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JeffCo hears road resolution

By MARGA LINCOLN - IR Staff Writer - 03/07/07

BOULDER — A contractor with Environomics consulting firm submitted a draft resolution to the Jefferson County Commission Tuesday for claiming jurisdiction of rights-of-way on federal and state land.

It states that the county will undertake a detailed inventory of rights-of-way it is claiming under RS 2477, a provision of the 1866 mining law.

It also states the county will communicate to land agencies a time frame.

However, no time frame is listed for the county's endeavor.

Nor did the commission mention a dollar amount for the undertaking, other than \$140,000 of metal mines trust funds it has already allocated for the effort.

County Commission Chair Ken Weber said that now that he has a draft resolution for public consideration, a series of evening meetings will be arranged in the future.

Tammy Johnson, consultant with Environomics, said in a separate interview that a timeframe would depend on the road inventory protocol the commission agrees to and what the commissioners' priorities are.

"I think adoption of the resolution is some time away," she added. "The resolution is a long way from being final."

Citizen Allen Le Mieux told the commission that access to federal public land for mining exploration is already guaranteed under the law.

"I don't understand why we're doing it," he said. "I just don't get it."

Weber said the county was just carrying out its responsibility to maintain rights-of-way.

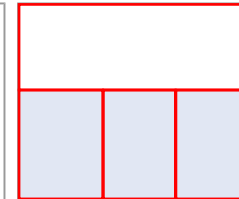
A letter from former county commissioner Glenna Obie was also read into the record, opposing the commission's actions.

She suggested the county commission review the road inventory already completed by former commissioner Sam Samson from 1996 to 2002, calling it "significant, well researched and exemplary."

She wrote that the road inventory was a model used by other counties.

She further questioned the legality of the commission using hard rock mining funds "to pursue legal action that will certainly fail."

The purpose of the fund was "to help mitigate huge rises in mill levies when the mines are closed," she wrote.



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Commissioner Tom Lythgoe said the Forest Service is continuing to close roads with gates or by stacking up debris and rocks.

"It's not appropriate," he said. "We have a responsibility to this county, state and nation that they are not closing roads."

Le Mieux asked for a map of the roads the county is considering claiming jurisdiction to and why they are needed.

"Needed or not isn't even an issue," responded Lythgoe. "If they are blocking a road that causes you or I or my grandchildren" to not be able to use it.

Amy Teegarden, spokesperson for the Helena National Forest, said road closures were the result of an environmental analysis for the Clancy-Unionville travel plan, completed in 2002.

"There was extensive public involvement. Many people were in favor of these closures," she said.

Teegarden said the Forest Service has offered to assist the county in its efforts by providing maps.

Commissioner Chuck Notbohm said the Forest Service has never come to the commission to discuss road closures.

He also said the agency had closed county roads in the Elkhorns.

The county has requested and requested maps and has had no luck, except for a map of the Elkhorns, said Lythgoe.

He also complained that hundreds of historic roads have been deleted from recent maps.

Teegarden said she would inquire about the county's requests.

"The Forest Service supports you, but the burden of proof is on you," she said.

Weber replied that the county had agreed to the process outlined by governmental agencies, which is the reason for the resolution.

Following the meeting, Teegarden said some of the commissioners' comments were "off base."

She said the Clancy-Unionville travel plan involved personal visits by Forest Service personnel with the commission as well as public meetings.

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