

Update on Winter Use in Yellowstone and Grand Teton National Parks and the John D. Rockefeller, Jr. Memorial Parkway

- **Where are we in the process and what happens next?**

The National Park Service published the Final Rule to implement the Record of Decision (ROD) for Winter Use Planning in the *Federal Register* on December 13, 2007.

The Winter Use Plans Final Environmental Impact Statement (EIS) released on September 24, 2007, disclosed the environmental impacts of various alternatives, but did not make a final decision on the issue being evaluated.

The ROD is the document that contains the final decision on winter use management for the parks and explains the rationale behind the decision. It was signed by Mike Snyder, the Regional Director of the Intermountain Region of the National Park Service, on November 20, 2007.

The ROD implements most elements of the preferred alternative in the Final EIS. Because the ROD involved changes to the rules governing winter use in the parks, publication of a Final Rule in the *Federal Register* was necessary.

With the publication of the Final Rule, the parks are set to open for the winter 2007- 2008 season as scheduled on Wednesday, December 19, 2007.

The Final Rule can be found on the web at <http://a257.g.akamaitech.net/7/257/2422/01jan20071800/edocket.access.gpo.gov/2007/pdf/E7-24175.pdf>.

The Final EIS and the ROD can be found at the National Park Service's Planning, Environment and Public Comment (PEPC) website at <http://parkplanning.nps.gov/documentsList.cfm?parkId=111&projectId=12047>.

These documents are also available on CD or in hard copy by writing the Winter Use Planning Team, P.O. Box 168, Yellowstone National Park, Wyoming 82190. Document requests may also be made by sending an e-mail to yell_winter_use@nps.gov, by calling 307- 344- 2019 during normal business hours or by sending a request by fax to 307- 344- 2025.

- **What happens this winter?**

Operations will continue this winter like they have the past three winters.

In Yellowstone, this means up to 720 commercially guided, Best Available Technology (BAT) snowmobiles a day may enter the park during the winter of 2007- 2008. Up to 78 snowcoaches will be allowed to enter Yellowstone this winter.

The daily entry limits by entrance for Yellowstone this winter (2007- 2008) are as follows:

| Entrance | Commercially guided BAT snowmobiles | Commercially guided Snowcoaches |
|----------------|--|------------------------------------|
| West Entrance | 400 | 34 |
| South Entrance | 220 | 10 |
| East Entrance | 40 | 2 |
| North Entrance | 30 | 14 |
| Old Faithful | 30 | 18 |
| Total | 720 | 78 |

Yellowstone will conduct avalanche hazard reduction operations this winter to allow motorized oversnow travel on the East Entrance road across Sylvan Pass. Methods used to reduce the risk of avalanche hazard reduction operations this winter may result in longer temporary closures between the detection of avalanche risk and the reopening of Sylvan Pass to motorized oversnow travel compared to historic avalanche hazard reduction operations.

In Grand Teton and the Parkway, a total of 140 snowmobiles a day will be allowed this winter. Most of the snowmobiles will have to meet BAT requirements. Access to the Continental Divide Snowmobile Trail (50 machines daily), Grassy Lake Road (50), Jackson Lake (40), and adjacent public and private lands will continue like they have the past three winters. Commercial guides will not be required in Grand Teton or the Parkway.

- **What changes to recent snowmobile and snowcoach use will occur in Yellowstone starting next year - Winter 2008-2009?**

First of all, some things will not change. All snowmobiles in Yellowstone (with the exception of those traveling the Cave Falls Road) will have to meet BAT requirements and all will be commercially guided. The ROD and the Final Rule continue to require that snowmobiles and snowcoaches travel only on existing park roads groomed for their use. Trail and off- road use of snowmobiles and snowcoaches has always been and will continue to be prohibited.

In Yellowstone, 540 BAT snowmobiles and 83 snowcoaches will be allowed per day. All snowmobiles and snowcoaches will be 100% commercially guided. Private snowcoaches will no longer be permitted to enter the park.

