Coalition of National Park Service Retirees ▫ Greater Yellowstone Coalition
National Parks Conservation Association ▫ Natural Resources Defense Council
Sierra Club ▫ Winter Wildlands Alliance

July 18, 2011

Yellowstone National Park
Winter Use DEIS
Box 168
Yellowstone National Park, WY 82190

Re: Yellowstone National Park's Draft Winter Transportation Plan and Environmental Impact Statement

Dear Superintendent Wenk:

After more than a decade of public engagement and scientific analysis, Yellowstone National Park has the opportunity and obligation to implement a winter transportation plan that honors and sustains Yellowstone's extraordinary wonders and the national park idea they inspired.

The preferred alternative in the agency's most recent draft environmental impact statement is not such a plan. Rather than ensuring that the park's resources and values are conserved for all who journey to experience them in winter, the National Park Service has proposed to manage Yellowstone as two parks. In one, oversnow-vehicle traffic would be reduced from recent levels, lessening the impact of the machines on the park's air, wildlife, and soundscapes. In the other, snowmobile numbers would be allowed to increase substantially, compromising the integrity of Yellowstone in furtherance of a motorized experience abundantly available on public lands outside the National Park System.

According to the National Park Service's new analysis, this variable-stewardship, two-park approach to winter management would "allow users to plan their trip around their desired experience" within Yellowstone. (DEIS at 288) If oversnow-vehicle impacts "would detract from a visitor's experience," the agency suggests the visitor "plan a visit" for one of sixteen winter days "with lower OSV use." (DEIS at 63, 288) "[I]f OSV use is a critical part of a visitor's experience," the visitor can plan for one of the seventy-five days each winter season "with higher OSV use." (DEIS at 63, 288) In short, rather than proposing a plan that "genuinely seeks to minimize adverse impacts on park resources and values," the National Park Service has favored an alternative that "elevates use over conservation" in the world's first national park. (Greater Yellowstone Coalition v. Kempthorne, 577 F. Supp. 2d 183, 193, 210 (D.D.C. 2008))

Yellowstone and the American public deserve better—and the National Park Service's mandates require more. Indeed, in other units of the National Park System, NPS has demonstrated that transportation systems deliver the widest range of benefits when they are specifically designed to provide visitors of all ages and abilities a means of accessing a park and being inspired by its unique resources and values while at the same time ensuring the highest possible level of resource protection. From Acadia to Zion to Denali, the National Park Service's most visionary and successful transportation systems have been developed as a response to this very question—how best to provide access to a park while conserving its unique resources and values. These systems have earned the admiration and appreciation of the American people. And in each case, they were designed not merely to accommodate current visitation levels but in anticipation of increased crowding as our national and global populations continue to swell. Each has accordingly emphasized efficiency—minimizing the number of vehicles required to provide access to all that seek to experience the untrammeled resources of a national park.

Together, the Coalition of National Park Service Retirees, Greater Yellowstone Coalition, National Parks Conservation Association, Natural Resources Defense Council, Sierra Club, and Winter Wildlands Alliance ask you to implement such a transportation system within Yellowstone National Park—a system that provides reliable access to the park's "wonders and wildness" on best-available-technology, multi-passenger snowcoaches. By facilitating a complete transition to snowcoach access within Yellowstone, you will fulfill Director Jarvis's charge for a sustainable winter management plan "consistent with the NPS mission, best available sound science, accurate fidelity to the law, and the long-term public interest." (Yellowstone National Park News Release (Jan. 29, 2010)) You will also heed the overwhelming majority of public comment that has supported an end to snowmobiling within our first national park, assuring more visitors more opportunities to experience the intrinsic natural values of Yellowstone in winter. In contrast, the preferred alternative announced in the Service's draft environmental impact statement would unnecessarily compromise Yellowstone's resources while undermining the certainty and consistency deserved by the public and Yellowstone's gateway communities.

