

Published in Natural Resources Policy Under the Bush Administration: An Environmental Law & Policy Symposium. Volume XIV. Duke University Environmental Law & Policy Forum. Duke University School of Law, Durham, SC. 2004

Roadless Reflections

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To road or not to road, that is the question... and millions of Americans voice their opinions when road building is proposed in the currently unroaded areas of our national forests. The interesting fact is that most Americans are very much in favor of keeping roadless areas just as they are.¹

In 2000, the GOP polling firm American Viewpoint reported that 76% of respondents supported a proposal to stop development of roadless areas (54% strongly) and 19% opposed the proposal (15% strongly).² Eleven state polls in 2003 conclude that an average of 74% of residents support leaving roadless areas undeveloped.³ Those polls included three states from the Intermountain West (Idaho, Montana, and Colorado) and three heavy timber-producing states (California, Washington, and Oregon), which might be expected to favor incursion into roadless areas for the increased timber harvest that roading would ostensibly permit.

Obviously, the issue of roadless areas in our national forests is a powerful one. But even more obviously preservation of these areas is important to most Americans.

Intense public interest in the Forest Service Roadless Area Conservation Rule bodes well for the future of our national natural resource heritage. During initial scoping for that rule, there were six hundred public meetings and over a half a million official comments supporting the initiative.⁴ That kind of interest in any issue is a sure indication that the United States Forest Service (USFS) is doing its job: engaging the public in the discussion of vital issues in contemporary land stewardship.

Claims that the definitive action to protect roadless areas was a political stunt are simply untrue. The most contentious and aggravating issue throughout my 23-year career with the USFS was, and continues to be, access. Questions of travel management and roading have

¹ *Voters Say "Yes" to National Forest Protection*, NORTHWEST TRAILS ARCHIVE AND RESTORATION PROJECT, at <http://members.efn.org/~ntarp/news/poll.htm> (last visited Apr. 13, 2004).

² Dick Carter, *The Wild Uintas and the Roadless Initiative*, HIGH UINTAS PRESERVATION COUNCIL (Feb. 2000), at [http://www.hupc.org/Archive/newsletters/Feb.%202000/roadless_initiative_lynx_400.htm](http://www.hupc.org/Archive/newsletters/Feb.%202000/roadless_initiative lynx_400.htm) (last visited Apr. 13, 2004).

³ *Voters Say "Yes" to National Forest Protection*, NORTHWEST TRAILS ARCHIVE AND RESTORATION PROJECT, at <http://members.efn.org/~ntarp/news/poll.htm> (last visited Apr. 13, 2004) (noting that California, New Mexico, Colorado, Tennessee, Michigan, Minnesota, Wisconsin, Idaho, Montana, Washington and Oregon conducted polls regarding roadless areas).

⁴ UNITED STATES FOREST SERVICE, 3 FOREST SERVICE ROADLESS AREA CONSERVATION RULE FINAL ENVIRONMENTAL IMPACT STATEMENT: AGENCY RESPONSE TO PUBLIC COMMENTS 40 (2000), available at http://roadless.fs.fed.us/documents/rule/zRULE_Facts_1-5-01.htm (last visited Apr. 13, 2004).

been at the forefront of public land management debates for over three decades.⁵ Travel Plans resulted in more agency employees hung in effigy than any other. Lawsuits and appeals over timber sales planned in roadless areas were decadal affairs that usually resulted in a loss for the Forest Service, both in the court of law and the court of public opinion.⁶

By 2000, it was more than past time to address roadless areas in a comprehensive manner. Regardless of personal opinion, most Forest Service employees quietly rejoiced that finally, the question of what to do, or not do, with roadless areas would be resolved.