Fifty snowmobiles a day will be allowed on the one- mile long Cave Falls Road into the park’s southwestern corner. There will be no BAT or guiding requirement on this section of road.

The daily entry limits by entrance for Yellowstone beginning with winter 2008- 2009 will be:

| Entrance | Commercially guided BAT snowmobiles | Commercially guided snowcoaches |
|----------------|--|------------------------------------|
| West Entrance | 300 | 37 |
| South Entrance | 170 | 10 |
| East Entrance | 30 | 2 |
| North Entrance | 20 | 15 |
| Old Faithful | 20 | 19 |
| Total* | 540 | 83 |

* The totals do not reflect the 50 snowmobiles allowed on the Cave Falls Road.

The decision calls for Sylvan Pass to remain open to motorized oversnow travel. Yellowstone will use a combined helicopter and howitzer program to conduct avalanche hazard reduction operations this winter.

Beginning with the 2008- 2009 winter season, snowmobile and snowcoach travel over Sylvan Pass will be allowed when full avalanche forecasting, as defined in the Operational Risk Management Assessment, indicates travel through the pass is safe. The pass will be closed to all travel when such forecasting shows travel is unsafe, and will reopen to travel only when forecasting indicates the danger has subsided.

The National Park Service will continue to work with the State of Wyoming, Park County, Wyoming, and the City of Cody to seek a consensus approach to avalanche mitigation by June 1, 2008, to provide alternate ways for safe motorized oversnow access over Sylvan Pass.

- **What changes in use will occur in Grand Teton and the Parkway starting next year (Winter 2008-2009)?**

In Grand Teton and the Parkway, the park will no longer groom or allow motorized oversnow travel on the Continental Divide Snowmobile Trail (CDST) between Moran Junction and Flagg Ranch. Those interested in through travel on the CDST could transport their snowmobiles on trailers between these locations. Commercial options to transport snowmobiles between these locations may be available.

Twenty- five snowmobiles a day will be allowed to travel on the Grassy Lake Road (as counted at Flagg Ranch). There will be no BAT or guiding requirement on the Grassy Lake Road. This provision will allow through travelers on the CDST to continue into the Caribou- Targhee National Forest, where more snowmobile trails exist.

Forty unguided, BAT snowmobiles a day will be allowed on Jackson Lake to facilitate ice fishing by those possessing appropriate fishing gear and a valid State of Wyoming fishing license.

- **Are there changes planned concerning snowcoach sound and emissions?**

Beginning with the 2011- 2012 season, all snowcoaches operating in the parks will be required to meet emission and sound level requirements. This requirement, like that for snowmobiles, is intended to further improve air quality and soundscape protection. The four- year delay will provide adequate time to snowcoach operators to make the necessary improvements and investments to their vehicles.

- **What impact would these new daily limits for snowmobiles and snowcoaches have on the communities near Yellowstone which provide services to winter visitors?**

Last winter, we averaged 290 commercially guided, BAT snowmobiles and 34 commercially guided snowcoaches entering the park per day. The ROD and the Final Rule will allow 540 commercially guided BAT snowmobiles and 83 commercially guided snowcoaches to enter the park each day. We believe this provides the potential for economic growth for the communities serving winter visitors to Yellowstone.

- **Why do the Record of Decision and the Final Rule allow more snowmobiles to enter Yellowstone?**

They don't! The ROD and the Final Rule will allow fewer snowmobiles in Yellowstone in the future than were allowed during the last three winters.

Under the temporary rules, up to 720 commercially guided BAT snowmobiles were allowed per day in Yellowstone National Park. Under the ROD and this Final Rule, a maximum of 540 BAT machines, all commercially guided, will be allowed in Yellowstone each day starting with the winter of 2008- 2009.

This limit is similar to our peak day last year (542 on 12/28/2006) but will allow for some increase in use from last winter's average of 290 snowmobiles a day. The limit is also a substantial reduction from the historic average of 795 snowmobiles entering Yellowstone daily in the 1990s.

