



**EARTHJUSTICE**

*Because the earth needs a good lawyer*

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JUNEAU, ALASKA OAKLAND, CALIFORNIA SEATTLE, WASHINGTON  
TALLAHASSEE, FLORIDA WASHINGTON, D.C. INTERNATIONAL

February 9, 2009

Dear Representative,

Earthjustice urges you to vote for S. 22, The Omnibus Public Land Management Act of 2009, which is scheduled for House floor action later this week. In addition we urge you to vote against any motion to recommit S. 22.

This legislation is comprised of over 160 bipartisan bills that would preserve key components of America's natural heritage and provide important economic benefits to struggling local economies. The relevant authorizing committees have worked through the issues, precedents and costs on all of the included bills over a period of many months and in some cases several years. Senator Bingaman has packaged these initiatives into S. 22, which passed the Senate on 1/15/09 by a vote of 73-21. This legislation contains no earmarks (as defined by the Senate), has no PAYGO issues, and deserves to be thoughtfully considered on its merits, particularly the economic benefits its passage would provide during the deepening recession.

While Earthjustice has not taken a position on all of the bills in the package, we would like to draw your attention to three measures of which we are particularly supportive. The first is the National Landscape Conservation System Act (Title II, Subtitle A). This bill would codify the administratively-created National Landscape Conservation System – what could very well be the last great American system of protected lands. In 2000, Secretary of Interior Babbitt sought to set aside the “crown jewels” of lands administered by the Bureau of Land Management. It was this desire that resulted in the creation of the National Landscape Conservation System which recognizes such treasures as the Grand Staircase Escalante National Monument in Utah, the Upper Missouri River Breaks National Monument in Montana and the Headwaters Forest Reserve in Northern California. This provision provides much-needed congressional recognition for these special places and this great system.

The second is the Wyoming Range Legacy Act (Title III, Subtitle C). The magnificent Wyoming Range is an isolated range of peaks rising from the foothills of western Wyoming. It makes up the largest tract of roadless land in the Bridger-Teton National Forest and is part of the largest roadless complex in Wyoming. The Range also provides a multitude of opportunities for hunting, fishing and recreation. These activities, and associated travel, brought over \$20 million to the state in 2004. Earthjustice has a long history of working to protect the Wyoming Range from the ravages of unbalanced oil and gas development. The Wyoming Range Legacy Act would protect 1.2 million acres of National Forest land from future mineral leasing. The area proposed for protection would only include federal lands, thereby respecting private property rights; and would only have a negligible affect on oil and gas production in the region. In addition to the bill's sponsor, Senator John Barrasso, this legislation enjoys broad, bi-partisan support, including support from Republican and Democratic State Legislators, Governor Freudenthal and the State Tourism Board.

The third is the Sequoia-Kings Canyon Wilderness Bill (Title I, Subtitle M) that is uniquely tied to Earthjustice's rich conservation history. Upon passage, this provision would provide wilderness protection to the pristine Mineral King Valley, a place that 40 years ago was on the verge of becoming an industrial ski

resort. Were it not for the tireless work of Earthjustice (then called the Sierra Club Legal Defense Fund) and the clients we represented who challenged in court, this hidden treasure would've certainly been lost. In total, the Sequoia-Kings Canyon Wilderness Bill designates 90,000 acres of new wilderness within the park.

Unfortunately, in addition to these popular public lands protections the Omnibus bill includes the Izembek and Alaska Peninsula Refuge and Wilderness Enhancement Act, (Title VI, Subtitle E). Earthjustice has and continues to oppose the inclusion of this provision. Should an amendment to strike this provision from the package be offered on the House floor we urge you to support that amendment. The Izembek legislation would allow for an unnecessary and ecologically harmful road to be built through fragile migratory bird habitat.

Once again, please vote YES on S. 22 and vote NO on any motion to recommit and YES on any amendment that seeks to strike the Izembek provision from the bill. For more information, please contact Sean Babington at 202-667-4500 or [sbabington@earthjustice.org](mailto:sbabington@earthjustice.org).

Thank you for your consideration.

Sincerely,

Marty Hayden

V.P Policy and Legislation,, Earthjustice