li>▪ Increase both the size and number of warming huts.</li> </ul>	<ul style="list-style-type: none"> <li>▪ All major oversnow routes open except snowmachine access eliminated on the Teton Park Road and on the frozen surface of Jackson Lake.</li> <li>▪ In 2009, the road from Colter Bay to Flagg Ranch becomes an oversnow route.</li> <li>▪ Increase groomed nonmotorized trails.</li> <li>▪ Increase both the size and number of warming huts.</li> </ul>
<b>Wildlife</b>	
<ul style="list-style-type: none"> <li>▪ Nonmotorized uses in wildlife winter ranges and thermal areas limited to travel on designated routes or trails.</li> <li>▪ Construct wildlife-proof garbage facilities.</li> <li>▪ Manage adaptively; action items include signing, employing additional enforcement rangers, limiting access.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Nonmotorized uses in wildlife winter ranges and thermal areas limited to travel on designated routes or trails.</li> <li>▪ Construct wildlife-proof garbage facilities.</li> <li>▪ Employ additional law enforcement.</li> <li>▪ Manage adaptively; action items include signing, employing additional enforcement rangers, limiting access.</li> </ul>
<b>Winter Season</b>	
<ul style="list-style-type: none"> <li>▪ Late November to mid-March.</li> <li>▪ Last week of February (after President’s Day) to mid-March access by snowcoach, skis or snowshoes only.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Late November to mid-March.</li> </ul>
<b>Interpretation and Orientation</b>	
<ul style="list-style-type: none"> <li>▪ Information program on snow and trail conditions, points of interest and available recreation opportunities.</li> <li>▪ Increase interpretive opportunities on the unique aspects of the winter environment. Provide interpretive programs at destination areas and at warming huts.</li> <li>▪ Develop educational video on trail etiquette, snowmobile safety, and proper behavior around wildlife.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Information program on snow and trail conditions, points of interest and available recreation opportunities.</li> <li>▪ Increase interpretive opportunities on the unique aspects of the winter environment. Provide interpretive programs at destination areas and at warming huts.</li> <li>▪ Develop educational video on trail etiquette, snowmobile safety, and proper behavior around wildlife.</li> </ul>

## ATTACHMENT C

### SUMMARY OF PUBLIC COMMENTS

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#### **Federal Register Notices**

A notice of intent to prepare an SEIS was published in the Federal Register on July 27, 2001, officially beginning the process. A notice of availability for the Winter Use Plan and Draft Supplemental Environmental Impact Statement (DSEIS) for Yellowstone and Grand Teton National Parks and the John D. Rockefeller Jr., Memorial Parkway appeared in the Federal Register, March 29, 2002. The notice indicated that the public comment due date was May 29, 2002. The notice of availability for the Final SEIS was published on February 21, 2003.

#### **Environmental Impact Statement (EIS)**

The NPS initiated the winter visitor use planning process by publishing a Notice of Intent to Prepare an EIS on April 15, 1998. Public scoping comments were accepted from April 14 to July 18, 1998. Scoping brochures were distributed to about 6,000 interested parties and 12 public meetings were held throughout the greater Yellowstone area and in Idaho, Montana, and Wyoming. In addition to the local and regional area, the NPS hosted meetings in Salt Lake City, Denver, Minneapolis, and Washington D.C. Overall, 2,000 comments were received, 1,200 of these were form letters. From this body of comment, the NPS obtained about 15,000 discrete comments. Scoping respondents included businesses, private and nonprofit organizations, local, state and federal agencies, and the public at large.