- **Why do the ROD and the Final Rule reduce snowmobile numbers to 540 a day? Why not stay with 720 a day like you've allowed the past three winters, and which you supported in the Draft EIS?**

The ROD and the Final Rule reduce the maximum number of snowmobiles allowed in the park from 720 to 540 per day as a means to better protect park resources.

There's no question we've seen significant improvements in air quality, fewer wildlife disturbances, and a reduction in sound impacts with the managed, limited use of BAT snowmobiles the past three winters when compared with historic, unregulated use.

We've now had three full winters to collect and analyze data from limited, managed use. This has helped us refine the models used to analyze the impacts of a variety of alternatives involving oversnow vehicles.

Further analysis and modeling have shown that reducing snowmobile numbers from 720 to 540 a day is one of several actions we need to take in order to better address resource protection, especially sound impacts. Even at current levels of use (290 snowmobiles per day, 32 coaches per day), sound levels were higher than expected, and snowcoach and snowmobile vehicle sounds could be heard for longer periods of time than expected. Monitoring thresholds are already exceeded.

During the winter of 2005- 2006, oversnow vehicles were audible on a daily basis consistently between 60% and 80% of the time at Old Faithful. Three (12.5%) of the 24 days analyzed exceeded the temporary plan audibility threshold of 75% for developed areas (Final EIS p. 143).

At Madison Junction, snowmobiles and snowcoaches were audible for an average of 55% of the time during the winter use season, exceeding the temporary plan audibility threshold of 50% for travel corridors. The percent time audible for 18 (75%) of 24 days analyzed exceeded 50% (Final EIS p. 145). Also at Madison, the sound levels from oversnow vehicles exceeded the Temporary Plan maximum sound level impact definition threshold (70 dBA) during most of the hours of the measurement day (8 a.m. to 4 p.m.) in 2005- 2006 (Final EIS p. 147).

Finally, oversnow vehicles on the groomed Old Faithful- Madison Junction Road were audible at a monitoring site 8,000 feet from the road all days at least 10% of the time, with an average audibility of 26% of the day between 8:00 a.m. and 4:00 p.m. The audibility impact definition threshold for a major adverse effect in the 2004 Winter Use Plan was 20% in backcountry areas; nine of 18 days at this same site exceeded 20%.

For additional details, see the 2005 Burson soundscapes monitoring report, which can be found online at <http://www.nps.gov/yell/parkmgmt/winterusetechnicaldocuments.htm>.

Reduced snowmobile numbers will also help protect Yellowstone's air quality. Although the conversion to BAT snowmobiles has dramatically reduced carbon monoxide and particulate levels, one of the tradeoffs with four- stroke machines is that they produce more benzene (and some other hazardous air pollutants) than the two- stroke engines used historically. With visitation only near 250 snowmobiles per day, two benzene samples at the West Entrance were still near recommended exposure limits (Final EIS p. 99).

Regarding wildlife, oversnow vehicle activities may cause a wide range of responses from wildlife with effects at differing scales. For example, collisions between oversnow vehicles and wildlife can cause direct mortality, while single or repeated interactions between such vehicles and wildlife could lead to energy expenditures from flight reactions. Additionally, exposure to natural (such as wind) or human caused (such as oversnow vehicle traffic) noise may result in a listening area reduction. Animals can be displaced from important habitats by human activity, or they can experience less obvious effects like elevated heart rate and metabolism which, in turn, can result in high energy expenditures, elevated production of stress hormones, increased susceptibility to predation, decreased reproduction, and diminished nutritional condition. Thus, it is fair to assume that higher oversnow vehicle traffic would result in more frequent responses by, or stress to, wintering wildlife (from Final EIS pp. 249- 250; see the Final EIS for the pertinent citations).

Finally, a substantial portion of the 122,000 comments filed on the Draft EIS in 2007 supported reduced snowmobile numbers, BAT, and 100% guiding for them if the NPS were to continue to allow them (North Wind, Inc., Public Comment Report on Winter Use Plans Draft EIS, 2007, p. 6, available at <http://www.nps.gov/yell/parkmgmt/winterusetechnicaldocuments.htm>).

