



## Gila Resources Information Project

305A N. Cooper St., Silver City, NM 88061  
 (575) 538-8078 (voice/fax)  
[GRIP@gilaresources.info](mailto:GRIP@gilaresources.info)  
[www.gilaresources.info](http://www.gilaresources.info)

### Mission Statement

Recognizing that human and environmental systems are inseparable and interdependent, Gila Resources Information Project pursues two goals: to protect and nurture human communities by safeguarding the natural resources that sustain us all; and to safeguard natural resources by facilitating informed public participation in resource use decisions.

### Board of Directors

**Sally Smith**, President  
**Jesse Franklin-Owens**, Vice-President  
**Harry Browne**, Secretary/Treasurer  
**Michael Berman**  
**David Rose**  
**M.H. "Dutch" Salmon**

### Staff

**Allison Siwik**  
 Executive Director  
[grip@gilaresources.info](mailto:grip@gilaresources.info)

**Sally Smith**  
 Director, Responsible Mining Program  
[sallys@gilanet.com](mailto:sallys@gilanet.com)

**Claire Catlett**  
 OSM/AmeriCorps VISTA Staffer  
[claire@gilaresources.info](mailto:claire@gilaresources.info)

**Siri Khalsa**  
 Membership Coordinator  
[siridk@gmail.com](mailto:siridk@gmail.com)

**Richard Mahler**  
 Newsletter Editor and Production Coordinator  
[richard@richardmahler.com](mailto:richard@richardmahler.com)

GRIP was founded in 1997. It is supported by foundation grants and individual donations. Special gratitude for ongoing support is owed to the McCune Charitable Foundation of Santa Fe.

To become a member and receive a copy of *Get A GRIP*, a minimum annual donation of \$20.00 is appreciated. (\$10 for students and low-income residents.) GRIP is a 501(c)(3), tax-exempt organization; your contribution is tax-deductible.

Other Sites:  
[www.vivaverdenm.com](http://www.vivaverdenm.com)  
[www.gilaconservation.org](http://www.gilaconservation.org)



CONTINUED FROM SWCCA ON P. 1

contravening state law. Sierra County Sheriff Joe Baca, for example, has said he will not enforce closure of roads on U.S. Forest Service or Bureau of Land Management properties. *The Grant County Beat*, an on-line news journal, quoted Baca as insisting during the June meeting that "the federal government has no right to close roads, according to the ninth and tenth amendments to the (U.S.) constitution...Only if we [counties] cede power to the federal government by signing agreements with them do they have the power" to close roads on federal lands. State statutes say the land belongs to us. If they close the roads, I'll cut locks. It is a petty misdemeanor to block a road, by our state statute." Added long-time Otero County Attorney Dan Bryant: "If you read the RS 2477 rule, it tells you the feds cannot tell us what to do...You have to carve out resources for this fight." It should be noted that as part of its Travel Management Plan, the Forest Service has no intention of placing gates and locks across closed forest roads. Typically, signage is used to indicate the road closure.

Revised Statute 2477, only 22 words long, was enacted by Congress in 1866 as a way for the federal government to grant rights-of-way in order to build and use roads across federally-administered public lands not otherwise reserved or set aside for public uses. At the time of its adoption, RS 2477 was intended to help open up the West to settlement, mining, ranching, and development of infrastructure. Except for valid claims in existence at the time, RS 2477 was repealed in 1976 under the Federal Land Policy and Management Act. However, a 2003 "claimer rule" adopted by the Interior Department makes such right-of-way grants to state, county, and local governments easier. As a result many entities across the West argue they are now allowed to claim as "roads" thousands of paths, trails, and wagon tracks—even on private property, inside national parks, and within wilderness areas. Indeed, the outcome of legal challenges related to RS 2477 now cycling through the courts could determine the future of wilderness designation, since Congress mandates that where there are roads and motorized vehicles, there can be no wilderness.

The issue is coming to a head in part because the Forest Service is under a legal mandate to better manage roads in National Forests in order to reduce resource degradation and to balance the interests of those who use such lands. Through a series of proposed regional Travel Management Plans for each national forest, federal authorities seek to revise camping policies and to close some roads that have been built illegally or that are judged damaging to waterways, wildlife, and plants. Locally, those challenging such efforts include some All-Terrain Vehicle (ATV) enthusiasts, hunters, ranchers, prospectors, and Congressman Steve Pearce (R-Hobbs).

Several soil and conservation districts—including the San Francisco, the Caballo, Doña Ana, Sierra, Luna, and Grant—were reported at the SWCCA meeting to have formed a group representing their own collective interests. "Our goal is to have a rapid reaction when the Bureau of Land Management comes up with a new rule," said Walter Anderson, representing the Hidalgo Soil and Water Conservation District, according to published reports. "If you (at the SWCCA) succeed with the RS 2477 (protests), maybe the Forest Service won't go forward with the Travel Management Plan...We want legislation to support statutory requirements regarding federal land designations."

Formation of the SWCCA has caught the attention of both the non-partisan Progressive Voters Alliance of Grant County (PVA-GC), which discussed the group during its July meeting, and the tax-exempt advocacy organization called Keep Our Forest Open (KOFO).

In early August, KOFO issued an action alert to its members stating it is in "Violent Opposition to the Forest Service Gila Travel Management Plan and road closures" in area National Forests and on other public lands. In addition, the alert stated that the organization is "in total agreement" with the SWCCA in its opposition to the pending USFS Travel Management Plan for the Gila National Forest (GNF). "Citizens," the KOFO alert insisted, "must stop the erosion of our rights and freedoms by letting the local elected officials understand the will of the people and ensure that if they do not support us we will not support them in the next election cycle."

CONTINUED ON FACING PAGE