

## Kane County Wins in 10th Circuit!

In a 9 to 2 decision the 10th Circuit Court of appeals has ruled in favor of Kane County and against the Wilderness Society, SUWA, and other "environmental" organizations. The case has been somewhat controversial and some liberal legal scholars have said the County will never win. Well they were SO wrong!

For those who thought we could never win against the environmental goliaths and their legions of attorneys, think again. Little ol' Kane County has just slain a giant and set precedent for much of the western U.S. even the entire nation! WAY TO GO KANE COUNTY!

The decision was handed down yesterday afternoon. Simply put the court's decision doesn't establish whether Kane County is or is not the owner of certain roads but it does stop environmental organizations from doing the dirty work of federal agencies. These organizations had sued the county for asserting ownership of roads across federal land. The court decided that these organizations don't have standing to bring such a suit. The federal government would have standing but the question is, "do they want to engage in this type of litigation."

USA-ALL believes this to be a monumental decision. The court's opinion comes on the heels of the new Department of Interior policy that will allow BLM to create new areas of defacto Wilderness called, "Wild Lands. This couldn't have come at a more opportune time. With the BLM director coming to SLC on Friday to explain this ill advised policy the recent victory could make for some interesting discussions between he and local government officials.

USA-ALL has been a strong supporter of Kane County's actions and is hopeful that other counties will see their recent legal victories as a map to follow. We need other counties to be as calculating and aggressive as Kane County has been. We stand ready to help other counties follow suit. We want them to know that USA-ALL can and will bring considerable public support for this type of assertive action.

It should be noted that this case was won with the efforts of some very dedicated and brilliant people. Among them are former Kane County commissioner Mark Habbeshaw, Representative Mike Noel, Senator Mike Lee who served as one of the attorneys for Kane County, his Brother Tom Lee who is now a Utah Supreme Court justice, and Attorney Shawn Welch.

USA-ALL would like to thank all those involved with the County's side of the case and hope to see further action by Kane and other counties. This fight is not over; there are still many closed roads that are disputed. This victory is a giant step in the right direction but there are many miles yet to be traveled. These counties cannot continue fighting for us without your support. We need to continue to encourage county commissioners, state legislators, and the governor to stand up for our rights, and when/or if they fail to do so we should find new leaders who will do what is right.

This is not a time to be timid or apathetic. Now is the time to push even harder. The winds of change are sweeping over our country. We need to work to ensure they blow the way we all want. We hope you can feel the possibility of making a difference, the real possibility of reestablishing common sense to public land management. You should be very happy for this victory, but you mustn't relax too much. Recommit yourself to doing more. Become active in local government, become knowledgeable about land use issues, donate regularly to USA-ALL, then get all your deadbeat friends to do all the above. If you do that we will win this war. If you don't ...well, you get the idea. Unite with us and help us fight for more victories. Help us back-up these counties and help us stop the insanity coming out of the Obama administration with this new "Wild Lands" policy. As long as good folks like you support us we will continue to fight and win.