

**The Wilderness Society * Southern Utah Wilderness Alliance * Earthjustice
Californians for Western Wilderness * Greater Yellowstone Coalition * Sierra Club
Natural Resources Defense Council * National Parks Conservation Association
National Wildlife Federation * Alaska Coalition * Alaska Wilderness League
Colorado Mountain Club * California Wilderness Coalition * Blue Goose Alliance
The Coalition of National Park Service Retirees * American Rivers
National Environmental Trust * Wildlands CPR * Defenders of Wildlife
Bluewater Network * National Audubon Society
National Wildlife Refuge Association**

March 29, 2006

Dear Senator:

We seek your assistance in protecting our national parks, monuments, wilderness areas, proposed wilderness, and other special public lands from a dangerous and misguided Interior Department policy that Secretary of the Interior Gale Norton finalized last week. Under this wide-reaching public lands policy change, national parks, monuments, wilderness areas, proposed wilderness, and other special public lands could soon see more road development and damaging off-road vehicle use. We ask you to act to stop this hastily prepared land-giveaway proposal by requesting Secretary Norton revoke it before she leaves on March 31st.

Behind closed doors and without seeking input from Congress or the public, the Department of the Interior developed a new process for reviewing and recognizing right-of-way claims for highways on federal lands across the West, under a Civil War-era loophole known as R.S. 2477. The new policy makes it easier for states or counties to promote highway construction in national parks, wildlife refuges, and other public lands. It fails to differentiate reasonable claims from unfounded claims such as cattle tracks, streambeds, and little-used or long-abandoned jeep trails that have almost no connection to legitimate transportation needs, and would undermine protection for wildlife, rivers and streams, archeological artifacts, and other sensitive resources on federal public lands. In some cases, even if an agency has determined that an area should not accommodate vehicle use due to known or threatened natural resource damage, the new policy could upend current protections for those resources and subject them to highway maintenance and construction and off-road vehicle impacts.

Secretary Norton finalized this policy despite a clear Congressional statement that Congress should have the final say on R.S. 2477 guidelines. In 1997, the Interior Appropriations bill included language that prohibited future agency rules concerning the criteria for making R.S. 2477 claims to ensure that Congress would have a say on the issue. This Administration is choosing to undermine congressional intent and established a new process that legitimizes R.S. 2477 highway claims across federal public lands. The Interior Department is couching this proposal as an "internal policy" that interprets a recent court decision in the 10th Circuit Court of Appeals rather than a rule even though it would essentially do the same thing Congress intended to prevent without its oversight.

We respectfully request you to sign onto Senator Feinstein's letter to Secretary Norton requesting that, prior to her departure, she reconsider this new R.S. 2477 policy. Please contact Kristen Bregel at The Wilderness Society (202) 429-2694 or Sara Tucker at Earthjustice (202) 667-7120 x 202 with any questions.

Sincerely,

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Alaska Coalition

Cindy Shogan, Executive Director
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S. Elizabeth Birnbaum, Vice President for
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Betsy Loyless, Senior Vice President for
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