

Governor Ted Kulongoski

Press Release

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Governor Announces New Plan to Protect Oregon's Roadless Areas

Oregon joins suit with CA and NM against U.S. Forest Service; Governor calls for streamlined option to 2005 Roadless Rule; and calls for greater state role in federal forest management

(Salem, OR) – As part of the Governor's three-part strategy for protecting the nearly two million roadless acres in Oregon, the Governor and Attorney General Hardy Myers announced that Oregon joined California and New Mexico in a lawsuit against the U.S. Forest Service to stop the implementation of the 2005 Roadless Rule.

The other two parts of the Governor's plan to ensure Oregon's roadless areas are protected include:

- Petitioning the Secretary of Agriculture to adopt a streamlined rule for states that want the protections under the 2001 Roadless Rule to remain in effect; and
- Entering into a Memorandum of Agreement as a "cooperating agency" with the U.S. Forest Service, which, working through the Oregon Department of Forestry, will establish Oregon as a principal participant in the development of updated management plans for national forests in Oregon.

"When the 2005 Rule was announced, I made it clear that the federal government's actions placed an unfair and unnecessary burden on states that would amount to a price tag of millions of dollars and result in piecemeal management of federal forest land," said the Governor. "I also made it clear that I am committed to ensuring we achieve a positive outcome that restores protection to Oregon's roadless areas and gives the state a role in the management of federal lands in Oregon. The plan I am announcing today will help Oregon achieve those goals."

In May 2005, the United States Forest Service issued a new national roadless policy in an effort to repeal the 2001 Roadless Area Conservation Rule. The 2001 rule, which was developed by the federal government with extensive public input and based on scientific data, protected more than 1.9 million acres of Oregon's national forests. The 2005 rule terminated that protection and directed each Governor to develop a new public process and petition the federal government to either open lands for development or maintain their protections. Under the 2005 rule, the states were granted 18 months for the petition process. However, there was no guarantee that the U.S. Forest Service would grant protections to the areas identified by the states as a result of that process.

"The 2005 Roadless Rule transfers a significant new workload to the state, in terms of both time and money – without concurrently giving states a meaningful role in the implementation of those recommendations. It will require states to assume the responsibility of repeating the process that the federal government went through before the 2001 Roadless Rule was adopted," Governor Kulongoski said. "At the same time, the 2005 Rule provides no guarantee that Oregon's recommendations will be followed on the ground. So instead of looking forward at how to build working partnerships with the states to address the real challenges facing the health of our national forests, this Administration has chosen to look at the past and revisit an issue that has already been resolved."

Governor Kulongoski and Attorney General Myers, along with the California and New Mexico

Attorneys General, filed the lawsuit in federal district court in San Francisco, alleging that that by repealing the 2001 Roadless Rule and replacing it with a state-by-state petition process (the 2005 Rule), the U.S. Forest Service failed to comply with the environmental analysis requirements of the National Environmental Protection Act (NEPA). Specifically, the lawsuit seeks restoration of the 2001 Rule, which was subjected to an extensive NEPA process, while the federal government undertakes a NEPA process for the 2005 Rule.

"The 2005 Rule turns back the clock on years of work, including public input and taxpayers' dollars, and the end result is greater *uncertainty* about the protection of our special roadless areas – not greater *security*," said the Governor.

The lawsuit states that undeveloped lands in national forests are not only critical to a healthy Oregon ecosystem, but also are of "enormous national importance." Oregon has 1.9 million acres of national forest lands that were protected under the 2001 Rule, which includes lands in 11 different Oregon forests (Deschutes, Freemont, Malheur, Mt. Hood, Ochoco, Rogue River, Siskiyou, Umatilla, Umpqua, Wallowa-Whitman, Willamette, and Winema National Forests). Oregon's roadless areas are vital to the survival and recovery of at least seven rare and endangered species, including the bald eagle and several species of salmon.

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