

Coalition Briefs - October 2015

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**The Coalition
To
Protect America's National Parks**

Voices of Experience - Advocating The Protection of America's National Park System

Letter to Secretary Jewell - On August 31, the Coalition Executive Council sent a letter to Interior Secretary Jewell congratulating her on recent accomplishments. The letter highlighted her efforts on: reauthorization of the Land and Water Conservation Fund; involvement in recent national monument designations; motivating more youth to be engaged in the great outdoors, and the designation of ten new National Recreation Trails.

Centennial Legislation - NPS Congressional Chief Don Hellmann briefed the Executive Council on the proposed Centennial Legislation. Major highlights of the Bill include: establishing a National Park Centennial Challenge Fund, consisting of an annual appropriated amount equal to the qualified donations received not to exceed \$100 million; providing a mandatory appropriation of \$300 million to the National Park Service Construction Account to correct deficiencies in National Park Service infrastructure; establishing the Centennial Land Management Investment Fund, consisting of a mandatory appropriation equal to \$100 for fiscal years 2016 through 2018; and raising the age limit for participation in the Public Lands Corp from 25 to 30.

Big Cypress Litigation - On September 22, 2015, the U.S. Eleventh Circuit Court of Appeals granted the Coalition's motion for leave to file its *amicus curiae* brief in the BICY Addition GMP lawsuits brought by the National Parks Conservation Association (NPCA) and Public Employees for Environmental Responsibility (PEER). The brief focuses on the U.S. District Court's ruling that the conservation mandate of the NPS Organic Act "was tweaked" by the subsequent Preserve Act and the Addition Act, both of which required "multiple use management." That ruling, in essence, creates the extraordinary precedent that "multiple use management" supersedes the Organic Act's conservation mandate at Big Cypress, which has major implications for numerous other units of the National Park System.

BLM Oil and Gas Leasing - In July 2014, the Coalition sent a letter to DOI Secretary Jewell advocating for the consistent use of BLM's relatively new Master Leasing Plan (MLP) process for leasing on lands near units of the National Park System. An MLP is an "optional" collaborative planning process created by BLM to involve other agencies and stakeholders to avoid or minimize impacts on conservation lands. The process seems to be the best available planning tool to ensure that BLM factors into their leasing plans the protection of NPS resources and values (such as viewsheds, night skies, and soundscapes). While initially a number of BLM Field Offices seemed hesitant to embrace the process, BLM has recently incorporated MLP's into four planning processes that could otherwise cause significant impacts on nearby parks including DINO, ARCH, CANY, MEVE, and CHAC. Collectively, these MLP processes represent significant progress in BLM's acceptance of a collaborative planning process to minimize impacts of oil and gas leasing on nearby park resources and values.

R.S. 2477 Litigation in Utah – R.S. 2477 refers to an 1866 federal mining law (R.S. 2477) that included language to allow roads to be built on federal lands for the purpose of the public crossing the country. The law was repealed in 1976, but western states and counties continue to file legal claims against federal agencies alleging that continued public use of these routes is protected under R.S. 2477. Most recently, a case involving such as claim has reached the Utah Supreme Court. The Coalition considers R.S. 2477 claims to be a serious threat to the ability of the NPS to manage its parks. The Coalition, along with Park Rangers for Our Lands, were recently been granted leave to file an *amicus curiae* brief with the Utah Supreme Court that would address the impact of R.S. 2477 claims on federal public lands.

For more information on issues, see: <http://protectnps.org/issues-summary-fallwinter-2015-2016/>

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