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San Juan County contests park road closure

Salt Creek Canyon: The county argues the trail dates to the 1890s, and is exempt from new rules

By Brent Israelsen The Salt Lake Tribune

A popular backcountry route through a streambed in Canyonlands National Park will remain closed to motor vehicles -- unless a rural Utah county can convince a federal judge it owns the route.

The National Park Service on Monday finalized a rule that bans motor vehicles in Salt Creek Canyon above the Peekaboo Campsite.

That same day, San Juan County, which as recently as last month threatened to remove the park's barricade to the canyon, formally challenged the closure of the canyon to vehicles.

In a complaint filed in U.S. District Court, the county alleges that the route in Salt Creek Canyon qualifies as a county road under an 1866 law known as RS 2477, which granted broad rights-of-way across unreserved federal lands.

"The Salt Creek road was used and constructed as a public thoroughfare for decades prior to the reservation of [Canyonlands National Park]," states the complaint.

The Park Service, however, has disagreed with that assertion, saying the evidence does not prove "a valid right-of-way was constructed" prior to the existence of the national park, according to a Federal Register notice published Monday.

In its complaint, San Juan County cites ranchers, uranium miners and homesteaders who allegedly used a "road" in Salt Creek Canyon between the late 1890s and 1964, when Congress created Canyonlands National Park.

The county says these uses, combined with evidence that the route was mechanically and physically "constructed," qualify the route as an RS 2477 road.

Since the park was created, Salt Creek -- one of just three year-round waterways in the colorful high-desert park -- has been used mainly by off-highway vehicle enthusiasts, who drive the canyon for recreation and to reach the spectacular Angel Arch.

"That road should not be restricted to hikers and horse riders," said San Juan County Commissioner Lynn Stevens.

By the mid-1990s, however, the Park Service determined that vehicle use was damaging the stream and its environs. Vehicles must cross Salt Creek repeatedly, often fouling the water with oil and gasoline and tearing up streamside vegetation.

To reduce the damage, the park put a daily cap on the number of vehicles allowed in the canyon.

Unsatisfied with that action, the Southern Utah Wilderness Alliance persuaded a U.S. District judge to order the Park Service to close the canyon in 1998.

Since then, the Park Service has studied the issue and determined that closing the canyon to vehicles is the best way to meet the park's statutory obligation of protecting the canyon's natural resources for future generations.

Canyonlands spokesman Paul Henderson said Salt Creek Canyon has shown good signs of recovery during the six-year vehicle ban.

"Vegetation has moved back in and reclaimed a lot of sections of what was once considered a road. We probably know more about the biological diversity now than we ever have."

Even black bears from the Abajo Mountains have been spotted frequently in the canyon, though Henderson said the drought may be the primary reason.

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