Comments were accepted from August (according to the previous ROD) 1999 to December 15, 1999, on the *Winter Use Plans/Draft Environmental Impact Statement the Yellowstone and Grand Teton National Parks and the John D. Rockefeller, Jr., Memorial Parkway*. The NPS received comments from across the United States, Canada and as far away as Germany, Saudi Arabia and Japan. Most comments came from Rocky Mountain and Northwest States. The NPS received 46,500 documents commenting on the DEIS - 6,300 unique documents and 40,200 form documents. Commenters included businesses, private and non-profit organizations, local, state, tribal and federal government agencies and the public at large, which constituted 99% of the total commenters. In addition to written public comment, the NPS held 6 public hearings in the following areas, Idaho Falls, Idaho; Livingston and West Yellowstone, Montana; Jackson and Cody, Wyoming; and Denver Colorado. For reference, a thorough analysis of comments received on the previous draft EIS may be found in the FEIS, Volume III. The comment analysis is summarized on pages 9-11 of the FEIS.

The Winter Use Plans Final Environmental Impact Statement the Yellowstone and Grand Teton National Parks and the John D. Rockefeller, Jr., Memorial Parkway was published on October 10, 2000. Although not required by CEQ regulation the NPS invited the public to provide comment on the FEIS until October 31, 2001. During this comment period, the NPS received 10,880 documents. Of these 6,717 were form letters and 4,163 were unique documents.

Following the signing of the ROD, the NPS initiated a rulemaking process to implement actions associated with the phase-in schedule for snowmobiles and the change to snowcoach only travel in the parks. The rulemaking process received a total of 5,273 comment documents in the form of letters, postcards and emails.

### **SEIS (Scoping)**

The Notice of Intent to prepare a Winter Use Plans Supplemental Environmental Impact Statement for Yellowstone and Grand Teton National Parks and the John D. Rockefeller, Jr., Memorial Parkway was published in the Federal Register on July 27, 2001. The preparation of a SEIS was deemed necessary to further the purposes of NEPA. The purposes of NEPA would be furthered in this instance by, "soliciting more public comment on the earlier decision and alternatives to it, which will remain the protection of park resources. Additional information from the International Snowmobile Manufacturers Association will be considered as well as any other new or updated information not available at the time of the earlier decision."

The NPS received 8,443 separate documents commenting on the SEIS process. Approximately 7,100 of these were form documents or petitions and 1,343 were unique documents. The majority of the documents expressed either support for or against the SEIS process. Commenters expressed concern for the same issues as described in the DEIS and FEIS, including concern for socioeconomic effects on local communities, effects on visitor access and visitor experience, effects on air quality, the natural soundscape, and wildlife.

A number of comments were concerned with the SEIS process. Some commenters questioned the need for a SEIS because they believed the FEIS document was sufficient, citing ten years of study that have proven that snowmobiles damage park resources such as air quality, soundscapes and wildlife and are a risk to public safety. Other commenters disagreed, saying that the present winter use plan disregarded the socioeconomic effects on local communities, the needs of the disabled and the elderly, and does not conform with applicable law, either substantively or procedurally.

### **Summary of Public Comments on the Draft SEIS**

On March 29, 2002, the National Park Service released the SEIS to supplement the Final Environmental Impact Statement (FEIS) for the winter use plans issued in October 2000. The decision resulting from the FEIS would phase out snowmobiles in the three parks over three years and provide for over-snow access by snowcoach beginning the winter of 2003-04. The National Park Service undertook the supplemental NEPA process to provide for additional public comment and consider new information from snowmobile manufacturers on their new generation of "cleaner and quieter" snowmobiles.

About 307,592 individuals, organizations, and businesses chose to participate in the supplemental NEPA process by submitting comments.<sup>1</sup> This represents the largest amount of public comment letters received on any project in the National Park Service. The comments included form and non-form letters, both mailed and electronic mail, and petitions.

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<sup>1</sup> This amount does not account for duplicates, e.g., those letters that were sent both via the Internet and the U.S. Postal System.

The comments were sorted to identify potential substantive comments, i.e., those that request the agency to modify alternatives; to develop and evaluate alternatives not previously given serious consideration by the agency; to supplement, improve, or modify its analyses; or to make factual corrections. The NPS does not consider all of the information contained in the comment summaries as substantive. Due to the tremendous volume of comments received, summaries of the comments tentatively identified as substantive were compiled, as allowed by regulation (40 CFR 1503.4). The letters that are summarized and responded to in section 4, below, are best described as representative. The content of this representative group of letters, with respect to substance in particular, encompasses the content of the entire body of comment. In the summaries, the commenters own words were used or paraphrased in terms similar to the language contained in the letters. The representative letters are duplicated in their entirety (Appendix A).

