Topic: Frequently Asked Questions Concerning an Alaska Specific Roadless Rule

When and Where Was the Roadless Rule In Effect in Alaska? The Roadless Rule was adopted in January 2001, but due to litigation did not become effective and operational until April 2003. After three months of being in effect on the Chugach NF and Tongass NF, the Roadless Rule was again judicially enjoined on a nationwide basis and was not operational for the next three years. In September 2006, the Roadless Rule was judicially reinstated and became operational on the Chugach NF, but the Tongass NF remained exempt from the Rule because USDA had issued a temporary rule in 2003 exempting the Tongass National Forest from the Roadless Rule while it examined whether a state-wide exemption was appropriate. In 2011, the U.S. District Court for the District of Alaska set aside the 2003 Tongass Exemption and reinstated the Roadless Rule (with special instructions) on the Tongass National Forest. The District Court's ruling was upheld by the U.S. Court of Appeals for the Ninth Circuit and the Supreme Court declined further review.

Why is USDA's Forest Service beginning to work on an Alaska Specific Roadless Rule now?

The State of Alaska submitted a petition for rulemaking to the Secretary of Agriculture Sonny Perdue. The Secretary and Alaska Governor Bill Walker have reached agreement to cooperatively undertake a state-specific roadless rule to address roadless management and access concerns on the national forests in Alaska. The USDA Forest Service is in the process of convening the resources and personnel to move forward in support of this agreement.

What are the next steps the Forest Service will be taking?

The Secretary directed the USDA Forest Service to begin working with State of Alaska representatives to develop an Alaska state-specific roadless rule under the Administrative Procedures Act. The intent is to develop a state-specific roadless rule that will address the State of Alaska's concerns regarding roadless areas essential for infrastructure, timber, energy, mining, access, and transportation to further Alaska's economic development, while still protecting unique areas for generations to come.

How will the State of Alaska be involved?

The State of Alaska will work closely with the USDA Forest Service. The State will establish a task force reporting to the Governor concerning options for roadless management that will inform the USDA's consideration of the State's Petition for rulemaking. The rulemaking will be analyzed pursuant to the National Environmental Policy Act.

What is the timeframe for completion of an Alaska-specific roadless rule?

- *Late August, 2018* – begin a scoping period on the proposed rulemaking.
- *July 2019* – publish a draft environmental impact statement (EIS), start a comment period on the draft.
- *April 2020* – publish a final EIS.
- *June 1, 2020* – publish a final Alaska Roadless Rule

July 27, 2018