

## County vows to fight for roads

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Otero County plans to take on the Forest Service regarding road access under Revised Statute 2477, a provision in the 1866 Mining Law that states any road under county jurisdiction, regardless of when that jurisdiction was established, supersedes any subsequent jurisdiction claimed by any other entity, including the Forest Service.

In a discussion at its work session Wednesday, the Otero County Commission expressed its intent to take on the Forest Service regarding roads in the Lincoln National Forest.

"We want to stop the closure of any roads and trails by the Forest Service," said Commission Chairman Doug Moore. "If they want to challenge any of the roads we claim under R.S. 2477, we'll duke it out in court."

"If we have to list every goat trail, butterfly path, and meteor pathway, we will," Commissioner Clarissa McGinn said. "We want a preemptive action to keep these closures from happening. These closures are going to take place very soon if we don't stop this."

Moore said the Forest Service plan is to close nearly half the roads and trails in the Lincoln National Forest.

"Give me some language that will stop us from losing any of the roads and trails we want to keep open for the use and enjoyment of our citizens," Moore said. "The cat fight will be on. We intend to pass ... on Thursday."

Otero County Administrator Dr. Martin Moore told Doug Moore that R.S. 2477 roads still owned by the county will include ones that were grandfathered in prior to 1956 as well as those that existed prior to 1976.

Two large maps were used as references during the meeting. The maps showed all roads with R.S. 2477 status claimed by the county prior to each respective date.

"I want a map combining the two," McGinn said. "I then want to claim anything on that map that is ours. It needs to be encompassing enough to include all roads, trails, pathways, mines and anything else."

Doug Moore said GPS coordinates will have to be utilized in the final process.

"A road does not even have to be one that still exists in order to qualify," he said. "It could be nothing now but a jeep trail or a footpath. We're laying claim to all that is ours, and we're keeping them open for everyone to enjoy. We will make this official at our regular meeting on Thursday."