

107TH CONGRESS
2D SESSION

H. R. 5044

To require the Secretary of the Interior to implement the final rule to phase out snowmobile use in Yellowstone National Park, John D. Rockefeller Jr. Memorial Parkway, and Grand Teton National Park, and snowplane use in Grand Teton National Park.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2002

Mr. HOLT (for himself, Mr. SHAYS, Mr. HALL of Ohio, Mrs. DAVIS of California, Mr. McDERMOTT, Mr. CROWLEY, Mr. FRANK, Mr. GEORGE MILLER of California, Mr. CLEMENT, Mr. CAPUANO, Ms. RIVERS, Mr. WAXMAN, Mr. FILNER, Mr. BLUMENAUER, Mr. DEFazio, Mr. UDALL of Colorado, Mr. BROWN of Ohio, Mr. HINCHEY, Mrs. MALONEY of New York, Ms. MCKINNEY, Ms. LEE, Mrs. MINK of Hawaii, Mr. MARKEY, Mr. BOUCHER, Mr. SMITH of Washington, Mr. SHERMAN, Mr. HOFFEL, Mr. MORAN of Virginia, Mr. BECERRA, Mr. PALLONE, Mr. KENNEDY of Rhode Island, Mr. CLAY, Mr. ROTHMAN, Mr. STARK, Mr. ANDREWS, Ms. BROWN of Florida, Ms. DELAURO, Ms. DEGETTE, Ms. MCCARTHY of Missouri, Mr. LANGEVIN, Mr. HONDA, Mr. TOWNS, Ms. WOOLSEY, Mrs. NAPOLITANO, Mr. SCHIFF, Mr. LANTOS, Mrs. JOHNSON of Connecticut, Mr. ENGEL, Ms. ROYBAL-ALLARD, Mr. WEXLER, Mr. MCGOVERN, Mr. SERRANO, Ms. SOLIS, Mr. McNULTY, Mrs. LOWEY, Mr. FORD, Ms. SLAUGHTER, Mr. PAYNE, Ms. LOFGREN, Mr. LARSON of Connecticut, Ms. ESHOO, Mr. MALONEY of Connecticut, Mr. MENENDEZ, Mr. PASCARELL, Mr. JEFFERSON, Mr. ISRAEL, Mr. WU, Mr. WEINER, Mr. PRICE of North Carolina, Mr. EVANS, Mr. MOORE, Mr. INSLEE, Mr. DOOLEY of California, Mr. DOGGETT, Mr. KIRK, Mr. SIMMONS, Mrs. MORELLA, Mr. FARR of California, Mr. DEUTSCH, Mr. NADLER, Mr. COYNE, Mr. KUCINICH, Mr. OLVER, Ms. SCHAKOWSKY, Mr. HASTINGS of Florida, Mr. ABERCROMBIE, Mr. CONYERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Mr. LEVIN, Ms. NORTON, Mr. TIERNEY, Mrs. TAUSCHER, Mrs. CAPPS, Mr. CARSON of Oklahoma, Ms. PELOSI, Mr. UDALL of New Mexico, Mr. MEEHAN, Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, Mr. GREEN of Texas, Mr. MEEKS of New York, Mr. DELAHUNT, Mr. LYNCH, Mr. ROEMER, Mr. FROST, Mr. MATSUI, Ms. WATERS, Mr. BRADY of Pennsylvania, Mr. RANGEL, Ms. VELÁZQUEZ, Mr. BACA, Mr. BAIRD, Mr. ACKERMAN, Mr. DINGELL, Ms. BERKLEY, Mrs. CLAYTON, Mr. BORSKI, Mr. FATTAH, Mr. GUTIERREZ, Mr. DAVIS of Illinois, Mr. GONZALEZ, Ms. HOOLEY of Oregon, Ms. WAT-

SON of California, and Mr. GILCHREST) introduced the following bill; which was referred to the Committee on Resources

A BILL

To require the Secretary of the Interior to implement the final rule to phase out snowmobile use in Yellowstone National Park, John D. Rockefeller Jr. Memorial Parkway, and Grand Teton National Park, and snowplane use in Grand Teton National Park.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Yellowstone Protection
5 Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The January 22, 2001, rule phasing out
9 snowmobile use in Yellowstone National Park,
10 Grand Teton National Park, and the John D.
11 Rockefeller, Jr. Memorial Parkway was made by
12 professionals in the National Park Service who
13 based their decision on law, 10 years of scientific
14 study, and extensive public process.