Following the identification of the comments initially identified as substantive, the remaining comments were sorted by general support for an alternative or action. Each comment then was reviewed by at least one member of the NPS planning team. Many of the non-form comments contained personal recollections of prior experiences in the parks. The content of these letters was recorded using a coding system. CEQ regulations require the agency to respond to all comments, as a minimum, by explaining why those comments do not warrant further agency response, citing the sources, authorities, or reasons that support the agency's position and, if appropriate, indicating those circumstances that would trigger agency reappraisal or further response.

For the most part, comments fell into two categories, those that supported the immediate phase-out of snowmobiles, i.e., the existing decision or alternative 1a, and those that want public snowmobile use to continue in the parks at a high level, i.e., alternative 2. Those who commented primarily are from the United States, although NPS received comments from persons in other nations.



## ATTACHMENT D

### WINTER USE PLANS FOR YELLOWSTONE AND GRAND TETON NATIONAL PARKS AND THE JOHN D. ROCKEFELLER, JR. MEMORIAL PARKWAY

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**The elements of this plan are a combination of the November 2000 Record of Decision, as modified by the March 2003 Record of Decision.**

#### **Actions and Assumptions Common to All Units**

- The intent of the winter use plans for Yellowstone and Grand Teton National Parks and the John D. Rockefeller, Jr. Memorial Parkway (All Units) is to provide opportunities for historical levels of visitation based on the average of the past ten years. Visitation and access to the parks would be available in a mix of snowmobiles and snowcoaches. Implementation of this plan will encourage continuous improvement in snowmobile technology available for use in the parks, as well as development, production, and use of a new generation of snowcoach. Both modes of access would meet a Best Availability Technology (BAT) requirement, whereupon snowcoach use and occupancy would be emphasized over individual access.
- New cleaner and quieter snowmachine technologies will generally be required for all recreational oversnow vehicles entering the parks. This requirement will be implemented primarily through the issuance of outfitter and guide permits by the NPS. Initially, emission and sound requirements would be based on current BAT and evaluated annually under an adaptive management framework. The requirement to meet BAT will remain ongoing. After two years an annual evaluation could result in an adjustment of snowmobile use limits if necessary for protection of air quality, wildlife, visitor experience, and natural soundscapes (as defined by NPS policy) as determined by monitoring.
- The NPS Organic Act authorizes the Secretary to make such rules as are necessary to “conserve the scenery and the natural and historic objects and the wildlife” of national parks. The BAT approach in this plan is not a restriction on what manufacturers may produce but an end-use restriction on which commercially produced snowmobiles may be used in the parks. This exercise of the NPS Organic Act authority is not an effort by the NPS to regulate manufacturers and is consistent with Sec. 310 of the Clean Air Act, which preserves the authority of other federal agencies.
- The Best Available Technology requirement (BAT) will ensure that the oversnow vehicles used in Yellowstone and Grand Teton National Parks are the cleanest and quietest commercially available under current technology, and will ensure that oversnow machines will continuously improve. The NPS encourages manufacturers to develop snowmobiles that reduce not only the NAAQS criteria pollutants, but other emissions of concern, such as air toxics.

Unwanted sound from snowmobiles (noise) will also be reduced under this plan. The NPS will annually publish a list of snowmobile makes, models, and year of manufacture that meet the BAT requirements. The program would rely on manufacturers' testing of the machines using approved Society of Automotive Engineers procedures specified by this decision. Each snowmobile model will be certified for entry into the parks for six years after the time it was published on the list.