- **How can you support allowing 540 snowmobiles a day when you're already exceeding adaptive management thresholds for sound audibility with much lower snowmobile numbers?**

First, let's back up a bit. Best Available Technology (BAT) snowmobiles are about ten decibels quieter than two- stroke machines. At 50 feet, the sound of a BAT snowmobile traveling at 30 miles an hour is about as loud as normal conversation in an office or home.

Requiring the use of BAT snowmobiles, placing limits on the number of snowmobiles, and keeping snowmobiles together in guided groups have all reduced overall audibility in the parks compared to unregulated, historic use.

But the question is valid. As noted above, monitoring data shows that even with these improvements, there are times we've exceeded the sound thresholds at current snowmobile and snowcoach use levels, especially in some of the busier travel corridors such as the route from West Yellowstone to Madison and on to Old Faithful.

That same monitoring data shows that the reason sound levels have been higher than expected is mainly due to certain models of older snowcoaches. Since they were designed and built many years ago, some of these snowcoaches are louder than their modern counterparts. Administrative use of oversnow vehicles like grooming machines and some two- stroke snowmobiles also added to the few occurrences when the thresholds were exceeded.

Modeling shows that by upgrading the older snowcoaches to meet modern sound and emission standards, limiting the total number of oversnow vehicles to 540 BAT snowmobiles and 83 snowcoaches a day, and

requiring that all administrative snowmobile use utilize BAT snowmobiles will result in lower sound levels than those measured under the level of oversnow vehicle use experienced the past three winters.

Also, the ROD includes an Adaptive Management Program. If monitoring of use levels of snowmobiles and snowcoaches allowed under the ROD indicates acceptable conditions, the NPS will increase use levels to the extent acceptable conditions can be maintained. Conversely, if monitoring of use levels of snowmobiles and snowcoaches allowed under the ROD indicates unacceptable conditions, the NPS will reduce use levels to the extent acceptable conditions can be maintained.

- **But wouldn't more snowmobiles and more snowcoaches than recent use levels impair air quality in Yellowstone?**

Air quality has been a big issue regarding winter use in the parks. Yellowstone and Grand Teton must meet the highest (Class I) standards under the Federal Clean Air Act.

During historic times of unregulated use, an average of 795 two- stroke machines entered Yellowstone daily. Average peak days saw 1,400 two- stroke snowmobiles entering the park. This resulted in days when a blue smoke haze caused by large numbers of two- stroke machines hung over the West Entrance or the Old Faithful parking lot. The EIS and ROD of 2000 found that historic unlimited and unregulated winter use of two- stroke snowmobiles in the parks had an unacceptable impact on air quality.

Best Available Technology machines are much cleaner than the old two- stroke machines. Use of BAT snowmobiles and an overall reduction in snowmobile numbers are two reasons why Yellowstone's air is much cleaner now than in the past. Air quality monitoring last winter showed carbon monoxide levels to be one-tenth of the Clean Air Act limit for national parks, and that particulate levels were little different from background levels and not correlated to oversnow vehicle numbers. Both carbon monoxide and particulate levels remained well below state and national standards.

BAT snowmobiles are also much cleaner than the older, carbureted engines still in use in some snowcoaches. That's another reason the ROD and the Final Rule call for emissions requirement for snowcoaches.

While there would be a small increase in emissions if the number of motorized oversnow vehicles increases from recent use levels to the maximum number allowed under the ROD and the Final Rule, this increase will not result in any impairment of park air quality. All measures of air quality for pollutants, particulates and visibility are predicted to be well below Federal, Montana and Wyoming ambient air quality standards under the limits specified in the ROD and the Final Rule.

