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## **Department of Interior Issues RS2477 Guidance.**

Washington, DC – On March 22, 2006, the Department of Interior issued new guidelines that will assist federal land managers in implementing the principles of the 2005 *SUWA v. BLM* decision. These new guidelines protect federal lands by defining a policy that roads across federal lands cannot be expanded or significantly improved without consultation with the federal land manager. This new policy states that a road established under RS2477 can remain as it is, without federal consultation.

Secretary of the Interior Gale Norton said, “The decision allows the roads to be maintained at the status quo; it does not authorize automatic expansion of roads. Our new guidelines respect the obligation that Interior has to protect federal lands and environmentally sensitive areas, particularly parks, refuges and congressionally designated wilderness areas.”

Congress enacted RS277 in 1866, granting a “right of way for the construction of highways over public lands.” This grant was repealed in 1976, but all valid RS2477 rights of way at the time of repeal were allowed to continue. The issue of RS2477 rights of way has become a highly contested issue in the Western States, where many RS2477 rights of way were established.

Although the guidelines specifically state that RS2477 roads must remain at their current use, or status quo, radical environmental groups claim that RS2477 opens up wilderness areas and parks to endless road claims. This is simply, untrue. The new guidelines clearly state, if it’s a dirt road before than it is still a dirt road. If a county were to pave the dirt road they would need the permission of the federal land manager.

These new guidelines will help preserve RS2477 roads in the West. Historic routes that are well established RS2477 rights of ways, are now preserved for future and current use. The federal land agencies also now have the ability to enter into agreements for such roads, which would allow the public the continued use and enjoyment of these public lands

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