- Currently, BAT would be set as any snowmobile that can achieve a 90% reduction in hydrocarbons and a 70% reduction in carbon monoxide from EPA's baseline assumptions. Thus, any recreational snowmobile entering YNP must achieve emissions below 15 g/kW-hr for hydrocarbons and 120 g/kW-hr for carbon monoxide.
- All commercially guided snowmobiles entering the three parks beginning in 2003-2004 must meet the reduction in snowmobile engine emissions equal to or better than the reductions given above. In the 2004-2005 season, all snowmobiles entering the parks will be required to meet BAT. Through a monitoring program, air quality parameters will be monitored and various aspects of snowmobile use will be adjusted accordingly (e.g., numbers per day, number per hour).
- The approach for the winter of 2003-2004 will be to set BAT as any snowmobile that is capable of an output of 73 dB(A) or less, as measured at full throttle according to the SAE J192 test procedures. All commercially guided snowmobiles entering the three park units beginning in 2003-2004 must meet the BAT sound requirements. In the 2004-2005 season, all snowmobiles entering the parks will be required to meet BAT. Through a monitoring program, the natural soundscape will be monitored and various aspects of snowmobile use will be adjusted accordingly (e.g., numbers per day, numbers per hour).
- NPS has sufficient test data on the 2002 Arctic Cat 4-Stroke and the 2002 Polaris Frontier to deem them as meeting BAT requirements. Generally, no other snowmobiles would be allowed into the parks unless they were subjected to the testing described above and met BAT requirements.
- Through continuous improvement the NPS expects that snowmobile manufacturers will conduct ongoing research to continually improve sound and emissions in a line of available production machines. Information on the full spectrum of pollutant criteria is critical information as this alternative is phased in to ensure that an inadvertent increase in some pollutants does not occur. Without continuous improvement, it is possible that the initial generation of machines will not meet adaptive management thresholds over time, and other measures such as reduced numbers will need to be imposed.
- Through a snowcoach BAT requirement, the NPS will encourage investment in snowcoach technology. Therefore, all historic snowcoaches (such as Bombardiers) would initially be exempt from BAT requirements. However NPS would work with snowcoach owners to retrofit historic snowcoaches to meet BAT. For non-historic snowcoaches, BAT emission requirements would

be the same as those for snowmobiles: 120 g/kW-hr for CO and 15 g/kW-hr for HC. The initial snowcoach sound target would be 75 dB by 2008. As new technology snowcoaches are developed (see discussion of “new generation snowcoach” in the Best Available Technology section of Chapter III), these requirements would be revisited.

- In 2003-2004, eighty percent of all recreational snowmobiles entering YNP would be through the use of trained guides by way of commercially guided tours similar to those currently operating in the parks. The remaining 20 percent of entries will be available for non-commercial entry. Guided groups may contain from 2 to 11 snowmobiles including the guide. Beginning the winter season of 2004-2005 20 percent of entries will be available for non-commercially guided trips that require a member of the group to be certified by the NPS to lead a group of snowmobilers. Commercial and non-commercial guided groups may contain from 2 to 11 snowmobiles including the guide. In Grand Teton and the Parkway, the Grassy Lake Road, the Continental Divide Snowmobile Trail, and Jackson Lake would be exempt from guiding requirements.
- The NPS will establish a winter visitor carrying capacity for all three park units. The carrying capacity will be determined by defining the desired future condition for park resources and visitor experiences, the indicators of a quality experience and resource conditions and the establishment of thresholds that describe at what point management must take action. The visitor carrying capacity study would include a public participation component and utilize the NPS approved VERP Framework and other appropriate methodologies. The study will be completed no later than May 2006, subject to available funding.
- Implement an intensive adaptive management and monitoring program to ensure that desired resource conditions and visitor experiences are met. The initial monitoring and adaptive management thresholds and indicators are described in Attachment A of this ROD.
- When monitoring identifies a violation of a threshold, a change in management will be addressed. A downward alteration in allowable numbers of snowmobiles could be implemented by closing areas or road segments or decreasing daily entrance limits, permanently, seasonally, or for periods of time within a given winter season. Any such action would occur only after two years of use and monitoring at the initial limits, except for immediate actions necessary under regulatory direction provided in 36 CFR 1.5 and 2.18. An upward alteration in numbers could be occasioned by effectively demonstrating through monitoring that there would be no further impact in doing so, especially if other mitigation is applied or if emissions and sound characteristics of snowmobiles are demonstrably improved.
- Develop a training program with the cooperation of operators, businesses and user groups to orient and educate potential non-commercial guides for certification by the NPS. The training is intended to be comprehensive. There would be a nominal fee and the certification would last for one season.

