

# The Salt Lake Tribune

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## Long road ahead

It will not be enough for Congress to block the deal struck by Utah Gov. Mike Leavitt and Interior Secretary Gail Norton, the one that threatens to use sham claims of road rights of way to strip potential wilderness protection from vast stretches of federal land.

Though blocking the deal is exactly what Congress should do.

But Congress blocked another proposal, one tilted more toward expanding wilderness preservation, from Clinton Interior Secretary Bruce Babbitt in 1997. And Congress will be blocking more proposals from other administrations, and other governors, until it does its job and adopts a process for establishing, or abandoning, all road claims once and for all.

The House may vote today on a proposal by Rep. Mark Udall, D-Colo., that would forbid the Interior Department from spending any money to carry out the Leavitt-Norton deal. The amendment is said to have a good chance of not only passing the House but also of being approved by the Senate.

It is a roadblock that doesn't sit well with some Utahns. Many of our rural neighbors understandably fear that not only tree-huggers from the East Bench, but also limousine liberals from Manhattan and Greenpeace members from Maine, are all too willing to stop development on federal lands, lands Easterners will never see but that do, or might, provide not-so-wealthy folks here with their living.

But our good neighbors, who are often heard to talk about respecting property rights, also need to realize that all federal land is the property of all of the American people. It is not up to us, our governor, or even our governor in cooperation with the head of one federal department, to make these decisions.

Stretched out on the horns of this dilemma is Utah's sole Democratic member of Congress, Rep. Jim Matheson. Matheson hails from -- it would be difficult to say anyone truly represents -- Utah's 2nd District. It includes some of the more progressive neighborhoods of Salt Lake City, but was gerrymandered by the 2002 Legislature to include more than a few of the Sagebrush Rebellion strongholds of rural Utah.

Either way he votes on the Udall amendment, Matheson is likely to make some enemies. The best way for him to move beyond that is to vote with Udall now, and then either sign onto the more comprehensive solution proposed by the Coloradan or find a better one, and soon.

R.S. 2477, the law that supposedly sets aside all sorts of rights of way -- from highways to goat paths -- as public highways, was passed in 1866 and repealed in 1976. In 1993, the Interior Department told Congress it needed guidance on how to resolve right-of-way claims.

It, and we, are still waiting.

The process needs to be uniform, transparent and separate the real highways from the bogus roads. And it needs to place the burden of proof squarely on the shoulders of those who would use road claims to deprive any federal land of the protection that the American people demand and deserve.