

## MAINTENANCE PROTOCOL FOR R.S. 2477 RIGHTS-OF-WAY

asserted in Moffat County, Colorado

January 10, 2003

**Purpose:** Establish a protocol for recognition and maintenance of the R.S. 2477 road network in Moffat County which assures reasonable and traditional access to federally managed lands balanced with constraints of County funding, crew availability, and the County's desire to protect the undeveloped character of the public's R.S. 2477 road network.

**Background:** In 2002, the Moffat County Land Use Board followed the "R.S. 2477 Inventory Protocol," adopted in June of 2002 by the Moffat County Commission, to inventory R.S. 2477 rights-of-way across federal lands in Moffat County. The R.S. 2477 assertions were classified as secondary road systems and subclasses of these rights-of-way were assigned. Colorado Revised Statute 43-2-111 states in part "The county systems, both primary and secondary roads, shall be assigned to the County for construction and maintenance."

The following road classifications differentiate between previously identified public roads currently receiving scheduled maintenance (Primary A and B, and Secondary A) and public roads being asserted under the June 2002 Moffat County R.S. 2477 Inventory Protocol (Secondary B, C, and D):

Primary, Class A: State Highways recognized by State Highway road numbers.

Primary, Class B : County Roads recognized by Moffat County road numbers and classified as a primary roads.

Secondary, Class A: County roads recognized by Moffat County road numbers, and classified as secondary roads.

Secondary, Class B: Unimproved roads, which are passable by four-wheel-drive vehicle. Vegetation is generally absent on each vehicle track and present between vehicle tracks; or vegetation has been mechanically removed to bare soil. Some vegetation regrowth may occur depending on the age of the right-of-way or time since last maintained. Secondary, Class B roads are not part of the Secondary, Class A road system, do not have county road numbers, and are often referred to as two-tracks or jeep trails.

Secondary, Class C: Trails which are passable by horseback and generally used by horseback or livestock. Depending on the trail conditions All-Terrain-Vehicles or motorcycles may or may not be able to pass. Secondary, Class C roads are often used for moving livestock and/or recreation.

Secondary, Class D: These include rights-of -way which can be proven despite a lack of current maintenance, use, or visibility. Currently the only known R.S. 2477 rights-of-way placed in this category are used for driving livestock or recreation.

**Maintenance:** Since Primary, class A and B roads as well as Secondary, class A roads are currently being maintained by the Colorado Department of Transportation and Moffat County, this Maintenance Protocol only applies to Secondary Roads, Classes B, C, and D. The secondary roads, Classes B, C, and D, which cover two-track roads, trails, and routes no longer clearly visible, will receive maintenance to preserve the existing character and to maintain the desired use levels, in accordance with the land uses and objectives identified in the County's land use plan and any related transportation planning. Any proposed maintenance that would alter the existing character of a Secondary Class B, C, and D road will be proposed to the public and public input will be considered in such decision prior to maintaining the road. In general, the level of use and demands placed on these roads do not require regular maintenance to assure access across these roads. However, in certain cases where additional mechanical maintenance is necessary, the County Commissioners will balance the need for maintenance and associated safety concerns with funding and crew availability and recommend appropriate maintenance.