- In cooperation with gateway communities, businesses, counties, and state tourism organizations, develop a reservation system for the effective utilization of the 20% daily non-commercial entry limits. This reservation system would be in place for the winter of 2003-2004, and all visitors to YNP wishing to snowmobile would need reservations.
- Prohibit late night oversnow motorized recreation travel from about 9:00 P.M. to 7:00 A.M. Travel during this period of time may be approved by the park superintendent for administrative or emergency purposes, or by special permit for necessary travel.
- In the winters of 2003-2005, and subject to NPS approval, allow existing commercial snowcoach operators to increase their fleet size.
- In 2003-2004 and 2004-2005, implement initial snowmobile limits (see Table 1). These limits will be in effect in perpetuity unless changed by the superintendents.
- None of the actions in these plans preclude closures for safety, resource protection, or other reasons as identified in 36 CFR 1.5 or 2.18.
- These plans do not preclude the non-recreational, administrative use of snowmobiles, by park personnel, or by duly permitted parties under the provisions of 36 CFR 1.5 and 1.6. Permitted parties shall meet technological requirements for cleaner and quieter machines.
- For the purposes of this winter use plan, the following definitions are consistent throughout:
  - Oversnow motor vehicles: self-propelled vehicles intended for travel on snow, driven by a track or tracks in contact with the snow that may be steered by skis or tracks in contact with the snow. This term includes both snowmobiles and snowcoaches.
  - Snowmobiles: self-propelled vehicles intended for travel on snow, having a curb weight of not more than 1,000 pounds (450 kg), driven by a track or tracks in contact with the snow, which may be steered by a ski or skis in contact with the snow. Note: The EPA definition of snowmobile is: “A vehicle designed to operate outdoors only over snow covered ground, with a maximum width of 1.5 meters or less.”
  - Snowplanes: self-propelled vehicles intended for oversnow travel, having a weight of not more than 1,000 pounds (450 kg) mounted on skis in contact with the snow, and driven by a pusher-propeller.
  - Snowcoaches: self-propelled, mass transit vehicles intended for travel on snow, having a curb weight of over 1,000 pounds (450 kg), driven by a track or tracks and steered by skis or tracks, having a capacity of at least 8 passengers.
- If the Environmental Protection Agency (EPA) adopts standards for any class of oversnow motor vehicle that is more stringent than the requirements

resulting from this NEPA process and decision, the EPA standards shall then become the NPS requirement for all oversnow vehicles entering the parks.<sup>1</sup>

- These plans call for the use of sand, or an equally environmentally neutral substance, for traction on all plowed winter roads. No salts will be used. Before spring opening, sand removal operations would continue on all plowed park roads.
- Investigate and implement options to reduce the palatability and accessibility to wildlife of the hydraulic fluid used in snow groomers.
- When snow depth warrants and at periodic intervals, routine plowing operations will include laying back roadside snowbanks that could be a barrier to wildlife exiting the road corridor.
- These plans will continue to implement transition and action plans for accessibility and support the philosophy of universal access in the parks. The NPS would make reasonable efforts to ensure accessibility to buildings, facilities, programs, and services. The NPS will develop strategies to ensure that new and renovated facilities, programs and services (including those provided by concessionaires) are designed, constructed, or offered in conformance with applicable policies, rules, regulations, and standards (including but not limited to the Architectural Barriers Act of 1968; the Americans with Disabilities Act of 1990 (ADA); the Uniform Federal Accessibility Standards of 1984 (UFAS); and the Guidelines for Outdoor Developed Areas of 1999). The NPS will evaluate existing buildings and existing and new programs, activities, and services (including telecommunications and media) to determine current accessibility and usability by disabled winter visitors. Action plans to remove barriers will be developed.
- Backcountry nonmotorized use will continue to be allowed throughout the parks except where designated otherwise.
- The phrase “gateway communities” refers to the towns of Jackson and Cody, Wyoming, and Gardiner and West Yellowstone, Montana, only.
- Require all new oversnow vehicles purchased by the parks to conform to the best environmental standards available, and that other vehicles are retrofitted whenever possible with new technologies designed to lower sound and emission levels, subject to available funding.

