Roadless Area Conservation National Advisory Committee

Committee Members

Darin Bird
Utah Department of Natural Resources

Adena Cook
BlueRibbon Coalition

Robert Cope
Lemhi County Commissioner, Idaho

Jeff Eisenberg
National Cattleman's Beef Association

Paul Hansen
Izaak Walton League of America

Dale Harris
Co-Chair
Montana Wilderness Association

Geraldine Link
National Ski Areas Association

Jim Riley
Intermountain Forest Association

Greg Schaefer
Co-Chair
National Mining Association and Arch Coal

Todd Schulke
Center for Biological Diversity

Denny Scott
United Brotherhood of Carpenters

Ray Vaughan
WildLaw

Chris Wood
Trout Unlimited

Susan Yonts-Shepard
Designated Federal Officer

December 19, 2006

The Honorable Mike Johanns
Secretary of Agriculture
United States Department of Agriculture
1400 Independence Avenue SW
Mail Stop Code: 0108, Room 217E
Washington, DC 20250-0108

Re: Advice of the RACNAC on the State of Idaho's proposal to use the Administrative Procedures Act to amend the Forest Service Roadless Area Conservation Rule of 2001.

Dear Mr. Secretary:

The Roadless Area Conservation National Advisory Committee (RACNAC) hereby presents its advice and recommendations to you on the petition received from Idaho Governor James Risch to use the Administrative Procedures Act to amend the Forest Service Roadless Area Conservation Rule of 2001 relative to National Forest System Inventoried Roadless Areas that lie within the boundaries of the State of Idaho.

We think it important to acknowledge the personal contributions of Governor Risch and his principal staff, Jim Caswell, in clarifying the State's intent at our meeting in Washington, D.C., November 29 and 30, 2006. The consensus recommendation of the RACNAC for the Forest Service and the State of Idaho to proceed into rulemaking is specifically based on the Governor's representation of the intent of the State of Idaho's petition at that meeting.

The RACNAC commends the State of Idaho for its work in describing the differences between State and Federal management programs and their potential effects, and for engaging local governments in its public involvement effort. In moving forward, our expectation is that the rulemaking and associated processes will seek even broader engagement of stakeholders within and outside the State.

Specifically, our consensus decision to recommend that the Forest Service and the State of Idaho as a cooperating agency proceed with rulemaking is based on the Governor's presentation to the RACNAC on November 29th which made clear that the State of Idaho is proposing the following:

- No road construction for any purpose, except for any valid and existing

1400 Independence Ave., SW, Mail Stop Code: 1104
Washington, DC 20250-1104
314.308.4195
406.240.2809

rights, on the inventoried roadless areas identified as Wild Land Recreation or Primitive by the petition, approximately 3 million acres.

- Protections and stewardship activities, including temporary and permanent roads (only if appropriate), consistent with and as allowed under the 2001 Roadless Area Conservation Rule for approximately 5.5 million acres of inventoried roadless areas (Backcountry Restoration) within the State of Idaho (see Attachment A).

- General Forest management for approximately 521,000 acres of forest and rangeland inventoried roadless areas within the State of Idaho.

As the State and Forest Service proceed into rulemaking the RACNAC recommends that they:

- Provide the specific rationale for assigning each individual inventoried roadless area to the General Forest theme. Analyze the environmental effects of such a decision with the appropriate rulemaking and National Environmental Policy Act (NEPA) processes including public involvement. In addition, we recommend that "wildland fire" management prescriptions be included as a management option for the General Forest areas of the petition.

- Describe and expand the discussion on what the State proposes in Special Areas as presented by the Governor. Specifically, pay special attention to describing the treatment of legislated areas such as Wild and Scenic rivers in maps and other associated rulemaking and NEPA analyses.

- Select and operate the Governor's Roadless Rule Advisory Commission (Executive Order No. 2006-34) during rulemaking under the same diversity, balance, and consensus requirements as modeled by the Resource Advisory Councils under the Secure Rural Schools and Community Self-Determination Act of 2000 (P.L.106-393).

- Change during rulemaking elements of the petition that refer to "requiring" county agreement to "prioritize through collaboration and full communication with State and county officials and other interested parties."

