

**American Rivers ♦ Audubon ♦ Center for International Environmental Law
Clean Water Action ♦ Defenders of Wildlife ♦ Earthjustice
Environment America ♦ Environmental Defense Fund
Friends of the Earth ♦ Greenpeace ♦ Izaak Walton League of America
League of Conservation Voters ♦ National Parks Conservation Association
Natural Resources Defense Council ♦ Pew Environment Group
Sierra Club ♦ The Wilderness Society**

Honorable Tom Vilsack, Secretary
United States Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

November 10, 2009

Dear Secretary Vilsack:

On behalf of our millions of members we want to both thank you for your long-standing support of the 2001 Roadless Area Conservation Rule and urge you to take immediate steps to reinstate its application to our nation's largest national forest, the Tongass rainforest. The Tongass is by far our biggest and wildest national forest, the heart of the largest intact temperate rainforest on Earth. We also ask you to use the authority of your May 28 directive to deny any roadless timber sales in the Tongass that would violate the original 2001 Roadless Rule.

On December 30, 2003, the Bush administration finalized a rule to "temporarily exempt the Tongass National Forest...until the Department promulgates a subsequent final rule concerning the application of the roadless rule within the State of Alaska." 68 Fed. Reg. 75,136. This exemption was, in our view, illegal when adopted and remains so today. When the previous administration attempted to repeal the nationwide roadless rule—including the Tongass exemption—on May 13, 2005, it declared that the repeal "negates the need for further Tongass specific rulemaking anticipated by the 2003 rule." 70 Fed. Reg. 25,654, 25,659.

We agree with the statement in your August 14 speech in Seattle that the recent ruling by the U.S. Court of Appeals for the Ninth Circuit on the 2001 Roadless Rule was a "very welcome development." Unfortunately, the holding, because of the posture of the case, did not examine the illegality of the Tongass exemption and therefore left it in place when reinstating the Roadless Rule. In order to realize the President's commitment to the 2001 Rule the Tongass exemption must be taken off the books. This would also end the indefensible taxpayer-subsidized liquidation of wildlands in America's rainforest. The funds saved by ending roadless area timber sales and road construction should be used to create sustainable and stable employment in restoration of degraded Tongass lands, thinning second-growth and transitioning away from old-growth logging. Such a transition and investment could catalyze the restoration vision you laid out in Seattle, create local community benefits, and improve ecosystem health and resilience in the face of climate change.

Meanwhile, the Tongass National Forest continues to pursue roadless area timber sales that run counter to the President's position. On October 7, Tongass officials issued a press release announcing the availability of environmental documents for the Central Kupreanof Timber Sale and ran a "preliminary advertisement" in the local paper in Ketchikan, Alaska, for the Sue Timber Sale. Both of these projects would violate the 2001 Roadless Rule. Taken together, they would build over 17 miles of roads and log over 1500 acres in roadless areas of the Tongass. In total, these projects would negatively impact over

5,800 acres of inventoried roadless areas and cost taxpayers over \$6 million in road construction costs alone.

We applaud your stance on the Ninth Circuit's restoration of the 2001 Roadless Rule and your appeal of the Wyoming roadless case to the Tenth Circuit. The next critical step toward fulfilling the President's commitment needs to be to end the "temporary" Tongass exemption. Recent actions by the Tongass National Forest only serve to underscore the need for quick action. We look forward to working with you as you restore the protections of the 2001 Roadless Rule to the 9.5 million roadless acres in America's rainforest.

Sincerely,

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