### **Adaptive Management and Monitoring Common to All Units**

These plans include adaptive management provisions. An adaptive management plan is different from a monitoring plan in that it allows park managers to act when some information exists about a specific resource but conclusive data is currently unavailable. The first step in adaptive management is to develop and implement a management scenario based on the best available information. For example, this plan prescribes a

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<sup>1</sup> See discussion of the EPA rule in FESIS Chapter III under Air Quality.

specific limit on the number of daily entries by snowmobile. The next step is to implement an evaluation program to assess the success of the management scenario relative to defined resource thresholds. This evaluation is critical within the framework of adaptive management because of the uncertain results of the initial predictions. Managers then review the results of the evaluation program and may adjust activities or use limits to mitigate unplanned or undesirable outcomes. For example, if the visitor limits set for a park entrance have a greater or lesser effect on resource thresholds than predicted, then the number of visitors allowed to enter the parks could be raised or lowered accordingly. Further discussion on the adaptive management process may be found in Appendix I of the Final EIS.

General resource monitoring applies when adequate information exists to make informed management decisions based on discrete and accepted thresholds. It is the process of collecting information to evaluate if the objectives of a management plan are being realized. General monitoring techniques will be used to assess impacts to public health and safety; geothermal features; water quality; threatened and endangered species; wildlife; and some aspects of visitor experience. A sample monitoring plan is provided in Appendix E of the Draft SEIS.

Attachment A describes monitoring and adaptive management indicators, locations/zones, preliminary thresholds, methods, and monitoring intensity. Attachment A also identifies possible management actions that will be implemented if thresholds are violated. Some non-emergency actions, such as permanent road closures to protect wildlife or the construction of a new facility, may require additional site-specific NEPA analysis, which includes public involvement. Other actions might be administrative in nature or could be implemented through application of a categorical exclusion under NEPA. The preliminary thresholds in Attachment A are based in part on the least environmentally damaging conditions that would have been achievable under any of the alternatives considered in the SEIS. Monitoring and adaptive management, and management action if these thresholds are violated, will ensure the parks' obligation to preserve park resources and values in an unimpaired condition is achieved, while allowing for winter use of the parks. Many of these thresholds were derived partly from the results of computational models, and they are preliminary in nature. Therefore, they could be adjusted depending on data resulting from monitoring and adaptive management programs.

## **Mitigation Common to All Units**

### **Water Resources**

- Best management practices will be used during the construction, reconstruction, or winter plowing of trails and roads to prevent unnecessary vegetation removal, erosion, and sedimentation.
- Winter-motorized trails will be separated from drainages to mitigate the routing of snowpack contaminants into surface water.
- Any new or reconstructed winter use sanitary facilities will be constructed in locations and with advanced technologies that will protect water resources.

- A focused monitoring program will reduce the uncertainty of impacts from oversnow vehicles, and if necessary indicate best management practices that might be implemented.

