

107TH CONGRESS
1ST SESSION

S. 365

A bill to provide recreational snowmobile access to certain units of the National Park System, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 15, 2001

Mr. THOMAS introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

A bill to provide recreational snowmobile access to certain units of the National Park System, and for other purposes.

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 “National Park Service
5 Winter Access Act”.

6 **SEC. 2. SNOWMOBILES.**

7 (a) FINDINGS.—(1) Recreational snowmobile use
8 within units of the National Park System is an estab-
9 lished, traditional, and legitimate means of visitor use and
10 enjoyment of these public lands when conducted in a man-

1 ner that does not adversely affect or impair park resources
2 and values.

3 (2) The snowmobile manufacturers and the Environ-
4 mental Protection Agency will be working to establish
5 emissions standards for a new generation of snowmobiles.
6 This new generation of machines will be cleaner and quiet-
7 er and should be available to the public within five years.

8 (3) Cleaner, quieter snowmobiles may provide the
9 public with a greater opportunity to enjoy the National
10 Park System in a manner that is consistent with park re-
11 sources and values.

12 (b) INTERIM PARK OPERATIONS.—(1) As is con-
13 sistent with the Act entitled, “An Act to establish a Na-
14 tional Park Service, and for other purposes,” approved
15 August 25, 1916 (16 U.S.C. 1 et seq.), in the following
16 units of the National Park System where snowmobile use
17 occurred or was authorized as of January 1, 2000, such
18 use shall continue restricted to levels of no less than the
19 average wintertime use and activity over the last three
20 winters. This use can be subject to other reasonable regu-
21 lations governing such use existing as of January 1, 2000,
22 including emergency closure authority:

23 Acadia National Park, Maine

24 Black Canyon of the Gunnison National Park,

25 Colorado

- 1 Crater Lake National Park, Oregon
- 2 Grand Teton National Park, Wyoming
- 3 Mount Rainier National Park, Washington
- 4 North Cascades National Park, Washington
- 5 Olympic National Park, Washington
- 6 Rocky Mountain National Park, Colorado
- 7 Sequoia National Park, California
- 8 Kings Canyon National Park, California
- 9 Theodore Roosevelt National Park, North Da-
- 10 kota
- 11 Voyageurs National Park, Minnesota
- 12 Yellowstone National Park, Idaho, Montana,
- 13 Wyoming
- 14 Zion National Park, Utah
- 15 Appalachian National Scenic Trail, Multi-States
- 16 Saint Croix National Scenic River, Wisconsin,
- 17 Minnesota
- 18 Pictured Rocks National Seashore, Michigan
- 19 Cedar Breaks National Monument, Utah
- 20 Dinosaur National Monument, Colorado, Utah
- 21 Grand Portage National Monument, Minnesota
- 22 Blue Ridge Parkway, North Carolina, Virginia
- 23 John D. Rockefeller, Jr. Parkway, Wyoming
- 24 Herbert Hoover National Historic Site, Iowa
- 25 Perry's Victory National Historic Site, Ohio

1 Bighorn Canyon National Recreation Area,
2 Montana, Wyoming

3 Curecanti National Recreation Area, Colorado

4 Delaware Water Gap National Recreation Area,
5 New Jersey, Pennsylvania

6 Lake Chelan National Recreation Area, Wash-
7 ington

8 Ross Lake National Recreation Area, Wash-
9 ington

10 (2)(A) Notwithstanding subsection (b)(1), and con-
11 sistent with other applicable laws, the Secretary has the
12 authority, if necessary to address or avert significant envi-
13 ronmental impacts in a particular unit or portion of a unit,
14 to restrict snowmobile use the activity down to a level that
15 is no less than 50 percent below the three year average
16 level established under subsection (b)(1). The restrictions
17 shall apply to the smallest practical portion of the unit
18 adequate to address the impacts.

19 (B) Before restricting use and activity in this man-
20 ner, the Secretary shall make a finding of significant envi-
21 ronmental impact based on on-the-ground study in the af-
22 fected unit or portion of the unit and sound, peer-reviewed
23 scientific information applicable to that unit or portion of
24 the unit. Within at least 90 days before finalizing such
25 restrictions, the Secretary shall notify the Senate Com-

1 mittee on Energy and Natural Resources and the House
2 Committee on Resources of its intent and provide the pub-
3 lic with at least 30 days to comment on the proposal.

4 (3) Consistent with other applicable law, the National
5 Park Service may prohibit recreational snowmobile use
6 within all units of the system not listed in subsection
7 (b)(1).

8 (c) LONG-TERM PROGRAM AND OPERATIONS.—(1)
9 Within two years after the enactment of this Act, the En-
10 vironmental Protection Agency shall promulgate final na-
11 tional standards governing emissions by snowmobiles.

12 (2) The Environmental Protection Agency may en-
13 gage in negotiated rulemaking with the snowmobile manu-
14 facturers regarding this standard.

15 (3) Taking into account noise reductions achieved in
16 conjunction with the emissions standard described in sub-
17 section (c)(1), not later than five years following the date
18 of enactment of this Act, the National Park Service, in
19 conjunction with the Society of Automotive Engineers,
20 shall set noise standards for snowmobile use in the Na-
21 tional Park System.

22 (d) MANAGEMENT PLANS AND STUDIES.—(1) The
23 National Park Service is directed to prepare management
24 plans to assure education and enforcement of regulations
25 governing recreational snowmobile use within the system.

1 (2) The National Park Service shall conduct new
2 comprehensive studies to assess the impacts of rec-
3 reational snowmobile use within the affected units of the
4 system on park resources, visitor use and enjoyment, and
5 adjacent communities. Among other things, these studies
6 must include consideration of the EPA snowmobile emis-
7 sion standards, snowmobiles that are produced in response
8 to those standards, and technological and other advances
9 occurring or anticipated at that time. The conclusions de-
10 rived from such studies shall be the basis for any proposed
11 revised regulations and management plans to govern use
12 of recreational snowmobiles within the units listed in sub-
13 section (b)(1) of this section.

14 (3) Not later than four years following the date of
15 enactment of this Act, the National Park Service shall pre-
16 pare a Report to Congress concerning the proper use of
17 snowmobiles for recreation in National Park System units.
18 Among other things, this Report shall consider the impact
19 of the snowmobiles compliant with the emission standards
20 set in subsection (c)(1) on wildlife, the environment, and
21 other relevant factors.

22 (4) Not later than five years after the date of enact-
23 ment of this Act, and based upon the findings of the Re-
24 port to Congress described in subsection (d)(3) and other
25 relevant information, the National Park Service shall pro-

1 pose revised regulations and management plans to govern
2 use of recreational snowmobiles within the units listed in
3 subsection (b)(1) of this Act.

4 (5) No management plan or regulation developed in
5 accordance with subsection (d)(4) shall permit the entry
6 of snowmobiles that do not meet the emission and noise
7 standards described in subsections (c)(1) and (c)(3), re-
8 spectively, into the units of the National Park System de-
9 scribed in section (b)(1) of this Act.

10 (e) SAVINGS CLAUSE.—Nothing herein is intended to
11 affect the provisions of Public Law 96–487, including but
12 not limited to, Section 1110(a).

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