I. THE ADVERSE IMPACTS OF INCREASED TRAFFIC LEVELS

In the words of the National Park Service's 2006 Management Policies, the "fundamental purpose of the national park system, established by the Organic Act and reaffirmed by the General Authorities Act … , begins with a mandate to conserve park resources and values." (Management Policies 1.4.3) As this mandate is "independent of the separate prohibition on impairment," park managers "must always seek ways to avoid, or to minimize to the greatest extent practicable, adverse impacts on park resources and values"—allowing them only "when necessary and appropriate to fulfill the purposes of a park." (Management Policies 1.4.3) Rather than minimizing the impacts of motorized access on Yellowstone's wildlands and wildlife, however, the agency's preferred alternative would needlessly allow an increase in the volume and adverse effects of oversnow-vehicle traffic. This should not be allowed.

A. Air Quality

Consistent with its duties under the Organic Act, the National Park Service is required to "seek to perpetuate the best possible air quality" within Yellowstone. (Management Policies 4.7.1) In authorizing an unnecessary increase in motorized-traffic levels, the agency's preferred alternative falls short of this standard.

According to the DEIS, hydrocarbon emissions under the Service's preferred alternative would be up to 132 percent more than those experienced after a full transition to snowcoach access (Alternative 5b). (DEIS at 252) The DEIS further predicts that emissions of particulates, nitrogen oxide, and carbon monoxide would be 25 to 30 percent higher under the agency's preferred alternative than a snowcoach-only plan. (DEIS at 252) While the agency's own analysis accordingly demonstrates that a transition to snowcoach transportation would minimize vehicle emissions within the park, the air-quality benefits of best-available-technology snowcoaches are likely to be significantly greater than reflected in the DEIS, underscoring the degree to which the Service's preferred alternative would improperly forego "the best possible air quality" within Yellowstone.

1. Air-Quality Modeling and Improved Snowcoach Technologies

According to the Service's Draft Air Quality Modeling Report, "[a]ll alternatives assume implementation of a snowcoach BAT requirement based on EPA Tier 2 light-duty vehicle emission standards." (DEIS App. B at 12) However, the emission factors the agency used in its modeling to reflect the "best available technology" do not come close to representing the air-quality benefits that new engines meeting Tier 2 emission standards will provide. Instead, in estimating the impacts of BAT snowcoaches with gasoline engines, the Service averaged the emissions of eight coaches from the existing Yellowstone fleet whose engines range from 7 to 17 years old—and accordingly do not incorporate the "best available" technology. (DEIS App. B at 11-13; Bishop, et al., Portable Emission Measurements of Snowcoaches and Snowmobiles in Yellowstone National Park (Jan. 2007) ("Bishop Report"), at 7, 15)

Because the DEIS modeled the average emissions of eight engines produced between 1994 and 2004 as the "best available technology," it does not provide an accurate basis for estimating the air-quality benefits that can be expected from snowcoaches utilizing Tier 2 emission technologies. These technologies are now available in the on-road vehicle fleet. As a result, every new BAT snowcoach that would operate in Yellowstone under the National Park Service's plan would likely have substantially lower emissions than those snowcoaches currently operating within the park.

In short, NPS's modeling results are skewed to Yellowstone's past. The result is a dramatic understatement of the air-quality benefits that would arise from a system of snowcoach transportation. For example, the Service's modeling assumes that BAT snowcoaches with gasoline engines will emit 107 grams of carbon monoxide per mile at cruising speed—approximately 9 to 22 times the amount that was emitted by the two cleanest coaches in the sampled group. (DEIS App. B at 13; Bishop Report at 15) Based on the ages of these vehicles' engines, snowcoaches with Tier 2 emissions controls are likely to be cleaner still.

The National Park Service modeled the air-quality impacts of BAT snowcoaches with diesel engines by using the emissions data obtained from a single diesel coach with a 2006 engine. (DEIS App. B at 12; Bishop Report at 7) Because emission and fuel standards for diesel engines have been strengthened since 2006, diesel BAT snowcoaches can similarly be expected to perform better and provide greater air-quality benefits than reflected in the DEIS.