### **Wildlife, Including Federally Protected Species and Species of Special Concern**

- NPS personnel will patrol sensitive resources to ensure compliance with area closures.
- Monitoring of eagle populations to identify and protect nests will continue. The park will continue to support the objectives of the Greater Yellowstone Bald Eagle Management Plan.
- Monitoring of wolf populations will continue.
- Continue to conduct lynx surveys to document the presence/absence of lynx and their distribution and abundance. The information obtained will assist park managers in protecting important habitats and planning recreational activities that minimize disturbance to lynx. The presence of other carnivores will be documented. The parks will abide by the recommendations of the Lynx Conservation Assessment Strategy.
- Assessment of grizzly bear abundance, distribution, and habitat selection, including the location of dens, will continue. The information obtained will assist park managers in protecting important habitats and planning recreational activities that minimize disturbance to bears. Monitoring grizzly bear populations will continue in accordance with the Interagency Grizzly Bear Management Guidelines and the parks' bear management plans.
- Monitoring and protecting trumpeter swan habitats and nests will continue, including the closure of nest sites, when warranted, to public access from February 1 to September 15.
- Monitoring potential or known winter use conflicts will result in area closures if necessary to protect wildlife habitat.
- Snow track surveys for carnivores (including lynx) will be conducted on both groomed and ungroomed routes.
- Use of groomed, ungroomed, and plowed surfaces by bison and other ungulates will continue to be monitored.

### **Cultural Resources**

- Should the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony occur during construction, provisions outlined in the Native American Graves Protection and Repatriation Act of 1990 (25 USC 3001) will be followed.
- Trails and trailheads will be sited to avoid adversely impacting known cultural resources, including potential cultural landscapes. In addition, the use of natural materials and colors for all permanent signs erected will allow the signs to blend into their surroundings.

### **Actions Specific to Yellowstone**

- In Yellowstone, the NPS will continue to plow the road from Mammoth to Tower and Tower to the Northeast Entrance (Cooke City) throughout the winter. The NPS would support the state of Montana's plowing of U.S. Highway 191 in Yellowstone.
- A designated route for "non-motorized recreation" is defined as a marked or otherwise indicated oversnow travel way.
- Grand Canyon of the Yellowstone and the McMinn Bench bighorn sheep area will continue to be closed to winter use.
- Restrict non-motorized uses in wildlife winter ranges and thermal areas to travel on designated routes or trails.
- Winter garbage storage facilities that are wildlife-proof will be constructed in the Old Faithful, Grant, Lake, and Canyon areas.
- Continue allowing personal non-recreational use of snowmobiles by employees and their families living in the interior of Yellowstone; however, subject to available funding, provide administrative snowcoaches for their use and encourage them to replace their current snowmobiles with cleaner and quieter machines utilizing the best available technology (BAT).
- Increase interpretive opportunities related to the unique aspects of the winter environment by providing interpretive programs at destination areas and warming huts. Provide guided interpretive programs for organized groups on snowcoaches. Provide interpretive ski and snowshoe tours and programs such as near Tower, Canyon, Mammoth, Old Faithful, West Thumb, Madison, and West Entrance.
- Provide adequate warming huts for all visitors at Old Faithful, Norris, Madison, Canyon, Fishing Bridge, Mammoth Terraces and other appropriate sites.
- Continue all existing major groomed motorized routes (zone 3).
- Implement the winter use season during the period from late November to mid-March.
- Allow early season travel by only rubber track vehicles until sufficient snow for snowmachines has accumulated.
- Reduce administrative snowmobile use and supplement with administrative snowcoaches, subject to available funding and authority. Phase-in administrative snowmobiles to a type that meet the BAT requirements.
- Allow on a limited basis as administrative use, snowmobiles by concessioners to support their operation. Require (through permit and contracts) BAT as they are developed and encourage the use of snowcoaches.
- Maintain the speed limit of 35 mph from the West Entrance to Madison to Old Faithful, and further reduce speed limit to 25 mph in specific, special areas along this segment.



- The side roads that were restricted to snowcoach-only motorized travel in the winter of 2002-2003 will remain as snowcoach-only at least through the winter of 2004-2005, with the exception of the Lake Butte Road, which will be opened to snowmobiles.

