



## NEW ENGLAND CHAPTER BACKCOUNTRY HUNTERS & ANGLERS

March 27, 2025

To Chairman Casey and the members of the House Municipal Government & Housing Committee

Re: BHA Support for RI - 2025 – H5960 –Qualified Abandonment of Town Roads

Backcountry Hunters & Anglers (BHA) seeks to ensure North America's outdoor heritage of hunting and fishing in a natural setting. Our members consider protecting access to public lands and waters a top priority, recognizing that access is one of the most important factors to our participation in, and the perpetuation of, our outdoor traditions.

With these things in mind, **BHA urges the Committee to support H5960**, which seeks to create a legal pathway for municipalities to retain a public access interest when town roads are abandoned.

Under current RI General Laws municipalities essentially have two options when roads cease to be useful to the public for vehicular travel– they must abandon them entirely (§ 24-6) or continue to maintain them, incurring unnecessary costs (§ 24-5). These requirements have caused at least one prominent legal dispute in Rhode Island (O'Reilly v. Town of Glocester, 1993), although the dispute wasn't settled through the courts. Rather, it was resolved when the State eventually acquired the property in question as conservation land several years later. H5960 proposes a third option - allowing towns to cease maintenance but to retain an interest in the property for public access and usage.

While the changes proposed in H5960 would undoubtedly be useful to municipalities state-wide, BHA is especially concerned with the future of municipal roads near RI's shoreline, which are vulnerable to erosion and sea level rise. To put it simply, there is a reasonable likelihood in coming years that some roads near the shore will both cease to be useful for vehicular travel and will also become impractical to maintain. Without the third option proposed in H5960 coastal municipalities will be forced to choose between maintaining roads to vehicular standards, if possible, while incurring excessive costs, or abandoning public access entirely and hoping that it may one day be restored, for example through CRMC's ROW designation process.

H5960 is a proactive approach that ensures municipalities have legal tools to efficiently protect public access, when appropriate, and address situations that are likely to occur in coming years before they become complicated and costly legal disputes. Respectfully, **BHA urges the Committee, and ultimately the RI General Assembly, to support H5960.**

Thank you for your consideration,

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