

IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

STATE OF ALASKA,

*Plaintiff-Appellant*

and

ALASKA ELECTRIC LIGHT  
& POWER *et al.*,

*Intervenors-Appellants*

v.

UNITED STATES DEPARTMENT  
OF AGRICULTURE *et al.*,

*Defendants-Appellees*

and

SOUTHEAST ALASKA  
CONSERVATION COUNCIL *et al.*

*Intervenors for Defendants*

**No. 17-5260**

No. 17-5262

No. 17-5263

(consolidated)

1:11-cv-01122-RJL

(D. D.C.)

**FOURTH STATUS REPORT FOR FEDERAL APPELLEES  
UNITED STATES DEPARTMENT OF AGRICULTURE ET AL., AND  
INTERVENOR-APPELLEES SOUTHEAST ALASKA CONSERVATION  
COUNCIL EL AL.**

On September 26, 2018, upon motion by Intervenor-Appellees Southeast Alaska Conservation Council et al., this Court issued an order holding the present

consolidated cases in abeyance pending further order of the Court. This Court directed the parties to file status reports at 90-day intervals. This is the *fourth* status report for Defendants-Appellees the United States Department of Agriculture (“USDA”), et al. and Intervenor-Appellees. As explained in Appellees’ first status report (dated Dec. 21, 2018), in August, 2018, the Forest Service published a notice of intent to initiate rulemaking, along with a request for comments on a proposed rulemaking, to address the management of inventoried roadless areas on the Tongass National Forest in Alaska. 83 Fed. Reg. 44,252 (Aug. 30, 2018). USDA initiated the rulemaking in response to the State of Alaska’s petition (January 2018) requesting an exemption of the Tongass National Forest from the 2001 Roadless Area Conservation Rule.

In the past status reports, the Forest Service advised that it anticipated proceeding on the following schedule:

- July 2019: publish proposed rule and draft environmental impact statement (“EIS”) for public comment;
- April 2020: publish a final EIS;
- June 2020: publish a final rule.

The Forest Service has not yet published a proposed rule and draft EIS. The Forest Service advises that it now anticipates publishing a proposed rule and draft EIS in October, 2019, and a final EIS in May 2020. The Forest Service advises that it still anticipates publishing a final rule in June 2020.

Respectfully submitted,

*/s/ John L. Smeltzer*

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September 18, 2019  
D.J. No. 90-1-4-13456

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the District of Columbia Circuit by using the appellate CM/ECF system on *September 18, 2019*.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

*s/ John L. Smeltzer*

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