As noted above, concerns remain about benzene levels. One of the tradeoffs with four- stroke machines is that they produce more benzene and some other hazardous air pollutants than the two- stroke engines used historically. With visitation only near 250 snowmobiles per day, two benzene samples at the West Entrance were still near recommended exposure limits (FEIS p. 99). In part for this reason, the NPS will continue air quality and personal exposure monitoring and take steps via the adaptive management plan to remedy any continuing problems with snowmobile emissions.

Limiting the maximum number of oversnow vehicles to 540 BAT snowmobiles and 83 snowcoaches a day helps us ensure air quality standards and personal exposure goals are met.

- **What about snowmobile impacts to wildlife?**

Park scientists have studied the effects of winter use on wildlife since 1999. The maximum number of snowmobiles entering through the park's West Entrance during that period ranged from 324 to 1,874 machines a day. Analysis of the data show this level of winter use did not contribute to wildlife disturbance at the population level. The ROD and the Final Rule call for snowmobile numbers well below the maximum number experienced during the study period.

An analysis of data from the past 35 years shows no evidence that snowmobile use has affected the population dynamics or demographics of bison, elk, bald eagles, or trumpeter swans in Yellowstone.

These same studies further show that most animals pay little attention to people on snowmobiles or in snowcoaches, often reacting by doing nothing more than turning their heads. The odds of bison or elk actively responding to the presence of people were somewhat greater when snowcoaches were present.

Finally, the wildlife analysis in the Final EIS demonstrated that the snowmobile and snowcoach limits specified in the ROD and the Final Rule would have no greater impacts upon wildlife than if the ROD and the Final Rule called for a conversion to snowcoaches only.

As with air and noise monitoring, the NPS will continue wildlife monitoring and take steps via the adaptive management plan to remedy any continuing problems with winter visitor impacts upon park wildlife.

- **Does grooming of the roads for oversnow travel have an impact on bison?**

Recent studies have found that many factors impact bison travel and distribution throughout the park. Travel corridors are largely defined by rivers and thermal areas that connect foraging areas. The studies found no evidence that bison prefer to travel on groomed roads in the winter.

The ROD and the Final Rule call for implementation of a five- year research project intended to specifically address the question of whether grooming of the Madison to Norris road segment in Yellowstone has led to alterations of bison movements and distribution. The question was identified in a report by Dr. Cormack Gates et al., entitled "The Ecology of Bison Movements and Distribution in and Beyond Yellowstone National Park" (2005, available at <http://www.nps.gov/yell/parkmgmt/winterusetechnicaldocuments.htm>).

The research proposal will involve a linked series of experiments that will enable researchers to gain insight into how road grooming and other factors currently affect bison travel. Initially, the research program will include the analysis of existing data on GPS- collared bison, the tracking of additional GPS- collared bison, and the deployment of cameras along travel routes to gain information on the relationship between road grooming and bison travel, without necessitating the closure of the Gibbon Canyon road segment to public oversnow vehicle travel.

During the five year period, however, other roads or routes may be investigated to help understand the relationship between snow depth, grooming, and bison movement. For example, the Firehole Canyon Drive may be closed to oversnow travel and the Grand Loop Road gated in that area to allow snowmobile and snowcoach travel, but not bison movement on the main road. Bison would then be forced to travel cross country or along the ungroomed Firehole Canyon Road. Similarly, the Madison to Norris Road may be fenced or gated in the vicinity of a new bridge over the Gibbon River above Gibbon Falls to restrict bison movement on the Madison to Norris Road and force bison to travel cross country. Thus, bison movement and snow depth and roads may be tested without closing a main road.

Following the five years of data gathering and analysis, the NPS, in consultation with the researchers, will consider closing the main Madison to Norris route to observe bison response. That decision will rely on the results of the data gathering and analysis and whether such a closure would be likely to yield informative data or conclusions. If implemented, such a closure will likely last several seasons.

