

October 15, 2007

The Honorable Mary Bomar
National Park Service Director
1849 C Street NW
Washington, D.C. 20240

Dear Director Bomar:

The National Parks Conservation Association, The Wilderness Society, Natural Resources Defense Council, Greater Yellowstone Coalition, Winter Wildlands Alliance and Sierra Club were encouraged when you declared your strong support for the conservation-first emphasis of the 2006 National Park Service Management Policies.

As a Record of Decision on winter use in Yellowstone National Park approaches, we are concerned that you may not be fully aware about the magnitude of the contradiction that exists between the decision proposed for Yellowstone and the pledges to Congress and the American people that NPS will act on scientific findings and uphold the agency's mission to give top priority to conservation of the national parks.

Please accept this letter as a constructive effort on our part to be clear about our overriding concerns regarding these contradictions. We would direct your attention to two examples. Both are illustrative of our concerns and will allow you to assess for yourself whether you have a full accounting of the findings and recommendations of Yellowstone's scientists. These examples demonstrate that the current proposal put forth for Yellowstone contradicts the recommendations of the Park's resource experts and contravenes the Management Policies that you support.

"Behavioral Responses of Wildlife to Snowmobiles and Coaches in Yellowstone" was published on October 17, 2006. In this study, http://www.nps.gov/yell/parkmgmt/upload/2006wildliferpt_final.pdf, six wildlife scientists with the National Park Service and Montana State University explained that their research covered four winters: 2002-03, 2003-04, 2004-05 and 2005-06, and their recommendations were based on the last three of these seasons when reduced traffic levels produced a significant beneficial reduction in disturbance of Yellowstone's wildlife. The scientists wrote:

"We sampled 5688 interactions between groups of these species [bald eagles, bison, coyotes, elk and trumpeter swans] and groups of snowmobiles and coaches during 2003-2006..."
"...we suggest regulations restricting levels and travel routes of OSVs [over-snow vehicles] were effective at reducing disturbances to these wildlife species below a level that would cause measurable fitness effects. We recommend park managers consider maintaining OSV traffic levels at or below those observed during our study."

The scientists noted the duty of park managers under the Management Policies to minimize adverse effects to park resources and values to the greatest degree practicable, and reiterated their recommendation that managers not allow traffic levels to climb above those that they had observed in their study:

"We acknowledge the potential for fitness effects to develop if OSVs or other stressors become more severe or prolonged. Thus, we recommend park managers consider maintaining OSV traffic levels at or below those observed during our monitoring."

The scientists' number one management recommendation following their study was to cap traffic levels or reduce them further. They added this specificity:

“Continue to conduct winter recreational activities in a predictable manner with OSV traffic levels at or below those observed during the last 3 years of our study (i.e., less than 50,000 over-snow visitors).”

NPS visitation statistics verify that the number of over-snow visitors was indeed below 50,000 in the last 3 years of the scientists' study.

2003-04: 45,033

2004-05: 41,267

2005-06: 48,689

During these three seasons, NPS statistics confirm that the resulting “traffic levels” were:

Average number of oversnow vehicles per day: 286

Average number of snowmobiles per day: 258

Average number of snowcoaches per day: 28

Instead of capping traffic at these levels or further reducing it, the new winter use “Preferred Alternative” recommended to the Regional Director proposes allowing traffic levels more than double these highest levels recommended by wildlife scientists.

Total oversnow vehicles per day would be allowed to increase from an average of 286 per day to as many as 623 per day. The number of snowmobiles would be allowed to increase from an average of 258 per day to as many as 540 per day.

The choice made in the new “Preferred Alternative” is thus to exceed—by over 100 percent—the traffic threshold at which Yellowstone's wildlife experts stated that over-snow vehicles could become a more severe or prolonged “stressor” to Yellowstone's wildlife, with the potential to adversely affect the fitness of the Park's animals.

In contrast, the Snowcoach Alternative in the Final Environmental Impact Statement emphasizes a mode of access that results, according to NPS statistics, in one vehicle for every 7.7 visitors, rather than one vehicle for every 1.3 visitors. It would thus allow 960 visitors to access and enjoy Yellowstone's attractions each day with just 120 vehicles. This would be well within the traffic level recommended by wildlife scientists and just one-fifth the level of over-snow traffic that would move through habitat used by bald eagles, bison, coyotes, elk and trumpeter swans under the new “Preferred Alternative.”

