

Recommendation 1: The Governor should coordinate the appointment of an Interagency Access Committee, led by MACO, with representatives from the BLM, USFS, USFWS, DNRC and FWP, to be charged with: (1) developing an inventory of public roads; (2) developing an inventory of public lands where public access is restricted or not available, and; (3) issuing an annual report that will be made available to the public and agencies to assist with projects and programs designed to promote public access to public lands. Adequate funding and personnel should be provided to fulfill this recommendation.

1. This must be a county-controlled and county-driven process supported by sufficient funding.
2. One option for county consideration would be to establish a committee to work on this process over a period of time. This would allow for community conversations with landowners to address questions and issues that could arise as access roads are more clearly identified.
3. Participation and the involvement of the Montana Association of Counties are essential to this effort.
4. Funding may be available from state and federal agencies to help counties work on this initiative.
5. It would be beneficial to know what work has already been done to clarify access roads. For example, work on this issue already accomplished by the Forest Service and Fergus County may be instructive to other agencies and counties motivated to do this work.
6. The desired end product is some type of map, in a consistent format across all counties, which is useful for sportsmen and the public in general.
7. The inventory of roads should include jurisdiction of road (federal, state, county, private, undetermined) and status (open, closed, unspecified).

Rationale

A document containing an inventory of public roads would provide the needed baseline information to complete the inventory of the public lands where public access is restricted or not available. This effort would help alleviate conflict between sportsmen and private property owners and allow agencies, sportsmen's groups and NGO's to focus access work with private landowners along key routes. Over the long term, legal access points would be made known to sportsmen and landowners, and improved relationships and access to public lands would result. In addition, implementation of this recommendation would give visibility to the PL/PW Council's concern about public access to public land. It would provide Governor Bullock an opportunity to solicit appropriate action that reinforces his interest in public access. It would help the Interagency Access Committee to become more effective. In addition, it is a recommendation that is specific, viable, and potentially effective in improving access and agency access coordination.

Background

There are roads, or segments of roads, that have been maintained and used for many years whose legal standing is uncertain. Some roads created through the petition process were not constructed exactly as described in the petition. There are also legal rights-of-way where a road was never constructed or has fallen out of use and is no longer maintained. As such, many county roadbooks and maps have inaccuracies concerning the legal status of maintained roads and the depiction of legal rights-of-way where no road physically exists.