15 (2) An environmental impact statement that
16 formed the basis for the rule concluded that snow-
17 mobile use is impairing or adversely impacting air

1 quality, natural soundscapes, wildlife, public and em-
2 ployee health and safety, and visitor enjoyment. Ac-
3 cording to the Environmental Protection Agency, the
4 environmental impact statement had “among the
5 most thorough and substantial science base that we
6 have seen supporting a NEPA document”.

7 (3) The National Park Service concluded that
8 snowmobile use is violating the mission given to the
9 agency by Congress—to manage the parks “in such
10 manner and by such means as will leave them
11 unimpaired for the enjoyment of future genera-
12 tions”. The National Park Service also found that
13 snowmobile use is “inconsistent with the require-
14 ments of the Clean Air Act, Executive Orders 11644
15 and 11989 [by Presidents Nixon and Carter, relat-
16 ing to off-road vehicle use on public lands], the
17 NPS’s general snowmobile regulations and NPS
18 management objectives for the parks”.

19 (4) In order to maintain winter visitor access,
20 the Park Service outlined a plan to use the already
21 existing mode of winter transportation known as
22 snowcoaches, which are mass transit, oversnow vehi-
23 cles similar to vans. The final rule states that a
24 snowcoach transit system “would reduce adverse im-
25 pacts on park resources and values, better provide

1 for public safety, and provide for public enjoyment
2 of the park in winter”.

3 (5) The National Park Service Air Resources
4 Division determined that despite being outnumbered
5 by automobiles 16 to 1 during the course of a year,
6 snowmobiles produce up to 68 percent of Yellow-
7 stone’s carbon monoxide pollution and up to 90 per-
8 cent of the park’s annual hydrocarbon emissions.

9 (6) Noise from snowmobiles routinely disrupts
10 natural sounds and natural quiet at popular Yellow-
11 stone attractions. A February 2000 “percent time
12 audible” study found snowmobile noise present more
13 than 90 percent of the time at 8 of 13 sites.

14 (7) In Yellowstone’s severe winter climate,
15 snowmobile traffic regularly disturbs and harasses
16 wildlife. In October 2001, 18 eminent scientists
17 warned the Secretary of the Interior that “ignoring
18 this information would not be consistent with the
19 original vision intended to keep our national parks
20 unimpaired for future generations”. National Park
21 Service regulations allow snowmobile use only when
22 that use “will not disturb wildlife...” (36 CFR
23 2.18(c)).

24 (8) At Yellowstone’s west entrance, park rang-
25 ers and fee collectors suffer from symptoms of car-

1 bon monoxide poisoning due to snowmobile exhaust.
2 According to National Park Service records, in De-
3 cember 2000, a dozen park employees filed medical
4 complaints citing sore throats, headaches, lethargy,
5 eye irritation, and tightness in the lungs. Their su-
6 pervisor requested more staff at the west entrance,
7 not because of a need for additional personnel to
8 cover the work there, but so the supervisor could
9 begin rotating employees more frequently out of the
10 “fume cloud” for the sake of their health. In 2002,
11 for the first time in National Park history, rangers
12 were issued respirators to wear while performing
13 their duties.

14 (9) The public opportunity to engage in the en-
15 vironmental impact study process was extensive and
16 comprehensive. During the 3-year environmental im-
17 pact study process and rulemaking, there were 4 op-
18 portunities for public consideration and comment.
19 The Park Service held 22 public hearings in regional
20 communities such as West Yellowstone, Cody, Jack-
21 son, and Idaho Falls, and across the Nation. The
22 agency received over 70,000 individual comments. At
23 each stage of the input process, support for phasing
24 out snowmobiles grew, culminating in a 4-to-1 ma-
25 jority in favor of the rule in early 2001. More re-

1 cently, 82 percent of those commenting wrote in
2 favor of the National Park Service decision to phase
3 out snowmobile use in the parks.

4 **SEC. 3. FINAL RULE CODIFIED.**

5 Beginning on the date of the enactment of this Act,
6 the Secretary of the Interior shall implement the final rule
7 to phase out snowmobile use in Yellowstone National
8 Park, the John D. Rockefeller Jr. Memorial Parkway, and
9 Grand Teton National Park, and snowplane use in Grand
10 Teton National Park, as published in the Federal Register
11 on January 22, 2001 (66 Fed. Reg. 7260–7268). The Sec-
12 retary shall not have the authority to modify or supersede
13 any provision of that final rule.

○