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AGRICULTURE SECRETARY VILSACK ANNOUNCES DECISION ON FOURTEEN ROADLESS AREA PROJECTS

WASHINGTON, May 13, 2010 – Agriculture Secretary Tom Vilsack today announced that he has taken action on fourteen projects in roadless areas of National Forests. All projects approved today would be allowed under the 2001 Roadless Rule, if it were in effect.

"USDA is committed to protecting roadless areas in our National Forests because of the critical importance of these areas to our natural resources, wildlife, and outdoor recreation," said Vilsack. "While the decisions announced today allow for mineral exploration in roadless areas, not only does USDA have limited authority to approve or disapprove these activities, but these actions are consistent with the 2001 Roadless Rule."

In May 2009, Secretary Vilsack issued an interim directive that covers road building and timber harvesting in inventoried roadless areas on the National Forests. This interim directive was necessary because roadless policy was - and still is - the subject of conflicting judicial rulings on the legality of the 2001 Roadless Rule. Today, Secretary Vilsack acted on fourteen projects subject to the interim directive.

Twelve projects allow for exploration of minerals in inventoried roadless areas and, as such, are governed by the General Mining Law of 1872. The 1872 Mining Law, as interpreted by the courts, constitutes a congressionally granted right of reasonable access to minerals on federal lands. The 2001 Roadless Rule and the accompanying final environmental impact statement recognized the supremacy of the 1872 Mining law when the rule was finalized in 2001. Nine of these projects will take place in Nevada, two in Utah, and one in Washington. In testimony before the Senate Energy and Natural Resources Committee, the Obama Administration has called for Congress to modernize the General Mining Law in a manner consistent with the needs of mining and the protection of the public, our public lands, and water resources.

A thirteenth project allows for drilling of 12 methane wells in an inventoried roadless area in Colorado. These methane wells are necessary for the health and safety of miners at the Oxbow Elk Creek Mine. Under the 2001 Roadless Rule, valid, pre-existing rights were allowed to move forward in inventoried roadless areas. This mine was originally approved in March 2001, when the 2001 Roadless Rule was not yet in effect. The mine is therefore an existing valid use. In February, Secretary Vilsack allowed three methane wells to be constructed for this mine but directed the Forest Service to minimize the impacts to roadless areas. The Forest Service

determined that it was not possible to construct the methane wells without roads. Likewise, in this instance, the Forest Service has determined that roads are necessary to access land to construct the methane wells. All roads will be reclaimed once they are no longer needed.

Finally, a fourteenth project involving reconstruction of a campground and hiking trail in the Big Horn National Forest in Wyoming was also approved by the Secretary. The current configuration of the trailhead and campground is causing sedimentation into a nearby stream and damaging fish habitat. This project will reduce impacts of recreation while allowing continued access to the Cloud Peak Wilderness area. Projects such as this one were also allowed to be considered under the 2001 Roadless Rule.

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