- **Why do you want to continue 100-percent commercial guiding in Yellowstone?**

Because it works. Mandatory guiding under the temporary plan addressed most of the concerns regarding the impacts of historic, unregulated winter use:

- Guiding ensures that only BAT snowmobiles are used.
- The parks are much cleaner and quieter, due to BAT machines, group size, and behavior.
- The need for closures and signage are reduced since guides know the rules. This saves ranger time and reduces visitor frustration.
- Safety has been greatly enhanced. There are fewer intoxicated or underage operators and less speeding.
- Moving violations decreased by 78% from 2002- 2003 to 2006- 2007, and arrests dropped from 21 to 3 in the same period, due to commercial guiding (after accounting for changing visitation numbers).
- Guides help ensure adverse wildlife encounters and habituated wildlife problems are minimized.

- **Public comments on the Draft EIS again heavily favored snowcoach-only access. Why did you ignore public sentiment against snowmobile use a third time?**

When we first began to seriously examine ways to deal with oversnow vehicle use and impacts more than a decade ago, the alternative of a cleaner, quieter snowmobile did not exist. The only way at that time to protect the park and provide a quality visitor experience was to propose the elimination of snowmobile use in the park.

An agreement to settle a lawsuit halted the implementation of the original decision and plunged us into a new planning effort. It was during this period that manufacturers began to produce a newer generation of snowmobiles, which are much cleaner and quieter than the old two- stroke machines. To date, these BAT machines have been the cleanest and quietest four- stroke snowmobiles manufactured.

During the past three winters, we've provided for limited, managed access using only cleaner, quieter, BAT snowmobiles. This has led to significant improvements in air quality and sound levels. It has improved protection of the park and improved the visitor experience.

BAT machines are not in widespread use in other areas where snowmobiles are found. We believe that the vast majority of those favoring snowcoach- only access are against returning to the unacceptable conditions that resulted from the historic, unregulated use of two- stroke snowmobiles, not the significantly improved conditions experienced with limited, regulated use of BAT machines.

We agree with the vast majority of those who have submitted comments on this subject over the years that historic, unregulated use of 2 -stroke snowmobiles resulted in unacceptable impacts.

A large number of those submitting comments on the Draft EIS told us that if we were to continue snowmobile use in the park, we should continue to require the 100% guiding requirement and should reduce the number of snowmobiles allowed per day. In part for this reason, we reduced the maximum number of snowmobiles allowed in Yellowstone under the ROD and the Final Rule from 720 to 540 a day.

The National Park Service believes that the limited, managed use of both BAT snowmobiles and snowcoaches for oversnow travel provides for a wide range of visitor experiences without impairing the integrity of park resources or values in full compliance with the Organic Act, the NPS Management Policies (2006), and the Clean Air Act.

- **What about the future of Sylvan Pass access?**

We have worked with the State of Wyoming, Park County, Wyoming and the City of Cody to find a way to manage Sylvan Pass access while addressing visitor and employee safety concerns.

There is substantial avalanche danger on Sylvan Pass, some of which is not currently mitigated acceptably. The East Entrance road crosses 20 avalanche paths through Sylvan Pass. Yellowstone has been conducting avalanche hazard reduction operations at Sylvan Pass since 1973. Up until two winters ago, rangers used howitzers on loan from the military to conduct avalanche hazard reduction operations.

Rangers must travel through eight to ten uncontrolled avalanche zones just to reach the howitzer. Sometimes the howitzer shells used to bring down snow banks don't go off, leaving hazardous unexploded shells (duds) that can later roll down the mountainside to the road where they pose a threat to visitors and park employees. Over the years, there have also been several instances when park employees or visitors had close calls with avalanches.

The 2000 EIS, the 2003 SEIS, and the Temporary Winter Use EA of 2004 all acknowledged the considerable risk in operating an avalanche hazard reduction program at Sylvan Pass. In fact, the 2000 EIS considered closing Sylvan Pass.

In earlier planning processes, outside agencies including OSHA (2001) and the State of Montana (2004) looked at the risks of avalanche hazard reduction efforts at Sylvan Pass, including unexploded ordnance. These reports are in part why we began to use helicopters for avalanche hazard reduction starting in the winter of 2004- 2005, switching predominately to the use of helicopters for avalanche hazard reduction the next winter. However, in doing so we just displaced some of the risk from NPS employees onto a contractor.

