



Thomas Vilsack, Secretary of Agriculture
U.S. Department of Agriculture
1400 Independence Ave SW
Washington, DC 20250

Tom Tidwell, Chief
U.S. Forest Service
1400 Independence Ave., SW
Washington, D.C. 20250-0003

Sent by email and U.S. Postal Service

May 21, 2010

Dear Secretary Vilsack and Chief Tidwell:

Last May, a one-year moratorium¹ was issued by the Secretary for projects in national forest Inventoried Roadless Areas (IRAs). The purpose of this letter is to request the continuation of the moratorium, with the added stipulation that *all* IRAs, including those identified by the Forest Service subsequent to the 2001 Roadless Area Conservation Rule (“Roadless Rule”), be covered by the moratorium’s provisions.

In June of last year, we sent a letter to Undersecretary Jay Jensen, outlining our concerns that roadless areas inventoried by the Forest Service during the process of forest plan revisions subsequent to the 2001 Roadless Rule are not protected from logging, roadbuilding, and other intrusive activities that diminish the very values for which these areas were specifically recognized. We highlighted in our letter the example of the White Mountain National Forest in New Hampshire and Maine, where six major logging projects over the last three years have been located in IRAs.²

The so-called “Forest Plan” IRAs have become the orphans of roadless area conservation, not because they are less qualified for roadless area protection, either legally or in terms of their roadless characteristics, but simply because they were not identified until after the 2001 Roadless Rule. Because many of the initial forest plan revisions, and identification of additional IRAs, has occurred in eastern national forests, we believe this issue has not received the national attention it

¹ The announcement and directive referenced throughout this letter is the Secretary’s Memorandum 1042-154, regarding the Authority to Approve Road Construction and Timber Harvesting in Certain Lands Administered by the Forest Service, released May 28, 2009.

² These six projects and the IRAs they are located in are:

Than Brook Project, decision notice April 2007, Wild River IRA; Batchelder Brook Project, decision notice May 2007, South Carr Mountain IRA; Mill Brook Project, decision notice November 2008, Kilkenny IRA; Kanc 7 Project, decision notice December 2008, Sandwich 4 IRA; Stevens Brook Project, decision notice May 2009, South Carr Mountain IRA; Northeast Swift Project, scoping notice March 2010, Table Mountain IRA.

deserves.³ For these reasons, in our view, it has been expedient for the Forest Service to simply ignore these more recently identified IRAs.

The reply we received from Undersecretary Jensen last fall did not address our specific concerns about these newer IRAs. Instead, the letter expressed generalized support for roadless area conservation. Meanwhile, bidding for two IRA timber sales on the White Mountain National Forest went forward last year, and last summer, cutting began in at least one IRA—an area that is along one of the most popular scenic drives on the East Coast, if not in the entire country.

In March of this year, the White Mountain National Forest announced scoping for yet another timber sale in an IRA. This one includes numerous clearcuts and road-building in the Table Mountain IRA, some of which will be along an eligible Wild and Scenic River and visible from the Kancamagus National Scenic Byway—the same scenic drive mentioned above. Our understanding is that the White Mountain National Forest has not sought, and the Secretary has not given, approval for this project, named “Northeast Swift.” In light of the professed commitment of the Obama administration to roadless area conservation, we find this continued disregard for roadless area values on the White Mountain National Forest to be deeply troubling.

The protection of our remaining IRAs has particular significance in the eastern half of the country, as only three percent of all national forest roadless land is found in the eastern United States. Further, in the densely populated Northeast, only two percent of the land is federally owned, whereas in the West over half the land is federally owned. Because public land, and in particular, wild and roadless land, is extremely scarce in the Northeast, it is even more crucial that the Forest Service diligently attend to its responsibilities as guardian of the precious values of roadless areas.⁴

In promulgating the 2001 Roadless Rule, the Forest Service explicitly determined there is a need for national direction for all IRAs. 66 Fed. Reg. 3244, 3246 (Jan. 12, 2001). This is because at the national level, the agency has the ability to consider the “whole picture” regarding the management of the remaining IRAs, whereas at the local level, “planning efforts may not always recognize the national significance of inventoried roadless areas and the values they represent in an increasingly developed landscape.” *Id.* This is precisely what continues to take place on the White Mountain National Forest for the “Forest Plan” IRAs, only because they were not identified by the Forest Service until after 2001.