- Make clear through rulemaking that the State and Federal government will not change existing rights of access to inventoried roadless areas from existing law, regulation, and forest plans.

- Address travel management in a separate Forest Service planning process for each individual national forest.

- Gather further information on minerals, existing leases, and valid and existing rights,

and consider technical corrections on existing maps of inventoried roadless areas.

- Reexamine treatment of lands allocated by the Forest Service to ski area special uses to recognize the potential conflict between roadless management and ski area management. Explore options for addressing the management theme for allocated ski area lands including areas inside special use permit boundaries, areas addressed in a ski area's master development plan, lands allocated for ski area development under forest plans, and lands allocated for ski area development in forest plans currently under revision. A full range of options should be considered, including moving allocated ski area lands to the general forest theme or removing them from the roadless area inventory.

- Discuss in greater detail the relevance of inventoried roadless areas within the State of Idaho for fish and wildlife conservation and species persistence.

- Discuss in greater detail the economics of forest health treatment of Idaho forests, the capacity of existing forest industry to conduct forest health treatments, and the relevance of inventoried roadless areas to forest health and forest industry economics.

The RACNAC began a discussion of opportunities to expand and provide greater certainty of forest management and timber sale program outside of inventoried roadless areas as an important element to providing greater commitments to economic opportunities for local communities and businesses, and thereby, reducing controversy over roadless area management. The RACNAC does not have specific recommendations at this time, but has committed to work further on this issue as the Idaho rule proceeds through rulemaking. We also recommend the State of Idaho and the Secretary of Agriculture look for viable opportunities in this area.

The RACNAC encourages the Secretary to continue to rely on this committee to provide advice and counsel as the Forest Service and the Department proceed into rulemaking with the State of Idaho. This would include seeking our advice while developing any Memorandum of Understanding, regulatory compliance documents, rule language, the NEPA process, and periodic updates.

It is the observation of the RACNAC that the State of Idaho and the Forest Service may use this collaborative process to demonstrate how backcountry values may be preserved in the State while increasing management on already roaded areas for forest health reasons in a manner that sustains social/economic needs. In so doing, the hope of the RACNAC is that the Idaho petition and its resulting partnership will serve as a model for other states and National Forests across the country.

With these recommendations and understandings, the full committee advises the Secretary to accept the State of Idaho petition as clarified by Governor Risch, and

proceed to rulemaking. Thank you for your consideration of our advice and recommendations on Idaho's petition. Do not hesitate to contact us if we can be of further assistance to you with this petition.

On behalf of the RACNAC,

Dale Harris,
RACNAC Co-Chair

Greg Schaefer
RACNAC Co-Chair

Cc: Idaho Governor James Risch
Mark Rey, Under Secretary USDA
Dale Bosworth, Chief, USFS
Susan Yonts-Shepard, DFO
RACNAC Members

COMPARISION BETWEEN IDAHO'S PETITION AND THE 2001 ROADLESS RULE

	2001 ROADLESS RULE	IDAHO'S PETITION
ROAD CONSTRUCTION AND/OR RECONSTRUCTION	Prohibits road construction and/or reconstruction with the following exceptions: • Protect public health and safety; • CERCLA; • Outstanding statutory or treaty rights; • Irreparable resource damage; • Implement road safety improvements; and • Federal aid highway projects	Road construction and/or reconstruction is: • Prohibited in designated Wild Land Recreation and Primitive areas; • Permitted in designated Backcountry and General Forest areas with a preference toward temporary roads;
TIMBER HARVEST	Prohibits timber harvest except for stewardship purposes. Stewardship purpose timber harvest can only be used where it maintains or improves roadless characteristics and: • Improves T/E habitat; • Reduces risk of uncharacteristic wildfire effects; or • Restore ecological function, structure, process, and composition	Timber harvest is: • Prohibited in designated Wild Land Recreation areas; • Prohibited in designated Primitive and Backcountry areas except for forest health purposes; • Permitted in designated General Forest areas
PUBLIC ACCESS	Generally, maintains current public access and recreational opportunities	Identical
PRIVATE PROPERTY	Maintains access to private property	Identical
LEASES	Maintains all valid existing leases	Identical