In failing to model the air-quality benefits of the best snowcoach technologies now available, the Service appears to have disregarded recommendations previously made both by the Environmental Protection Agency and by our organizations. In its April 2010 scoping comments regarding Yellowstone's winter visitation plan, the Environmental Protection Agency wrote that in order to "assess the potential improvement available from implementing snowcoach BAT, it is important that the NPS select BAT emission factors that reflect the engine and emission control technologies that are currently available from original equipment vehicle manufacturers and conversion companies." (EPA's Detailed Scoping Comments on the 2011/2012 Winter Use Plan at 4 (emphasis added)) Similarly, in our March 2010 scoping comments, the undersigned organizations emphasized that the "new EIS should assess as accurately as possible how 'best-available-technology' snowcoaches would contribute to the conservation of Yellowstone's resources and values" as it is "clear that snowcoach engines produced after 2001 are markedly cleaner than those produced prior to 2001" and "EPA expects that Tier II and diesel standards will result in further significant reductions in emissions." (Scoping Comments at 6) We reiterate these comments here.

In sum, while the agency's draft environmental analysis considered the air-quality impacts of Yellowstone's current snowcoach fleet, the final EIS needs to take into account what the better future could be. By modeling a snowcoach alternative using emission factors that accurately reflect Tier 2 standards for gasoline engines and stricter standards for diesel engines, the National Park Service will identify additional air-quality benefits stemming from a complete transition to snowcoach access within Yellowstone.

2. The Preferred Alternative and Degradation of Existing Air Quality

In assessing which transportation alternative would "perpetuate the best possible air quality" within Yellowstone, the National Park Service should also determine and disclose whether the air quality experienced in recent winter seasons would be degraded as a result of the increased vehicle traffic of the agency's preferred alternative. While the agency's Draft Air Quality Modeling Report states that "[i]mpacts for each alternative were assessed … relative to current and historical conditions," no data representing current conditions is presented in the DEIS. (DEIS App. B at 3) Indeed, the DEIS alternative that most resembles current conditions in terms of oversnow-vehicle numbers, Alternative 2, was modeled "based on the maximum allowed level of OSV use each day of the winter season"—that is, 318 snowmobiles and 78 snowcoaches per day, for a total of 396 oversnow vehicles. (DEIS at 46, 244) In the last three winter seasons, however, actual total vehicle numbers have averaged between 219 and 234 vehicles per day—only 55 to 59 percent of the numbers assumed in modeling Alternative 2. (Yellowstone National Park News Release (Apr. 11, 2011))

In order to ensure that the air-quality impacts of the available alternatives can be readily understood, the Service should assess and discuss how Yellowstone's existing air quality could

be expected to change under each of the considered plans—including the agency's preferred alternative. The DEIS provides this useful comparison in its soundscapes analysis; we ask that the final environmental impact statement provide the same comparison concerning the expected impacts of each alternative on Yellowstone's air quality.

3. Conclusion

Like you, we want the National Park Service's management plan to succeed. To this end, we believe it is critical that the agency's environmental analysis and decision avoid the inadequacies identified by the district court in Greater Yellowstone Coalition v. Kempthorne. As that court stated, the National Environmental Policy Act requires your agency to "'[r]igorously explore and objectively evaluate all reasonable alternatives,' thereby 'sharply defining the issues and providing a clear basis for choice among options by the decisionmaker and the public.'" (577 F. Supp. 2d at 207) The DEIS does not, however, consistently provide a "clear basis" for the agency and the public to make an informed choice among alternatives. As discussed above, the agency's draft analysis does not reflect how the alternatives' impacts to air quality compare to current conditions and, even more significantly, dramatically understates the air-quality benefits that would result from a fleet of best-available-technology snowcoaches. These analyses must be incorporated into the agency's final EIS.

