

Appalachian Voices _ Living Education Center for Ecology and the Arts _
Religious Society of Friends Unity with Nature _ Virginia Forest Watch _
Virginia Wilderness Committee _ Wild Virginia _ WildLaw Virginia Office _
Blue Ridge Environmental Defense League _ Southern Appalachian Biodiversity Project _
People's Alliance for Clean Energy _ Virginia Conservation Network
WildLaw – Southern Forests Network _ Anderson and Son, LLC _ ASPCP _
Charlottesville Center for Peace and Justice _ Sierra Club _ Accent on Travel _
Friends of Daniels Run Park _ Scenic Virginia

March 14, 2006

Dale Bosworth
Chief, US Forest Service
1400 Independence Ave., SW
Washington, D.C. 20250-0003

Dear Chief Bosworth:

The signatories to this letter represent a broad base of Virginians. Some of us are among the 90,000 Virginians who already informed the U.S. Forest Service that we want our roadless areas fully protected during the 2001 rulemaking process and subsequent comment periods. The federal roadless areas of our state provide rich scenic and recreational opportunities thereby supporting the economic foundation of our state. The citizens of Virginia have repeatedly voiced their support for strong protection for our National Forest lands.

On May 5, 2005, the Department of Agriculture announced the adoption of a final rule requiring Governors to file petitions with the Forest Service in order to receive protections for roadless areas within their states above those afforded by the forest planning process. According to the Rule, any such petition must be submitted to the Secretary of Agriculture not later than November 13, 2006. Once submitted, the petition will be reviewed by a National Advisory Committee. Within 90 days the Committee will advise and recommend to the Secretary any subsequent State-specific rulemakings. If the petition is accepted, the Forest Service shall be directed to initiate notice and comment rulemaking to address the petition.

On December 22, 2005, former Governor Mark Warner filed a petition asking for full protection of Virginia's inventoried roadless areas consistent with the 2001 Roadless Area Conservation Rule. On March 1, 2006, Governor Tim Kaine sent his letter supporting the petition filed by his predecessor.

According to a statement by Agriculture Secretary Mike Johanns concurrent with the issuance of the 2005 Rule, the rule would, "advance President Bush's commitment to cooperatively conserve inventoried roadless areas within our national forests." Similarly, on September 6, 2005, Under Secretary of Agriculture Mark Rey stated, "we are providing interim protection to roadless areas, pending the development of state specific rules provided for in our 2005 rulemaking."

On February 9, 2006, the Governor of Washington joined California, Oregon and New Mexico in challenging the legality of the repeal of the 2001 Roadless Rule. That suit has also been joined in amicus filings by the states of Maine and Montana. The Rule has also been challenged in court by 20 conservation organizations.

On February 28th of this year, over a quarter of a million American's petitioned the Department of Agriculture pursuant to the Administrative Procedures Act to reinstate the 2001 rule. The act requires a prompt determination by the agency.

In light of the legal cloud surrounding the new rule, the unprecedented petition for reinstatement of the 2001 Rule, and consistent with the administration's stated intent to "cooperatively conserve inventoried roadless areas within our national forests" and provide "interim protection to roadless areas, pending the development of state specific rules," we ask the Forest Service agree to not propose projects in inventoried roadless areas that might disqualify areas or portions of areas from protection, or degrade their special roadless qualities, and to halt and withdraw all such projects under development as long as the disposition of these areas remains unresolved.

Since two Virginia governors have already petitioned for roadless protections consistent with the 2001 Rule, it is inappropriate for the Forest Service to approve or conduct projects in Inventoried Roadless Areas or to restrict the boundaries of those areas until the Forest Service finalizes the rulemaking for Virginia's National Forests. Decisions adversely affecting roadless areas should not be made while the state is reviewing its options for the conservation of these areas per the request of the Department of Agriculture.

We look forward to your response.

Respectfully,

Virginia Forest Watch

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