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## The Norton policy is the right road

By Earl Robinson  
Salt Lake Tribune

A recent *Tribune* editorial apparently based on a letter written by six Democratic senators calling for the revocation of former Interior Secretary Gale Norton's new RS 2477 policy committed serious errors of fact and law.

The Democratic senators, as members of the U.S. Congress, should express public contrition for trying to unlawfully deny Western states and counties the property rights purposefully granted to them by Congress over a 110-year period in order to settle the West and later to form the West's transportation system.

Norton's recent RS 2477 Policy corrected the legally flawed "Babbitt policy" sharply invalidated by the 10th Circuit Court of Appeals. Neither the Southern Utah Wilderness Alliance nor the Department of the Interior appealed that decision to the Supreme Court because they knew the decision would have been upheld as binding throughout the nation. Federal law requires federal agencies to recognize existing rights and does not require that federal courts be bogged down in arguing every road on the ground.

Historic transportation system roads existing on the ground for at least 40 years, and in many cases over 100 years, do not threaten "fragile wilderness," parks, monuments or other protected federally managed lands. In fact, the roads, as pre-existing property rights, are federally protected.

We also need to correct the irresponsible statement by *The Tribune* that our Kane County officials are "anti-federal." Our officials have good working relationships with federal agencies and employees but they are proactive in looking out for the county's federally granted property rights. *The Tribune* needs to consider that the courts have upheld our county officials' legal position while refuting the legal position of both Interior and SUWA.

We would ask *The Tribune* if it considers itself "anti-federal" because it vehemently disagrees with the federally developed Norton road policy.

In reality, the Norton road policy brings a legally based and thoughtful administrative and public process to the longstanding roads controversy.

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*Earl Robinson is president of the Canyon Country Rural Alliance in Kanab.*