B. Wildlife

Like those before it, the National Park Service's draft environmental analysis recognizes that the wildlife impacts of motorized access increase as traffic volumes rise. (DEIS at 206, 288) The DEIS accordingly concedes that a complete transition to snowcoach transportation would minimize disturbance of Yellowstone's winter-stressed wildlife by reducing the number of vehicles in the park. (DEIS at 206) Under the DEIS's snowcoach alternative, daily access to Yellowstone's interior would be facilitated by up to 120 best-available-technology snowcoaches. (DEIS at 55) Under the National Park Service's preferred alternative, continued reliance on snowmobile transportation would demand much higher vehicle numbers—up to 410 on the park's most-motorized days, with a daily average of 317. (DEIS at 60-65)

Despite the agency's assertion that it "seeks to minimize" impacts to individual animals, the increased traffic volumes of the Service's preferred alternative would incur unnecessary impacts on Yellowstone's iconic wildlife. (DEIS at 188) With respect to elk and bison, these impacts could negatively influence feeding, resting, and other behaviors. (DEIS at 189, 212) As the agency has acknowledged, heightened traffic levels also contribute to the unnatural habituation of the park's animals, a departure from natural conditions that could "increase vulnerability to disease, natural predators, or increased mortality risks from vehicle collisions." (DEIS at 96, 192)

Increased motorized-vehicle numbers could also strain Yellowstone's trumpeter swans and bald eagles. As the agency acknowledges in its environmental analysis, the "resident Yellowstone trumpeter swan population is considered at risk, due to decreasing numbers of swans and cygnets from 1961 to present." (DEIS at 110) Moreover, "any increases in the frequency or duration of encounters between OSVs and swans … heighten the probability of adverse impacts on the reproductive success" of the species. (DEIS at 232) The same is true of

Yellowstone's bald eagles. In the words of the DEIS, because the species' "critical breeding and nesting season overlaps with OSV use in the park, increased behavioral responses to OSVs may result in reproductive failure or mortality if eagles avoid accessing prime foraging areas or if eagles are subject to such frequent flight responses that they abandon the nest, or eggs fail to survive, or require increased energy due to stress and increased activity." (DEIS at 232)

All told, by implementing a system of snowcoach transportation and thereby minimizing the number of oversnow vehicles within the park, the National Park Service would fulfill its obligation to minimize adverse wildlife impacts while complying with the recommendation of agency biologists that traffic levels be kept "'at or below'" those observed during the winters of 2003–2004, 2004–2005, and 2005–2006 (577 F. Supp. 2d at 203 (quoting White, et al. (2006))) In contrast, a decision to implement the agency's preferred, two-park alternative would only repeat the errors identified by the district court in Greater Yellowstone Coalition v. Kempthorne while authorizing a substantial increase in vehicle numbers above those recommended by agency biologists.[1] In Greater Yellowstone Coalition, the court invalidated the Service's prior winter management plan for Yellowstone upon determining that the agency had arbitrarily "failed to explain why the impacts on individual animals do not violate 36 C.F.R. § 2.18(c)" and why the plan's "'moderate' impact on wildlife" was "acceptable." (577 F. Supp. 2d at 204-05) As the court emphasized, the National Park Service is obligated to explain why the adverse impacts of any winter management plan are "'necessary and appropriate to fulfill the purposes of the park.'" (577 F. Supp. 2d at 210 (quoting Management Policies 1.4.3))

In light of the availability of a more-protective, snowcoach alternative, the increased wildlife impacts of the National Park Service's preferred alternative cannot be justified as "necessary" or "appropriate" within the world's first national park. (Management Policies 1.4.3) Again, the Service has failed to explain why it is necessary to accept higher levels of adverse impacts to bison, elk, and other species when access could be provided to more visitors on fewer snowcoaches, thereby limiting adverse wildlife impacts to "minor" or even "negligible" levels. (DEIS at 205-06, 212, 230, 233)

C. Natural Soundscapes

As the National Park Service has recognized, natural sounds are "intrinsic elements of the environment and part of 'the scenery and the natural and historic objects and the wild life' protected by the NPS Organic Act." (DEIS at 129) Moreover, natural sounds are "necessary for ecological functioning and occur within and beyond the range of sounds that humans can perceive." (DEIS at 130) In light of their importance, the Service has declared its commitment to "preserv[ing], to the greatest extent possible, the natural soundscapes of parks" while "restor[ing] to the natural condition wherever possible those park soundscapes that have become

