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### **Federal judge to revive older Yellowstone snowmobile challenge**

CODY, Wyo.

In the latest twist over snowmobiling in Yellowstone National Park, a federal judge has agreed to revive a court case that challenged a Clinton administration ban on snowmobiles four years ago.

U.S. District Judge Clarence Brimmer has agreed to reopen the case, originally filed by snowmobile groups, but did not set a schedule for proceedings.

Attorneys on both sides of the snowmobile fight were notified Monday of the decision, which could result in the dispute over snowmobiles in Yellowstone and Grand Teton national parks being debated in two federal courts.

Last month, U.S. District Judge Emmet Sullivan in Washington, D.C., ordered the **National Park Service** to revive the Clinton-era plan scrapped by the Bush administration that bans snowmobiles from the parks.

That decision has been appealed to the District of Columbia Court of Appeals. A ruling could be handed down sometime next week.

The state of Wyoming, meanwhile, asked Brimmer to revive the federal case filed in Wyoming. That case, which was a response to the snowmobile ban issued in 2000, led to a settlement in 2001 that eventually yielded the Bush administration's latest proposal.

Officials at the attorney general's office, which asked Brimmer to reopen the case, could not be reached for comment Monday.

But Michael O' Donnell, chief deputy attorney general, said late last month that the state wanted to challenge how the 2001 settlement was carried out.

He said the state and others are hoping Brimmer will allow this winter season to proceed as planned under the Bush administration plan while the rest of the legal issues are examined.

Doug Honnold, an attorney with Earthjustice, which has handled the snowmobile cases on behalf of several environmental groups, said it's strange that Wyoming is challenging the snowmobile ruling in two courts.

"It's kind of odd if at the same time they're asking the court of appeals in D.C. to give them what they want and, without waiting to hear that decision, they go to a different judge and ask for the same relief," he said. "I think that would be a pretty odd way of practicing law."

Since the winter season started Dec. 17, 4,705 snowmobiles have entered Yellowstone, including nearly 7,000 drivers and passengers.

More than 3,800 people have entered via mass-transit snowcoaches, which will be the only motorized access into Yellowstone next year under Sullivan's ruling for a gradual snowmobile phaseout.

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On the Net:

Yellowstone National Park: <http://www.nps.gov/yell>

Greater Yellowstone Coalition: <http://www.greateryellowstone.org>

International Snowmobile Manufacturers Association: <http://www.snowmobile.org>