During this latest planning effort, we had an avalanche expert produce a report on hazards and possible avalanche mitigation strategies. We also brought together a group of technical experts to analyze the risk of a range of avalanche hazard reduction strategies that might be used at Sylvan Pass. These experts concluded that the existing howitzer program and the existing helicopter program of discharging avalanches both carried distinct risks to park employees. The final version of the Operational Risk Management Assessment is completed and posted online at <http://www.nps.gov/yell/parkmgmt/winterusetechndocuments.htm>.

We have highly trained and experienced professionals who have run a successful avalanche hazard reduction program at Sylvan Pass. But we've determined it is an unacceptable risk to use the howitzers like we have in the past, or to continue use of the helicopter as we have in the past for avalanche hazard reduction.

Yellowstone will conduct avalanche hazard reduction operations this winter to allow motorized oversnow travel on the East Entrance road across Sylvan Pass, but methods used to reduce the risk of avalanche hazard reduction operations this winter may result in longer temporary closures between the detection of avalanche risk and the reopening of Sylvan Pass to motorized oversnow travel compared to historic avalanche hazard reduction operations.

The decision calls for Sylvan Pass to remain open to motorized oversnow travel. Yellowstone will use a combined helicopter and howitzer program to conduct avalanche hazard reduction operations this winter.

Beginning with the 2008- 2009 winter season, snowmobile and snowcoach travel over Sylvan Pass will be allowed when full avalanche forecasting, as defined in the Operational Risk Management Assessment, indicates travel through the pass is safe. The pass will be closed to all travel when such forecasting shows travel is unsafe, and will reopen to travel only when forecasting indicates the danger has subsided.

The National Park Service will work with the State of Wyoming, Park County, Wyoming and the **City** of Cody to seek a consensus approach to avalanche mitigation by June 1, 2008, to provide alternate ways for safe motorized oversnow access over Sylvan Pass.

- **Why are you eliminating motorized oversnow access on the Continental Divide Snowmobile Trail (CDST) between Moran Junction and Flagg Ranch?**

Last winter, just 14 snowmobiles traveled on this section of the CDST. Current or anticipated use levels do not warrant the effort or expense to keep this section of the CDST groomed and open to motorized oversnow travel.

Those interested in through travel on the CDST could transport their snowmobiles on trailers between these locations. Commercial options to transport snowmobiles between these locations may be available.

To accommodate through travel on the CDST, we will lift the BAT requirement for snowmobiles traveling on the Grassy Lake Road from Flagg Ranch to the Caribou- Targhee National Forest. Under the ROD, 25 unguided snowmobiles a day (BAT not required) will be allowed to travel on the Grassy Lake Road.

- **What about snowplanes on Jackson Lake?**

The Final EIS and ROD did not reevaluate decisions about management of winter use that have already been implemented, including the prohibition of snowplanes on Jackson Lake. The prohibition of such use was recently upheld by the U.S. District Court for the District of Wyoming. Under the ROD and the Final Rule, 40 unguided, BAT snowmobiles a day will be allowed on Jackson Lake to facilitate ice fishing by those possessing appropriate fishing gear and a valid State of Wyoming fishing license.

- **Why did it take so long to get a Record of Decision and then get a Final Rule published?**

Winter use in the parks has been the subject of vigorous debate for more than a decade. The resulting planning process has been arduous and complex. These issues raised a great number of questions which needed to be adequately answered.

We're confident we have a sustainable, long term plan for winter use for the parks.

- **Do you expect the Record of Decision and/or the Final Rule to be challenged in court?**

We've received comments favoring a wide range of management approaches during this and past planning processes. We recognize some individuals and groups will be dissatisfied with the ROD and the Final Rule.

As of December 13, 2007, there were two active legal challenges regarding the Final EIS and the Record of Decision.

