

Washington, DC -- Congressman Maurice Hinchey (D-NY) today led 44 House members in urging U.S. Department of the Interior Secretary Ken Salazar to protect some of our nation's last remaining wild public lands from attempts by the State of Utah to claim ownership of those lands so that they can be developed by oil, gas, and mining companies. In a letter sent to Salazar today, Hinchey and his colleagues warn Salazar that a failure to stand firm in defense of federal management would set a disastrous precedent for proper management of federal public lands throughout the West and Alaska. Hinchey was joined by Reps. Raúl Grijalva (D-AZ) and Rush Holt (D-NJ) in calling on other House members to press Salazar on the matter.

"In late March, the State of Utah enacted an ill-conceived and unconstitutional state law demanding that the Department of Interior turn over federal public lands to the state for the eventual disposition to oil, gas, mining and other development interests. Such a transfer would upset the careful balancing of multiple uses mandated by Congress and destroy the unmatched natural beauty found on these lands – and take away from the American people tens of millions of acres of our common natural heritage," Hinchey and his colleagues wrote in their letter to Salazar. "We commend you for condemning this ploy, which you previously noted 'defies common sense,' and '...is political rhetoric you see in an election year.' Your diligence on this issue needs to be extended to an even greater threat concerning the state's claim to own highways through these very same public lands.... We urge you to make the vigorous defense of these iconic public lands against the state of Utah's attacks, one of your highest priorities. We look forward to talking with you and your staff about the Department's efforts to ensure that the future of Utah's wildlands is secure in the face of this threat."

The state of Utah has passed legislation that demands the "return" of federal public lands under what is widely viewed as a legally deficient interpretation of the U.S. Constitution and the Utah Enabling Act. The Utah State Legislature's own legislative counsel deemed the law to likely be unconstitutional and Arizona's Governor vetoed similar legislation because of constitutionality and cost concerns.

In addition, Utah has recently filed twenty lawsuits in an attempt to gain control over alleged road rights of way, by exploiting a loophole in a repealed nineteenth century law known as "R.S. 2477". Though Congress repealed this statute in 1976, some states and counties, mostly in Utah, continue to claim cow paths, abandoned wagon tracks, stream beds and foot paths as "highways" under a faulty interpretation of the repealed law. A federal district court recently found a similar claim by San Juan County, Utah to be invalid.

Despite this clear ruling, Utah is pursuing 12,000 of these claims in places of national significance including in and around Canyonlands National Park, Grand Staircase-Escalante National Monument, and lands designated as Wilderness in the Washington County Wilderness provision of the 2009 Omnibus Public Lands Management Act, as well as other areas eligible for protection as Wilderness by Congress.

Hinchey is the author of the bipartisan America's Red Rock Wilderness Act, which would preserve 9.1 million acres of Utah's spectacular red rock country as wilderness. The measure would protect the land from commercial development, motorized vehicles, road building, as well as oil and gas drilling. Currently, the U.S. Bureau of Land Management (BLM) owns the 9.1 million acres, but the agency is not prohibited from selling part of the land for development or developing parts itself.

The publicly owned wild places of Utah are world-renowned for their spectacular beauty, with deep, narrow red rock canyons, fantastic sandstone arches, tremendous open vistas, and wild rivers. Currently, only 1.1 percent of Utah's BLM public lands are protected as wilderness. Nowhere else in the lower 48 states can such intact wilderness-quality lands be found. These areas are a haven for outdoor recreationists, backpackers, hikers, wildlife enthusiasts, and many more. The red rock area is also rich with archeological remnants of prehistoric cultures.

Joining Hinchey, Grijalva, and Holt in sending the letter to Salazar were: Reps. Alcee Hastings (D-FL), Betty McCollum (D-MN), Bill Pascrell (D-NJ), Carolyn Maloney (D-NY), Charlie Rangel (D-NY), Chellie Pingree (D-ME), Chris Van Hollen (D-MD), Dale Kildee (D-MI), David Cicilline (D-RI), David Price (D-NC), Dennis J. Kucinich (D-OH), Diana DeGette (D-CO), Earl Blumenauer (D-OR), Emanuel Cleaver (D-MO), Gary Ackerman (D-NY), George Miller (D-CA), Grace Napolitano (D-CA), Hansen Clarke (D-MI), Henry Waxman (D-CA), James A. Himes (D-CT), Jan Schakowsky (D-IL), Jerrold Nadler (D-NY), Jim Moran (D-VA), John Conyers (D-MI), John Garamendi (D-CA), Judy Chu (D-CA), Keith Ellison (D-MN), Lois Capps (D-CA), Martin Heinrich (D-NM), Mike Honda (D-CA), Mike Quigley (D-IL), Paul Tonko (D-NY), Pete Stark (D-CA), Peter Welch (D-VT), Rosa DeLauro (D-CT), Sam Farr (D-CA), Sander Levin (D-MI), Steve Israel (D-NY), Steven Rothman (D-NJ), Tim Walz (D-MN), Timothy V. Johnson (R-IL)

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