[1] The number of oversnow vehicles that traveled on Yellowstone's roads during these seasons was, respectively: 24,471; 20,565; and 24,379. The National Park Service's preferred alternative would allow a total of 28,852 oversnow vehicles, a 40 percent increase over the traffic level in one of the seasons and an 18 percent increase over the traffic level of the other two seasons. In contrast, full implementation of the agency's snowcoach-only alternative would reduce authorized oversnow-vehicle numbers to less than 11,000 each winter season.

degraded by unnatural sounds (noise)." (Management Policies 4.9) The agency's preferred alternative, however, would do the opposite.

Under the Service's proposed management scheme, the volume and noise of oversnow vehicles would be allowed to increase substantially within Yellowstone National Park—with the "greatest" soundscape impacts occurring on days with the "highest OSV use." (DEIS at 274) According to the DEIS, the agency's preferred alternative would degrade the park's existing soundscape on five of six winter days; for half the winter season, the noise of motorized vehicles would approach the Service's own threshold for "major" soundscape impacts. (DEIS at 63, 263, 267)

These impacts are neither necessary nor permissible. Rather than prompting further degradation of one of the park's "intrinsic elements," a complete transition to BAT snowcoach access would provide for significant restoration of Yellowstone's natural soundscape. (DEIS at 129, 268, 284) As the National Park Service has stated in its own analysis, "the overall impact of [snowcoach-only access] on soundscapes would be less than the current condition." (DEIS at 273 (emphasis added)) This conclusion is consistent with that of a recent monitoring report, in which NPS determined that listening conditions had improved within the Old Faithful Geyser Basin when average snowmobile numbers declined—by "about 100 snowmobiles/day"—to 168. (Draft Report, Natural Soundscape Monitoring in Yellowstone National Park December 2009-March 2010 (Aug. 2010), at 17, 20) By reducing vehicle numbers further—not multiplying them, as the preferred alternative would do—the National Park Service would meet its obligation to conserve the extraordinary soundscape of Yellowstone in winter.

In concluding that visitors could "plan a visit for a time with lower OSV use" under the preferred alternative "[i]f OSV noise would detract from [their] experience," the National Park Service turns its back on the very significance and purpose of Yellowstone. (DEIS at 288 (emphasis added)) Unlike snowmobiling, the soundscape shaped by Yellowstone's "geologic wonders" and profound winter quiet is an "intrinsic" and "protected" element of the park's natural environment. (DEIS at 3, 129-30) Unlike snowmobiling, this element must be conserved for all who visit Yellowstone National Park. The Service should accordingly abandon its preferred alternative and implement a winter management plan requiring a complete transition to snowcoach access.

II. A BETTER PATH FORWARD

Multi-passenger snowcoaches carry people of all ages and abilities and many more visitors per vehicle than snowmobiles, resulting in less disturbance to wildlife and a cleaner and quieter park. Snowcoaches provide the best and most versatile winter access with the fewest impacts to the park's natural resources.

A. The Plan

In light of the significant benefits that would result from a complete transition to snowcoach access, we ask the National Park Service to implement these solutions:

1. Phase out snowmobiles completely by the 2014–2015 winter season and transition fully to a snowcoach transportation system using the best available technologies.

2. Prohibit non-commercially guided and unguided snowmobile access during the three-year phase-out period.

3. Determine fixed daily-use limits for snowmobiles and snowcoaches during the transition, rather than the variable limits proposed in the preferred alternative.

4. Close Sylvan Pass during the winter.

5. Designate side roads and a portion of the east side of the park for non-motorized experiences as outlined in Alternative 7 of the DEIS.

Together these steps will provide:

- A higher level of safety for park employees.
- A higher level of protection for Yellowstone's resources and values.
- Higher and consistent levels of daily access, providing greater overall opportunity for visitors to experience and be inspired by Yellowstone's unique winter resources and values.
- A quieter, more peaceful and tranquil park.
- Immediate predictability for the public and the park's winter concessionaires during the transition period, and swifter implementation of a long-term plan that will finally bring certainty and consistency to winter visitation in Yellowstone.
- A transportation system that is safer, universally accessible, and appropriate to Yellowstone; that better facilitates visitor understanding and appreciation of the park's winter resources; and that ensures resource protection while providing reliable access in a variety of snow conditions.