The National Parks Conservation Association filed a petition for review of agency action in the U.S. District Court for the District of Columbia, alleging violations of the National Environmental Policy Act (NEPA) and of the Administrative Procedures Act.

Five other organizations – the Greater Yellowstone Coalition, The Wilderness Society, the Natural Resources Defense Council, Winter Wildlands Alliance, and the Sierra Club – have filed a similar complaint with the same court.

- **Do the Record of Decision and the Final Rule comply with the new NPS Management Policies?**

Yes, they do.

Virtually every form of human activity that takes place within a park has some degree of effect on park resources or values. That does not mean the impact is unacceptable or that a particular use must be disallowed.

All alternatives contained in the Final EIS and the ROD are in accordance with all applicable laws, regulations, rules, and the 2006 National Park Service Management Policies.

We are dedicated to implementing the NPS mission to preserve and protect the outstanding and significant park resources while providing for high quality visitor experiences. We also remain committed to implementing what is best for the park resources, park visitors, and our employees. We will continue to work with the neighboring communities to support winter use in the greater Yellowstone area.

The NPS Management Policies of 2006 require analysis of potential effects to determine whether actions would impair park resources or cause unacceptable impacts. Managers must always seek ways to avoid, or minimize to the greatest degree practicable, adversely impacting park resources and values. Laws give managers discretion to allow impacts to park resources and values when necessary and appropriate to fulfill the purposes of the park, as long as the impact does not constitute impairment of the affected resources and values. The ROD does not constitute impairment of or unacceptable impacts to park resources.

The EIS of 2000 found that historic unlimited and unregulated winter use of two- stroke snowmobiles in the parks and snowplanes on Jackson Lake had an unacceptable impact on air and water quality, wildlife, and public health and safety. Guided, limited snowmobile access using cleaner, quieter machines has resulted in quieter conditions, clean air, fewer wildlife impacts, and much improved visitor safety and experiences.

- **Why did you do another Winter Use Plan?**

In short, because the two previous Environmental Impact Statements (from 2000 and 2003) were thrown out by different federal courts, leaving the NPS without clear rules to follow for winter use. To issue new rules, the agency produced a third Environmental Impact Statement (EIS) and a new long- term winter use plan, releasing the EIS on September 24, 2007. This is that plan; to allow for winter visitation while this plan was being devised, the agency issued temporary rules (and an associated Environmental Assessment) that covered the last three winters.

In more detail, the EIS of 2000 found that historic unlimited and unregulated winter use of two- stroke snowmobiles in the parks and snowplanes on Jackson Lake had an unacceptable impact on air and water quality, wildlife, and public health and safety. The decision was to phase- out the use of snowmobiles and snowplanes. That decision was challenged in federal court in Wyoming. To settle the lawsuit, we delayed the snowmobile ban and began another planning process to analyze new technology.

The decision arising from the Supplemental EIS of 2003 was to allow limited, regulated use of cleaner, quieter, Best Available Technology snowmobiles in the parks. That decision was challenged in federal court in Washington, D.C., which threw it out and ordered us to phase- in the snowmobile ban. However, the Wyoming court issued a preliminary injunction to stop the snowmobile ban (the 2000 decision) and ordered the parks to issue new rules allowing for “fair and equitable” winter use. That led to the Temporary Winter Use EA and the rules we operated under the last three winters and the start of this latest planning process.

The goal of this current effort is to implement a long- term winter use plan that ensures park visitors have a range of appropriate winter recreation opportunities that do not impair or irreparably harm park resources or values, in accordance with NPS Management Polices of 2006 and all other applicable policies, rules, regulations, and laws.

- **This has been a long-term contentious issue. What is the NPS going to do to help bring different interests together?**

The hallmark of this process has been open information sharing. A decision on winter use planning is not an end, but rather a new beginning of the park’s continuing to share information and work with communities, businesses, and stakeholders. All desire to protect park resources while providing visitors with the best possible experience.

The National Park Service remains committed to working with the communities and other interested parties into the future to ensure a long- term sustainable decision for winter use in the parks.