

# Roads

*Continued from Page 1*

Judge Campbell's ruling, in the long and ongoing roads struggle in the courtroom over road ownership, that went against Kane County. In the decision's conclusion, she wrote that her issues concerning sign removal and road maintenance were concerning 'closed' roads. The BLM and GSENM believe that the county's interpretation does not include its historic responsibility on 'open' roads.

"The BLM does not agree with the county's interpretation of Judge Campbell's ruling, and feels the county has the right to continue to maintain all open public roads," responded GSENM manager Rene Berkhoudt and Kanab Field Office Manager Harry Barber in a letter to the editor to the *Southern Utah News*.

Commissioner Habbeshaw clarified snow removal and maintenance would only be done on frequently travelled roads. "Why don't they provide maintenance on the roads that they say they have jurisdiction over? We want title to the roads."

The BLM responds that the county receives funding through

UDOT to perform road maintenance on Class B roads which transverse federal public lands. In addition, federal PILT (payment in lieu of taxes) money provided to counties for government services include, but are not limited to, those services that relate to public safety, the environment, housing, social services, transportation and government administration. This year's PILT payment to Kane County totaled over \$930,000.

Since road maintenance agreements were initiated in the 70's, Kane County and other counties throughout the west regularly maintain Class B roads (which includes snow removal). Kane County receives federal funding to perform this maintenance.

The BLM has said, based on Kane County's concerns, they have offered to update road maintenance agreements, or provide at no cost, Title V rights of way to the county, if they wish to have more assurances of their continuing maintenance authority.

The BLM said it's in the public interest to focus on how the county and BLM can cooperate to resume routine maintenance on the many open roads important to the citizens of Kane County and the travelling public. Litiga-

tion concerning particular routes should not put the public at risk.

The continued legal battle over federal land and county jurisdiction will be addressed again on January 14 before the 10<sup>th</sup> Circuit Court of Appeals in Denver. In this legal issue, the challenging parties are Kane County, Garfield County and the Kane County Water Conservancy District, concerning water transportation and water provisions of the Monument plan.

"The county is doing everything it can to take title to the roads," said Habbeshaw. "We need jurisdiction to operate open roads." He added the BLM might have gotten unintended consequences for their legal stance.

## Zion Field Institute lecture series continues January 10

Zion Canyon Field Institute's lecture series continues January 10, 2009 with Paul Ostapuk's lecture entitled "Romance of the Old Spanish Trail."

The lecture will take place at the Canyon Community Center in Springdale, Utah at 7:30 p.m. The center is located at 126 Lion Boulevard.

Ostapuk is a board member of Glen Canyon Natural History Association and Director of the Arizona chapter of the Old

Spanish Trail Association.

Ostapuk's lecture will give an overview of the Old Spanish Trail before moving on to specifics of the trail with regards to southern Utah and the Zion National Park area.

As with all field institute lectures, this event is free and open to the public.

For more information, please contact Michael Plyler @ 435-772-3264 or plyler.zcfi@yahoo.com.

### Sudoku Solution

5	3	1	6	9	7	8	2	4
2	6	4	1	5	8	3	9	7
9	8	7	3	4	2	5	1	6
3	5	2	7	6	9	1	4	8
8	1	9	4	3	5	6	7	2
4	7	6	2	8	1	9	3	5
1	9	8	5	7	4	2	6	3
7	2	3	8	1	6	4	5	9
6	4	5	9	2	3	7	8	1

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### Crossword Solution

B	P	M		M	A	G	N	E	T	
E	R	A		I	D	E	A	T	E	
S	I	N		N	I	M	B	U	S	
O	C	T	A	N	E			S	I	T
T	E	A	S		U	S				
			H	R		R	I	P	S	
S	T	M		A	M	I	D	S	T	
L	U	A	N	D	A		E	Y	E	
A	T	T	A	I	N		A	C	V	
B	U	S	B	O	Y		S	H	E	

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