Under the Clinton Administration, widespread public involvement demonstrated that the arguments for and against roading in roadless areas have been made repeatedly for years; there wasn't any real new information. Despite that, the Bush administration decided to re-open the comment period in July of 2001.⁷ They were inundated with over 700,000 comments, again, the majority of which favored protecting roadless areas.⁸

Roadless Area History

Protecting a portion of undeveloped public land has long been a national priority.⁹ Starting in the 1920's, the first wildland inventories in the U.S. Forest Service were conducted by Aldo Leopold and Arthur Carhart.¹⁰ Those surveys lead to designation of Primitive Areas.¹¹ Primitive Areas were the first lands protected under the Wilderness Act of 1964.¹² The Wilderness Act also directed that further inventories be conducted in what came to be known as the Roadless Area Review and Evaluation (RARE I).¹³ The first RARE I inventories were publicized in 1973.¹⁴ A flurry of lawsuits and administrative direction from

⁵ HAL ROTHMAN, BANDELIER: ADMINISTRATIVE HISTORY, Ch. 7 ¶¶ 1-6 (1988), at <http://www.nps.gov/band/adhi/adhi7.htm> (last visited Apr. 16, 2004) (noting that the Forest Service has been concerned with travel management issues since the 1970's).

⁶ See, e.g., *Thomas v. Peterson*, 589 F.Supp. 1139 (D. Idaho 1984), *aff'd in part, reversed in part and remanded by* 753 F.2d 754 (9th Cir. 1985), *appeal after remand* 841 F.2d 332 (9th Cir. 1988) (holding that the National Environmental Policy Act required Forest Service to prepare an environmental impact on approving timber roads in roadless areas); see also, *Neighbors of Cuddy Mountain v. U.S. Forest Service*, 137 F.3d 1372 (9th Cir. 1998) (noting that Forest Service failed to comply with NFMA when considering Timber sales in the Cuddy Mountain Roadless Area).

⁷ UNITED STATES FOREST SERVICE, ADVANCE NOTICE OF PROPOSED RULEMAKING: ROADLESS AREA CONSERVATION RULE, REQUEST FOR COMMENT 66 (July 10, 2001).

⁸ UNITED STATES FOREST SERVICE, ADVANCED NOTICE OF PROPOSED RULEMAKING: ROADLESS AREA CONSERVATION RULE, EXECUTIVE SUMMARY i (May 31, 2002).

⁹ *Land and Water Conservation: History and Background*, THE COMPLETE GUIDE TO ENVIRONMENTAL CAREERS IN THE 21ST CENTURY, at <http://www.eco.org/Guide/Chap11/history.html> (last visited Apr. 18, 2004) (summarizing the legislation enacted to protect both water and land).

¹⁰ *Programs: Mapping and analysis support for the California Wild Heritage Campaign*, SIERRA BIODIVERSITY INSTITUTE ¶ 8, at <http://www.sierrabiodiversity.org/programs.html> (last modified Nov. 21, 2003).

¹¹ WILDERNESS.NET, TIMELINE FOR MANAGEMENT OF PUBLIC LANDS IN THE UNITED STATES (2004), at <http://www.wilderness.net/index.cfm?fuse=NWPS&sec=legistimeline> ("The Forest Service issues the L-20 regulation to protect some of its "primitive" areas from commercial development until management plans are developed").

¹² Wilderness Act of 1964, Pub. L. No. 88-577, 78 Stat. 890 (1964).

¹³ *Id.* at § 3(c) 892.

¹⁴ See 148 CONG. REC. S 3162-02 (Apr. 23, 2002) (remarks of Sen. Craig).

the White House put that attempt to inventory existing roadless areas on ice and a revised and streamlined process was initiated.¹⁵

In 1976, the Forest Service began another inventory of roadless areas: RARE II.¹⁶ Theoretically, RARE II was completed in 1979, but actually, the Forest Service just stopped the inventory without finishing it. It was taking too long and roadless areas were being roaded faster than they could keep the inventories updated.¹⁷ In addition, the Forest Planning process as directed under the National Forest Management Act (NFMA) of 1976 was finally stumbling into existence.¹⁸ Pursuant to NFMA, the Forest Service determined that roadless inventory and management would be done on a forest-by-forest basis through Forest Plans.¹⁹

Despite direction that roadless areas should not be roaded until thorough assessments are completed, there are now 2.8 million fewer acres of roadless land than reported by RARE II.²⁰ Much of the roading “just sort of happened” and was neither recorded nor mapped.²¹ The rate and methods by which unroaded lands were being converted were not sustainable.²² That is why when the roadless initiative was announced by the Clinton Administration, much of the Forest Service panicked. The Service was unsure what areas of the national forests actually remained unroaded and few maps existed that reflected roadless areas under current definitions.

