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Road-claim disclosure riles

Big Cottonwood: A letter from an employee made known Salt Lake County's undisclosed position

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The Salt Lake Tribune The Salt Lake Tribune

A Salt Lake County attorney has told a private developer that the county **claims** ownership to a controversial national forest **road** in Big Cottonwood Canyon -- a **claim** the county has not made publicly. In a letter to Sandy-based Canyon Ventures,

Deputy District Attorney Jeffrey Thorpe said the county and state are **claiming** rights to Mill D South Fork **road**, also known as the Cardiff Fork **road**, in Big Cottonwood Canyon.

The **claim** was among at least 20 the county submitted to the state of Utah, which is analyzing about 20,000 right-of-way **claims** from counties around the state hoping to take control of dirt roads and trails on public lands administered by the federal government.

Thorpe's disclosure -- discovered recently after a public-records request by the environmental group Save Our Canyons -- has angered and puzzled Salt Lake City, county and national forest officials who have sought to see the **claims** made public.

For the county to "turn around and hand it to a developer just doesn't seem right," said Jeff Niermeyer, deputy director of Salt Lake City's Public Utilities Department.

Thorpe could not be reached for comment Monday, but Democratic County Councilman Joe Hatch, who spoke with Thorpe's supervisor, said Thorpe acted inappropriately.

"That letter is wrong," Hatch said.

Also perturbed by the letter was Salt Lake City, which owns conservation property in Cardiff Fork Canyon and disputes the county's **claim** to the canyon's old dirt **road**.

The county's **claim** is under the authority of RS2477, a 19th century federal mining law that granted broad rights of way across public lands. The law was repealed in 1976 but existing rights of way were grandfathered.

The city is concerned that county **road** ownership in Cardiff Fork could lead to increased development and motorized vehicle use that would damage the watershed, an important water source for the city.

Canyon Ventures owns property at the top of Cardiff Fork and has asked the U.S. Forest Service, which now controls the **road**, for motorized access. Canyon Ventures has said it plans to develop a year-round resort on its property.

In an effort to clarify ownership of the Cardiff Fork **road**, Canyon Ventures wrote to the district attorney on April 30. Thorpe responded on May 19, saying the county has investigated the **road's** history and "is of the position that this **road** is a valid RS2477 right of way, which is currently being **claimed** jointly by Salt Lake County and the state of Utah."

The county's **claim** to the Cardiff Fork **road** is one of five such **claims** in Big Cottonwood Canyon that have not been publicly revealed.

Salt Lake City learned of the five **claims** in recent weeks accidentally and released them to The Salt Lake Tribune on Monday after the newspaper made a formal public-records request.

The Wasatch-Cache National Forest, which manages much of the land in Big Cottonwood Canyon, said in a letter to Salt Lake County Mayor Nancy Workman that county ownership of the Cardiff Fork **road** and other trails "could present significant challenges for Forest Service management."

Hatch said the five **claims** in Big Cottonwood Canyon were "inappropriately submitted" by county **road** and surveyor bureaucrats to the state.

They should not be considered official county **claims** until after the County Council conducts public hearings and approves them, he said.

Salt Lake Tribune reporter Thomas Burr contributed to this story.

Salt Lake County ownership **claim**

A Salt Lake County attorney has said the county and state are **claiming** rights to Mill D South Fork **road**, also known as the Cardiff Fork **road**, in Big Cottonwood Canyon.

* Mill F, at the bottom of Guardsman Pass.

* Mill D South Fork, aka Cardiff Fork.

* Mineral Fork.

* Silver Fork.

* Days Fork.

* These trails are in addition to 15 well-established routes in the Wasatch and Oquirrh mountains that the county also is **claiming**, such as roads in Lambs, Millcreek, and Butterfield canyons.

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According to a map obtained Monday, Salt Lake County has asserted ownership **claims** to the following trails in Big Cottonwood Canyon:

1. Mill F, at the bottom of Guardsman Pass
2. Mill D South Fork, aka Cardiff Fork
3. Mineral Fork
4. Silver Fork
5. Days Fork

These trails are in addition to 15 well-established routes in the Wasatch and Oquirrh mountains that the county also is **claiming**, such as roads in Lambs, Millicreek, and Butterfield canyons.

Caption: Graphic: Mill D South Fork (map)

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