Similarly, one of the goals of the Secretary’s 2009 moratorium was to allow time to clear the confusing legal and regulatory landscape that has developed since the enactment of the 2001 Roadless Rule and the Bush administration’s subsequent eight-year campaign against it. This step was also intended to call a break in the action, so that there would be no further confusion

³ The Forest Service’s longstanding historic bias against wilderness and roadless area protection in eastern national forests has been well documented. E.g., *The Enduring Wilderness: Protecting Our Natural Heritage Through the Wilderness Act*, Doug Scott, 2004, and *Eastern Roadless Areas Under Threat: How the Forest Service Minimizes Roadless Areas with Biased Procedure*, Jim Furnish, 2004.

⁴ As demonstration of the public’s desire for protection of all national forest IRAs in the eastern region, regardless of the arbitrary distinctions the Forest Service itself may make regarding them, some 4,000 comments opposing logging in the Table Mountain IRA were sent to the offices of the White Mountain National Forest in April. Your offices were copied on these letters. I am also attaching to this letter a copy of the official comments sent by the Center to the Forest Service about the Northeast Swift project.

and controversy generated while policy makers were at work crafting permanent roadless area protection. Unfortunately, the ambiguous status of the newly identified IRAs vis a vis the Secretary's moratorium, and the willingness of some national forests to exploit this ambiguity, has only led to more, not less, conflict over roadless areas in places like the White Mountain National Forest.

Moreover, national forests across the West are now revising their forest plans, at which time additional IRAs will undoubtedly be identified. As a result, the controversy over so-called Forest Plan IRAs will only intensify if this issue is unaddressed.

The reason this controversy will grow, absent consistent national policy, is that as recognized in the Roadless Rule, the special ecological and social values that IRAs possess, are tremendously important to Americans. In an ever more urbanized, industrialized, and populous society, where clean water and air, abundant wildlife, and remote wild places, are increasingly scarce, roadless areas are the last, precious remnants of our spectacular natural heritage. If anything, the recognized importance of these remaining unroaded areas has only increased since the 2001 Rule, due to the increased awareness of climate change and its impacts on our national forests. There is no reason to anticipate that timber sales, roads, oil and gas drilling, and other intrusions, will be more acceptable—or generate less controversy—within newly identified IRAs as compared to IRAs that were previously identified.⁵

Again, as recognized by the Forest Service itself in enacting the 2001 Roadless Rule, only a strong, permanent, nationally consistent protection policy for all national forest IRAs will end the ongoing conflict over the Forest Service's management of these lands. We have understood that this is the goal of the Obama administration, and we vigorously support actions that move the Forest Service closer to that ultimate achievement.

Therefore, we urge you to take the following steps:

- Renew the Secretary's moratorium on projects in national forest IRAs.
- Specify that the moratorium applies to IRAs identified in Forest Plan revisions since 2000, as well as IRAs identified at the time of the 2001 Roadless Area Conservation Rule.
- Include in the moratorium any projects approved since May 2009, or currently in development.
- Put on hold any logging and/or roadbuilding within the IRA portions of finalized projects (such as the Than Brook, Batchelder Brook, Kanc 7, Mill Brook, and Stevens Brook projects on the White Mountain National Forest), on the same timeline as the renewed moratorium.
- Any projects that are exceptions to the moratorium should require the specific written approval of the Secretary before they are finalized.

Again, we laud the Obama administration's stated dedication to national forest roadless area protection, and ask that this commitment be fully demonstrated with a renewed moratorium on projects in *all* IRAs, including those IRAs the Forest Service has officially identified in forest plan revisions since 2001.

⁵ For example, the number one issue for commenters on the White Mountain National Forest plan revision was roadless area management, with over 90% of those who raised the issue favoring protection of all roadless areas on the Forest.

We appreciate your willingness to consider our request, and look forward to communicating further with you.

Sincerely,

A handwritten signature in black ink that reads "Mollie Matteson". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Mollie Matteson, Conservation Advocate
Richmond, Vermont

Cc:

Harris Sherman, Undersecretary of Agriculture for Natural Resources and Environment

Jay Jensen, Deputy Undersecretary of Agriculture for Natural Resources and Environment

Robert Bonnie, Senior Advisor for Environment and Climate

Tom Wagner, Supervisor, White Mountain National Forest