B. Specific Management Considerations

As emphasized in our proposal, the National Park Service's plan for snowcoach-only access should include a number of specific management provisions that are essential to the plan's effectiveness.

First, rather than instituting the variable-stewardship, two-park approach of the agency's preferred alternative, the National Park Service should establish fixed daily limits for snowcoaches and, during the transition period, snowmobiles. NPS should establish daily caps on snowmobiles and snowcoaches for the 2012–2013 and 2013–2014 seasons that allow the fleet of BAT snowcoaches to grow while snowmobile use is phased down. Throughout both seasons, the daily caps should remain consistent in order to provide maximum certainty to visitors, tour operators, and gateway communities who need and deserve to be able to plan. In the public

process on the DEIS, NPS has heard from a wide variety of interests that NPS's proposal to vary daily vehicle numbers within each season for up to 20 years would pose ongoing confusion and hardship for visitors planning trips to the park; budgeting and operational difficulties for tour operators as they hire and schedule staffs and invest in vehicle fleets based on rising and falling daily traffic levels within each season; uneven protection of resources intrinsic to Yellowstone such as natural quiet; and uncertain opportunity for visitors to experience such intrinsic park values. Much of the feedback to NPS has been that variability equals more uncertainty, and that uncertainty has shadowed winter visitation at Yellowstone for too long. Fixed rather than variable daily vehicle authorizations within each season, both during the transition to snowcoach-only access and thereafter, would provide much-needed consistency and certainty to the American public, Yellowstone's gateway communities, and Yellowstone's resources and values.

Second, during the transitional period of decreasing snowmobile numbers, the National Park Service should continue to require use of commercial snowmobiling guides. Former Secretary of the Interior Gale Norton herself insisted that all of Yellowstone's snowmobile visitors be led by a commercial guide. By 2007, NPS had concluded that the requirement was "fundamental" in mitigating impacts to visitor health and safety and the park's wildlife as commercial guides had proven to be "very effective at enforcing proper touring behavior, such as adherence to speed limits, staying on the groomed road surfaces, and other snowmobiling behaviors" because guides are "required to exercise reasonable control over their clientele, which has reduced unsafe and illegal snowmobile use." (72 Fed. Reg. at 70,785-89) The agency also noted that commercial guides "receive rigorous multi-day training," are "trained in basic first aid and CPR" and "[i]n addition to first aid kits, they often carry satellite or cellular telephones, radios, and other equipment for emergency use," and "use a 'follow-the-leader' approach, stopping often to talk with the group." (72 Fed. Reg. at 70,785-89) In light of these conclusions and the circumstances surrounding the February 26, 2006 fatal snowmobile accident in Yellowstone, the National Park Service should not allow non-commercially guided snowmobiling during the phaseout period.

Finally, unlike previous winter management plans, the National Park Service's preferred alternative fails to establish a meaningful program of monitoring and adaptive management, under which exceedances of established resource thresholds would trigger identified management actions. Instead, the agency no more than declares that the "management objectives" and "impact intensity definitions" of the DEIS—standards designed to assess the sufficiency and environmental effects of the considered alternatives—were "established to help a manager understand the results of a monitoring program and as guides for taking future actions if a problem is perceived." (DEIS at A-4) This makes little practical sense. The Service should again establish a set of impact thresholds and management actions that have been specifically designed for adaptively protecting Yellowstone's resources.

III. CONCLUSION

We thank you for your consideration of these comments, and look forward to working with the National Park Service in implementing a viable, long-term winter transportation plan for Yellowstone National Park.

Sincerely,

Coalition of National Park Service Retirees

Greater Yellowstone Coalition

National Parks Conservation Association

Natural Resources Defense Council

Sierra Club

Winter Wildlands Alliance