

Habitat Education Center _ Ashland Recreation Association _
River Alliance of Wisconsin _ Sierra Club – John Muir Chapter _
Clean Wisconsin _ WISPIRG _ Wisconsin League of Conservation Voters

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

March 30, 2006

Dear Chief Bosworth,

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. After the petition is submitted, it will be reviewed by a National Advisory Committee that will provide advice and recommendations to the Secretary on any subsequent State-specific rulemakings within 90 days.

If the petition is accepted, the Forest Service shall be directed to initiate notice and comment rulemaking to address the petition.

According to a statement by Agriculture Secretary Mike Johanns concurrent with the issuance of the 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, 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 and the unprecedented petition for reinstatement, and consistent with these statements, and in order to ensure that no actions are taken which might preclude a full range of options for consideration by the state, we, the undersigned groups, on behalf of our Wisconsin members, write to request that the Forest Service agree to not propose projects in inventoried roadless areas that would alter

the roadless qualities of the areas, and to halt and withdraw all such projects under development until either the November 13th deadline passes without the submission of a petition, or, if a petition is submitted, until the Forest Service has completed and adopted final rulemaking to establish management direction for these areas in Wisconsin or other states' National Forests.

In the 2005 Final rule, 36 C.F.R. 294.12-294.14, the Department of Agriculture asked each state, at significant taxpayer expense, to review and present recommendations on the management of existing Forest Service roadless areas. Wisconsin is responding to this call by establishing a public comment period and holding open houses throughout the state. Given Wisconsin and other state's efforts, it would seem inappropriate for the Forest Service to propose, approve or conduct projects in Inventoried Roadless Areas or to restrict the boundaries of those areas until states including Wisconsin craft their final recommendations and the Forest Service finalizes rule making for each affected state. The roadless areas of our national forests provide Wisconsin citizens not only rich scenic and recreational opportunities, but also serve as a part of the economic foundation of our state. In addition these areas form the headwaters of pristine northern Wisconsin rivers and provide habitat for a range of terrestrial and aquatic species. "Decisions regarding the management of these lands as roadless areas must be afforded significant consideration and weight. Moreover, decisions to take actions which may disqualify areas or portions of areas from protection, or degrade their roadless qualities and values 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,

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