In this example, as in others with Yellowstone winter use, the conservation emphasis of the 2006 NPS Management Policies is as clear as the findings and recommendations put forward by scientists:

“Where such use is necessary and appropriate, the least impacting equipment, vehicles, and transportation systems should be used.” —Use of Motorized Equipment (8.2.3)

“NPS managers must always seek ways to avoid, or to minimize to the greatest degree practicable, adverse impacts on park resources and values.” —The NPS Obligation to Conserve and Provide for Enjoyment of Park Resources and Values (1.4.3)

Likewise, NPS has stated that there is no ambiguity about its legal responsibilities to protect wildlife:

“...park policies, regulations, and [Executive Orders] clearly state that disturbance to wildlife, regardless of population-level effects, is unacceptable in the national parks.”— Supplemental EIS, p. 206

Madam Director, the new proposal contradicts the agency’s own interpretation of its legal obligations to protect wildlife, the clear recommendation of its scientists and the 2006 Management Policies that you have stated to Congress and the public that you intend to uphold.

We are concerned that assurances given to you, such as the notion that allowing 540 snowmobiles per day would meet Yellowstone’s “Desired Conditions,” do not fully reflect the expected impacts on the Park’s resources.

The Final Environmental Impact Statement manipulates and alters the definitions of “Desired Conditions” and “Definitions of Impact” and in doing so veils the fact that NPS is proposing a level of over-snow traffic that its own scientists and planners have determined will adversely affect Yellowstone’s resources to a much greater degree than other available or proposed alternatives.

Let us explain. In the opening summary of the Final Environmental Impact Statement (FEIS), in the “Purpose and Need for Action” (page S-3), NPS emphasizes the need to alter Yellowstone’s “Historic Conditions” to a new standard called “Desired Conditions.” Then, NPS goes on to define “Desired Condition,” in a manner that significantly weakens the standard of resource protection that NPS previously has acknowledged it is legally required to uphold.

- In effect, what NPS has done is justify degradation of resources by changing the standards of measurement at the end of the process. As an example, the FEIS merely states that the “Desired Condition” for wildlife is: “Impacts to wildlife are mitigated, and effective wildlife habitat is protected.” Mitigation of impacts to wildlife does not, obviously, define a condition. It simply states that there will be an effort to make the harm caused to wildlife by over-snow vehicles less severe or serious. Historically, NPS has set its directions in regards to impacts to wildlife through regulations and Executive Orders not to allow disturbance of wildlife. Thus, under the new “Desired Condition” standard, the Park Service makes it acceptable to allow ongoing disturbance of wildlife whereas previously the agency has deemed such disturbance unacceptable and illegal. It is now okay under this definition to simply lessen the impacts to Yellowstone’s wildlife, rather than adopt policies that don’t allow it. Similarly, this new standard reduces habitat protection by eliminating the historic goal of minimizing “to the greatest degree practicable” adverse impacts.

In another example, Yellowstone’s Public Affairs Office has billed the Park’s new proposal to allow 540 snowmobiles per day as a way to “better address sound impacts, and minimize wildlife encounters.” In reality, the traffic level recommended by scientists to minimize wildlife encounters would be increased to more than double what they advised. Meanwhile, the current 21 square miles of the park in which visitors hear the noise of over-snow vehicles for as much as half of the visiting day would expand nearly threefold to almost 63 square miles under the proposal that Yellowstone is claiming will “better address sound impacts.”

The effect of these manipulations of standards and definitions is to lower the bar of conservation in our first national park, a dangerous precedent and clearly at odds with assurances you and Secretary Kempthorne have given to the Congress and the American public.

As Director, you can ensure a Record of Decision that does in fact place conservation first in Yellowstone. In so doing, we believe that you can engender enormous good will and increased trust among Americans supportive of your goals for improving stewardship of the national parks.

We are eager to convey to our collective two million members, as well as opinion leaders and decision makers who have long been actively interested and involved in the care of our national parks, your personal role in reviewing and approving a Record of Decision that upholds the traditional conservation emphasis of the National Park Service and the spirit and letter of the 2006 Management Policies.

Sincerely,

Michael Scott
Executive Director
Greater Yellowstone Coalition

Carl Pope
Executive Director
Sierra Club

Thomas C. Kiernan
President
National Parks Conservation Association

William H. Meadows
President
The Wilderness Society

Francis Beinecke
President
Natural Resources Defense Council

Mark Menlove
Executive Director
Winter Wildlands Alliance

CC: Lynn Scarlett, Deputy Secretary, Department of the Interior
Mike Snyder, Director, NPS Rocky Mountain Regional Office
Superintendent Suzanne Lewis
Superintendent Mary Gibson Scott