

November 8, 2004

Content Analysis Team
Attn: Roadless State Petitions
USDA Forest Service
P.O. Box 221090
Salt Lake City, UT 84122

Comments on proposed rulemaking for 36 CFR Part 294: Special Areas; State Petitions for Inventoried Roadless Area Management

These comments respond to the USDA Forest Service's proposal to replace the 2001 Roadless Area Conservation Rule with a state petition process for roadless areas on national forests, as published in the Federal Register on July 16, 2004.

American Forests has supported proposals for increased protection of roadless areas in our national forests since January 1998, when a moratorium on roadbuilding in roadless areas was first announced, a move that led to the Roadless Area Conservation Rule of 2001. We believe roadless areas need greater protection because they provide ecological services to society such as clean air and water; critical fish, wildlife, and plant habitat; and climate regulation. The economic value of these services, which are just beginning to be understood and quantified, often compares favorably with commodity production and other extraction-based activities which generally require road building.

In our previous comments on the 2001 Roadless Rule, we expressed concern about how that rule might affect some communities, especially those in remote locations near roadless areas. We recommended provisions in the rule that would allow such communities to raise specific local concerns, such as wildfire threats to property or watersheds. The final 2001 Roadless Rule provided opportunity for communities to work collaboratively with the Forest Service to address local concerns, while maintaining the roadless characteristics of the forest.

While we appreciate some of the basic objectives mentioned in the new proposal, such as the need for strong state and federal cooperation and the agency's commitment to collaboration with public, private, and nonprofit partners, we are concerned about the proposed state petitioning process for several reasons. First, the proposal suggests a process that would give authority to the nation's governors to develop state-specific

proposals for roadless areas in national forests. We believe this gives too much authority to states for proposed actions on federal lands managed to serve the national interest. Second, we do not think the federal government should pass the responsibility for developing roadless area proposals to state governments, while retaining authority to decide afterward whether or not to adopt the proposals. State governments have limited resources and staff, a limited mandate to address federal land issues, and, at least in some states, limited interest in developing collaborative processes to address difficult political issues, such as roadless areas. We believe the federal government should take the lead role in developing local collaborative processes to address roadless area issues. Many of the new legislative authorities for the Forest Service call for more local collaboration. The agency should commit resources and staff time to learning how to do this and to clarify its leadership role in the process. Finally, we are particularly concerned that if states do not develop and offer proposals to the Forest Service, the level of roadless area protection would revert back to existing national forest plans, negating the increased protections in the 2001 Roadless Rule.

Thank you for the opportunity to comment on the new proposals for protecting roadless areas on the national forests. Please feel free to contact me should you have any questions regarding our comments.

Sincerely,

Gerald J. Gray
Vice President for Policy