

The Craig Daily Press

Front page stories

Norton's parting comments draw ire

Policy aims to clear up road confusion

By Brandon Johansson

Thursday, March 23, 2006

Environmental groups are up in arms about a move Tuesday by departing Interior Secretary Gale Norton that they say could result in roads being built across some of the most-pristine places in the West.

Norton, who is leaving the U.S. Department of the Interior at the end of the month after five years in President Bush's cabinet, issued a set of guidelines Tuesday concerning roads on public lands.

The new guidelines are meant to help land managers implement a 2005 appellate court decision about R.S. 2477 -- a Civil War-era mining law that counties across the West, particularly Moffat County, have used to claim roads on public lands. Moffat County has more than 2,000 miles of R.S. 2477 claims, putting it at the forefront of the debate about the controversial road law.

Environmentalists argue that counties use a loose definition of the word "road" to claim game trails and dry streambeds as roads.

A Department of the Interior statement issued Wednesday said that under the guidelines, land managers such as the Bureau of Land Management or the U.S. Parks Service have to be consulted before roads claimed under R.S. 2477 are expanded.

"For example, under the guidelines announced today, a dirt road will remain a dirt road and a two-track road will remain a two-track road unless there is a permitting process and environmental analysis," Norton said.

But environmental groups in Moffat County and across the state say the guidelines are particularly dangerous because they apply to places like Brown's Park National Wildlife Refuge and Dinosaur National Monument, places previously left out of the debate.

Reed Morris, a public lands advocate with the Colorado Wilderness Network in Craig, said Norton's policy could result in roads being cut across wilderness study areas and pristine wildlife habitat. "Right now, the crown jewels of Moffat County are closed (to roads)," Morris said,

referring to places such as Brown's Park. "This policy would open the door for the uses in these areas to be fundamentally altered."

Once roads are built, wildlife is disturbed and pristine lands are never the same, Morris said.

Morris said the guidelines issued Wednesday would create more confusion than already exists in the fight about R.S. 2477.

Because many R.S. 2477 claims cut across land managed by separate agencies, if one agency says a claim is valid, it would put undue pressure on other agencies to do the same thing, Morris said. "We don't know what the future holds," Morris said. "But I don't think it's going to be pretty."

Denny Huffman, a former superintendent of Dinosaur National Monument, said in a conference call with reporters Wednesday that developers want to cut roads across public lands without consideration of the cultural resources inherent in the landscape. If developers had their way, maps of places like the monument would look like a bowl of spaghetti, Huffman said, referring to the hundreds of roads that would crisscross the terrain.

But Department of Interior officials say the guidelines provide plenty of room for debate about roads.

Toni Kreisher, a spokeswoman for the Department of the Interior, said any expansion or construction of R.S. 2477 claims will be done in public.

If an R.S. 2477 claim is already an established road, the land managers will be more likely to allow counties to send in road crews to improve it, said Dan Domenico, special assistant to the solicitor of the Department of the Interior.

But Wednesday's guidelines do not address one of the central issues of R.S. 2477, and that is what constitutes an established road, Domenico said.

That fight will continue in the courts, he said.