### **Actions Specific to Grand Teton and the Parkway**

- In Grand Teton and the Parkway, the following roadways will continue to be plowed:
  - Highway 26/89/287 from the south boundary of the park to Moran.
  - Highway 89/287 from Moran to Colter Bay.
  - Highway 26/287 from Moran to the eastern park boundary.
  - Teton Park Road from Moose Junction to Taggart Lake Trailhead, and from Jackson Lake Junction to Signal Mountain Lodge; from Highway 89/287 along the Pacific Creek road to the park boundary; from Kelly to the eastern park boundary; from Gros Ventre Junction to Kelly to Mailbox Corner; and the road to the eastern park boundary at Ditch Creek.
- Current winter closures will remain in effect on the Snake River floodplain, the Buffalo Fork River floodplain, and the Uhl Hill area, Willow Flats, Kelly Hill, Static Peak (zone 9), Prospectors Mountain, and Mount Hunt.
- Continue to provide access to inholdings and adjacent public and private lands using motorized means. This access will be a combination of plowed roads for wheeled-vehicle access, and staging areas for snowmachines traveling to immediately adjacent lands.
- Reasonable and direct access to adjacent public and private lands, or to privately owned lands within the park with permitted or historical motorized access, will continue via paved and plowed routes or via oversnow routes from GTNP.
- Increase interpretive opportunities related to the unique aspects of the winter environment by providing interpretive programs at destination areas and warming huts. Provide guided interpretive programs for organized groups on snowcoaches. Provide interpretive ski and snowshoe tours and programs at locations such as Moose, Colter Bay, and Flagg Ranch.
- Phase in administrative snowmobile types that meet the best available emission and sound limits, subject to available funding. Administrative use of snowmobiles in Grand Teton is limited to law enforcement, utility and maintenance access, and search and rescue or other use as approved by the superintendent and consistent with NPS Management Policies 8.2.3.2.
- Continue destination and support facilities at Moose, Triangle X, Colter Bay, and Flagg Ranch, and add warming hut facilities along the Teton Park Road to provide visitor services and interpretive opportunities that focus on nonmotorized uses (zone 1).
- Continue access to Flagg Ranch by plowed road at least until the current concessions contract expires on December 31, 2009.

- Continue existing motorized routes (zone 3).
- Limit snowmobile use on Jackson Lake’s frozen surface to the daily limits identified in Table 1 of this ROD, and only with machines that meet the BAT requirements, as well as other restrictions. Snowplanes will continue to be prohibited in accordance with 36 CFR 7.22. Maximum speed will be limited to 25 miles per hour and access will be permitted from Colter Bay and Signal Mountain only. Those using the lake surface must have in their possession a valid Wyoming fishing license, fishing equipment, and may only travel directly to and from a fishing area. Other recreational snowmobile use on Jackson Lake would be prohibited.
- BAT requirements would apply to all snowmobiles on the Continental Divide Snowmobile Trail (CDST). BAT requirements would also apply to all snowmobiles originating at Flagg Ranch and traveling west on the Grassy Lake Road. Snowmobiles originating in the Targhee National Forest and traveling eastbound on the Grassy Lake Road would not be required to be BAT; however, these snowmobiles could not travel further than Flagg Ranch. These requirements would be effective beginning with the winter season of 2004-2005.

**Table 1. Initial limits on recreational snowmobile use for Yellowstone/Grand Teton/Parkway entrance road segments**

<b>Entrance or Road Segment</b>	<b>Daily Limit for Commercially Guided Snowmobile Use</b>	<b>Daily Limit for Non-Commercially Guided Snowmobile Use</b>	<b>Total</b>
North Entrance	40	10	50
East Entrance	80	20	100
West Entrance	440	110	550
South Entrance	200	50	250
Grassy Lake Road	N/A	N/A	75*
Continental Divide Snowmobile Trail	N/A	N/A	75*
Jackson Lake	N/A	N/A	40*

\*The users are not required to be accompanied by a guide.

- Initially, visitors who enter Yellowstone through one entrance, exit the park at another entrance in order to spend that night out of the park, and then re-enter on the following day will not be counted towards the daily entry limits on following day. Also, visitors spending the night in Yellowstone at Old Faithful, Canyon, or in the backcountry would only count towards the daily entry limit on the day they initially enter the park.

- Initially, snowmobiles rented at Old Faithful by an authorized concessioner will not count against daily entry limits. Both of these provisions may be modified through adaptive management.