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editorial

Paving the way on roadless issue

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Leaders of Colorado county governments have taken an important step toward cooling the controversy over road development on public lands.

The lobbying group Colorado Counties Inc. recently embraced a new, moderate approach to the century-old issue, setting, we hope, an example for other interest groups.

While CCI's policy position doesn't carry any formal weight, it could greatly influence how Colorado's elected leaders - who say they want to heed local input - deal with the issue. Perhaps that might help pave the way for a broad-based consensus in the bitter feud over local claims to road rights on federal lands.

In 1866, in an effort to encourage settlement of the West, Congress gave county governments the right to claim rights-of-way for new roads across federal land. The law, RS 2477, was repealed in 1976. But Congress never said how county claims to existing roads should be handled. That lapse set up a bitter, ongoing clash between environmentalists, who want wildlife habitat and fragile landscapes protected from motorized traffic, and local governments around the West, some of which go so far as to claim that even cow paths should be considered as highways.

Two years ago, CCI adopted a policy, promoted by Moffat County, that said counties should be able to claim and build roads through national parks, wildlife refuges and wilderness areas. That stance ignored legal and practical obstacles as well as political realities. It also made CCI look out of touch with most state residents.

Fortunately, saner heads prevailed at CCI after some wrangling inside the organization. Last week, CCI sent letters announcing its updated, moderate position to U.S. Interior Secretary Gale Norton, Colorado's congressional delegation and top officials in Gov. Bill Owens' administration.

CCI's new position is so sensible it should be embraced by many groups involved in the issue. It wisely says there needs to be a uniform federal standard for resolving RS 2477 claims, and the standard should be used by all federal land management agencies. It also says while state laws should be applied, counties' claims to rights-of-way on U.S. land should be consistent with federal law. Importantly, CCI believes county governments should hold public hearings on RS 2477 claims.

Although CCI didn't endorse any specific legislation, its position closely mirrors a proposal by U.S. Rep. Mark Udall. The Boulder County Democrat is sponsoring a bill to solve the RS 2477 issue by establishing a uniform and public process, but the GOP-dominated House leadership has refused to hold a hearing on the measure, H.R. 1639. That's unfortunate, because Udall's bill offers an objective, open and even-handed way to determine whether counties' road claims on federal lands are legitimate.

CCI's moderate position should motivate Owens, Norton and the entire Colorado congressional delegation to support H.R. 1639.