

The State of Idaho

Roadless Chronology

January 5, 2001: President Clinton signs Roadless Rule into law.

January 9, 2001: State of Idaho files suit in Idaho U.S. district court. Case assigned to Judge Lodge.

February 20, 2001: Boise Cascade files motion for a preliminary injunction (PI), requesting decision on their case prior to May 12.

March 9, 2001: Bush administration requests delay in answering both Idaho complaints.

March 16, 2001: Bush administration requests a 42-day delay in responding to Idaho PI motions and commits to postponing implementation of Roadless Rule until Judge Lodge rules on the PI motions.

March 16, 2001: Nez Perce Tribe submits friend of the court brief opposing the PI request.

March 20, 2001: Judge Lodge denies the administration's March 16 request to delay proceedings and orders administration to respond to PI requests by March 21.

March 21, 2001: The Bush administration's response to the Idaho PI requests makes no effort to defend the Roadless Rule, and suggests the court enjoin the roadless rule after May 12.

March 30, 2001: At court hearing on Idaho PI motions, the Bush administration does not defend the Roadless Rule and asks the court to wait for the administration to complete its review and file a status report by May 4.

April 5, 2001: Judge Lodge issues an opinion in which he defers a decision on the PI requests until May 4, but agrees with Idaho plaintiffs in their challenge

May 10, 2001: Judge Lodge issues preliminary injunction blocking implementation of Roadless Rule; environmental intervenors (including Idaho Conservation League and others) appeal to Ninth Circuit Court of Appeals

December 12, 2002: Ninth Circuit Court of Appeals, in 2-1 decision, reverses Judge Lodge's decision and lifts preliminary injunction.

April 4, 2003: Ninth Circuit denies Boise Cascade and State of Idaho petition for re-hearing.

May 5, 2005: 2001 roadless rule repealed. Announcement made in Idaho alongside Governor Kempthorne.

June 23, 2005: Governor Kempthorne announces his intention to file a formal petition to the USFS regarding roadless area management within the state. Begins public outreach and comment.

- *Governor Kempthorne designates Jim Caswell, the Administrator of the Office of Species Conservation, and former national forest supervisor, to assist local efforts.*
- *Conservation groups object to state process due to bias towards development.*

July 2005: Idaho counties begin developing a process to send recommendations on roadless areas to Governor Kempthorne for inclusion in a petition. Meetings hosted in numerous counties.

March 1, 2006: Public comment period ends.

March 2006: Industry trade group placed in charge of evaluating comments.

March 31, 2006: Governor Kempthorne sworn in as U.S. Secretary of Interior, Governor Risch replaces Kempthorne as new governor of Idaho.

September 12, 2006: Governor Risch makes a statement informing the public he will be submitting Idaho's petition the week of September 18th.

September 20, 2006: Governor Risch unveils Idaho Roadless Petition and executive order creating commission to work with USDA to develop Idaho Roadless Rule.

Future:

What happens after a petition is filed?

http://www.ourforests.org/documents/petition_process.pdf

- 1) Idaho's petition will be considered by the Roadless Area National Advisory Council (RACNAC) and a recommendation will be forwarded to Secretary of Agriculture Michael Johanns.
- 2) If accepted, Agriculture Secretary Johanns will initiate a federal rulemaking process to develop an Idaho Roadless Rule. The State of Idaho will work with the federal government in the development of the rule. Public comments will be accepted.
- 3) The USDA will release a Draft Idaho Roadless Rule for public comment.
- 4) The USDA will release a Final Idaho Roadless Rule, enacting a policy for the management of 9.3 million acres of roadless national forests in Idaho.

For a complete chronology please visit:

<http://wilderness.org/OurIssues/Roadless/chronology.cfm?TopLevel=Chronology>