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## U.S. Judge Reverses Plan to Expand Snowmobile Access in National Parks

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By Juliet Eilperin  
Washington Post Staff Writer  
Tuesday, September 16, 2008; A11

Handing environmentalists a major victory, a federal judge yesterday overturned the Bush administration's plan to allow hundreds more snowmobiles to traverse Yellowstone and other iconic national parks each winter.

U.S. District Judge [Emmet G. Sullivan](#) threw out the [National Park Service's](#) 2007 plan, calling it "arbitrary and capricious, unsupported by the record, and contrary to law." The administration rule would have allowed 540 recreational snowmobiles and 83 snow coaches a day to enter Yellowstone and Grand Teton national parks and the [John D. Rockefeller Jr. Memorial Parkway](#). Sullivan said the plan violated the agency's mission statement.

The 63-page ruling marks a turning point in a legal battle that has been fought since 1997 over how much to allow motorized vehicles in U.S. national parks. [Presidents Richard M. Nixon](#) and [Jimmy Carter](#) imposed limits on off-road vehicles in the parks, but the growing popularity of snowmobiles has put pressure on policymakers to ease the restrictions. The Clinton administration published a rule in late January 2001 that would have phased out snowmobiles in Yellowstone in favor of a system of public snow coaches, but Bush cancelled that plan and pushed for expanded snowmobile access.

For the past five winters, an average of 263 snowmobiles and 28 snow coaches have entered Yellowstone daily. National Park Service officials issued a long-term plan last year allowing daily entry of more than twice as many snowmobiles and almost three times as many snow coaches, but it required that the machines use the best-available technology to limit their emissions and noise, that riders travel in groups of 11 or fewer and that snowmobilers be accompanied by a commercial guide.

A coalition of environmental groups -- including the [Sierra Club](#), the [Wilderness Society](#), the Winter Wildlands Alliance and the [Natural Resources Defense Council](#) -- and the [National Parks Conservation Association](#) sued the Park Service and the [Interior Department](#) to have the policy overturned.

Tim Stevens, NPCA's Yellowstone senior program manager, said in an interview yesterday that the federal judge's ruling "affirms the very idea at the heart of our national park system. The Park Service is supposed to put the highest priority on protections for its wildlife, air and natural sounds."

Shane Wolfe, a spokesman for the Interior Department, said in an e-mail: "We are withholding comment until we have an opportunity to fully

review the Court's decision and determine an appropriate course of action."

The decision centers on how to interpret the Organic Act, which created the Park Service in 1916. The act states that the agency's overriding mandate is to "conserve park resources and values," but it permits federal managers to "allow impacts" as long as they do not impair the park's resources. In their court filings, Interior officials argued that the conservation mandate takes precedence only if an activity imposes "unacceptable impacts."

Sullivan questioned that reasoning, writing: "The Organic Act clearly states, and Defendants concede, that the fundamental purpose of the national park system is to conserve park resources and values."

In light of that mandate, he added, the law charges the Park Service "with the duty to 'provide for the enjoyment' of the parks' resources and values in 'such manner and by such means as will leave them unimpaired for the enjoyment of future generations. . . . This is not blanket permission to have fun in the parks in any way the NPS sees fit."

Studies by the agency have found that snowmobiles in Yellowstone have frequently exceeded noise thresholds. Federal biologists have recommended capping or reducing the number of vehicles to reduce the impacts on bison, elk and other animals.

In an environmental impact statement last year, the Park Service estimated that its 2007 plan would triple the size of the area where visitors would hear motorized noise for at least half the day and raise levels of air pollutants, such as carbon monoxide, hydrocarbons, particulates, benzene and formaldehyde by 18 to 100 percent.

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