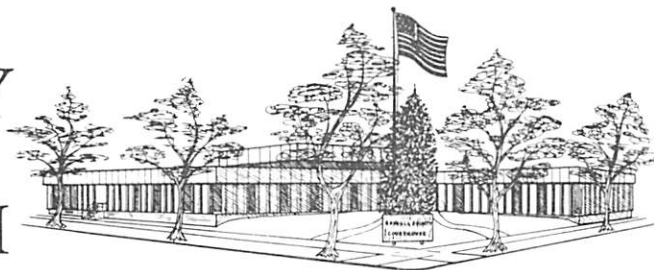


# COUNTY OF RAVALLI



August 11, 2017

U.S. Senator Jon Tester  
311 Hart Senate Office Building  
Washington, DC 20510

RE: S. 468

Dear Senator Tester,

S. 468 has been introduced into the Senate. This bill provides an expedient and efficient means for counties to confirm rights-of-way(s) for their transportation systems that exist upon Federal lands administered by the U.S. Forest Service (USFS) and Bureau of Land Management (BLM). The Board of Ravalli County Commissioners endorse the bill and urge your full support on passing this legislation as quickly as possible in the 115<sup>th</sup> Congress.

These Historic Rights-of-Ways exist under a law that was repealed in 1976, but were honored as valid existing rights. Unfortunately, the United States never issued written document for these routes, nor entered them on the official Master Title Plats. Currently, there are only two (2) options available to jurisdictions to confirm a right-of-way. One option is to file a quiet title action in Federal District Court which is expensive, time consuming and creates an adversarial relationship between federal agencies and state and local governments. The second option is to file a new right-of-way which may require a full review (EA or EIS) under current federal law regarding its location, potential impact to sensitive species and historic preservation for a route that already exists on the ground.

Our Ravalli County Natural Resource Use Policy, adopted November 21, 2012, states (in part):

- 1. GOAL** Maintain the historic right to travel over public lands whenever necessary for human safety and emergency ingress and egress, especially for wildfire control, in the pursuit of farming, ranching, timber harvest, mining, recreational activities, motorized vehicle use, access to irrigation infrastructure and other historic uses..

**Objective A:** Adopt the provisions of RS 2477 which states "The right-of-way for the construction of highways across public lands not otherwise reserved for public purposes is hereby granted" as Ravalli County policy". Any roads

existing prior to the implementation of the FLPMA Act in 1976 are still recognized under RS 2477.

**Objective B:** Keep rights of way going to and inside public lands open for cultural, economic, social, recreational, hunting, fishing and public safety purposes, including access for suppression of wildfires and safety of fire fighters.

**Objective C:** Outside Designated Wilderness areas, new roads and trails should be considered for human safety and emergency ingress and egress, especially for wildfire control, in the pursuit of farming, ranching, timber harvest, mining, recreational activities, motorized vehicle use, access to irrigation infrastructure and other historic uses

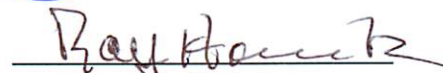
**Objective D:** Decommissioning – Ravalli County is opposed to road and trail closures and/or decommissioning. There shall be no net loss of Forest Service roads/trails. We support additional roads/trails.

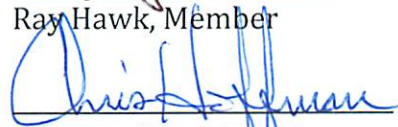
We urge you to join with other members from western public lands states, co-sponsor the bill and advocate for its passage as it works its way through the Senate. This is a non-partisan solution to an issue that has been a problem for 41 years, and will bring closure to one of the issues remaining from the Federal Land Policy and Management Act (FLPMA) of 1976.

Thank you for your service to the citizens of Montana.

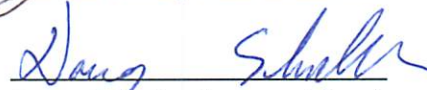
Sincerely,

  
\_\_\_\_\_  
Greg Chilcott, Chairman

  
\_\_\_\_\_  
Ray Hawk, Member

  
\_\_\_\_\_  
Chris Hoffman, Member

  
\_\_\_\_\_  
Jeff Burrows, Vice-Chairman

  
\_\_\_\_\_  
Doug Schallenberger, Member