By 1999, budget issues, the realization of the true magnitude and condition of the USFS road system, and the irrefutable science on the negative impact of roads on water quality, fisheries, and wildlife culminated, finally, in a realistic perspective; the question of how to manage a road system and roadless lands was over-ripe.²³

¹⁵ See, e.g., *Wyoming Outdoor Council v. Butz*, 484 F.2d 1244 (10th Cir.1973) (enjoining RARE I pending completion of an Environmental Impact Statement and compliance with NEPA).

¹⁶ UNITED STATES FOREST SERVICE, RARE II: FINAL ENVIRONMENTAL STATEMENT – ROADLESS AREA REVIEW AND EVALUATION (Jan. 1979), available at <http://roadless.fs.fed.us/data/pdfdocs/rare2.pdf>.

¹⁷ During the decade of the 70’s timber harvest increased three-fold.

¹⁸ 16 U.S.C. §1604(a) (2004); 36 C.F.R. § 219.2. (2004) (describing the planning process).

¹⁹ CITE

²⁰ UNITED STATES FOREST SERVICE, ROADLESS AREA CONSERVATION FINAL RULE: QUESTIONS AND ANSWERS, 5-6 (2001) at http://roadless.fs.fed.us/documents/rule/qa/rule_qa.PDF.

²¹ See, *Kootenai Tribe of Idaho v. Veneman*, 313 F.3d 1094 (9th Cir., 1998) (addressing the inadequacies of Forest Service maps with respect to roadless areas).

²² Press Release, The White House Office of the Press Secretary, Protection of Forest "Roadless" Areas (Oct. 13, 1999) at http://roadless.fs.fed.us/documents/chief_memorandum.htm (last visited Apr. 12, 2004).

²³ In 1999, Agriculture Secretary Dan Glickman announced an eighteen month moratorium on new road construction in unroaded areas in most national forests, allowing the Forest Service to develop a long-term road policy for the National Forest Transportation System. "Because a road is one of the most indelible marks man can leave on the landscape, it is our responsibility to safeguard the often irreplaceable ecological value of unroaded areas until a permanent policy can protect our last great open spaces, our water and wildlife, and the economic health of forest communities." Press Release, United States Forest Service, Forest Service Limits New Road Construction in Most National Forests (Feb. 11, 1999), available at http://www.fs.fed.us/eng/road_mgt/nr-11feb99.shtml (last visited Apr. 12, 2004).

More Roads than You Can Shake a Stick At

The Forest Service has over 380,000 miles of road *that they know about*.²⁴ “Two-track,” or user-created, roads multiply every year, entering any area allowed by the terrain. Maintenance rising only to the level of making roads safely passable in dry weather, was limited to about 12% of the road system on any district or forest, and most such roads required annual attention.²⁵ Lack of road maintenance exacerbates erosion, sedimentation of streams, management complexity, driving hazards, and liability. The backlog of road maintenance needs now exceeds \$8.4 billion and environmental damage grows yearly.²⁶

Roadless areas cover 58 million acres, or roughly one third of our national forest system land.²⁷ Another 19% is protected through special designations such as Wilderness.²⁸ The rest is roaded, logged, mined, and otherwise available for the extraction of natural resources, whether renewable or non-renewable.²⁹ Roads totaling nearly nine times the miles in our interstate system lace these lands.³⁰ Millions of these acres have lost their biodiversity and native species, due in large part to mislocated roads or poorly executed traditional uses.³¹

Despite the overwhelming evidence that our national lands have not been managed sustainably, there are still those who fight vigorously to maintain business as usual. Those folks are in future shock, defined by Alvin Toffler as “the shattering stress and disorientation that we induce in individuals by subjecting them to too much change in too short a time.”³² That’s why movement toward more sustainable practices seems so radical. In 1960, our knowledge of the world doubled about every seven years.³³ Now, that knowledge is

²⁴ United States Forest Service, *Overview*, ROAD MANAGEMENT WEBSITE, at http://www.fs.fed.us/eng/road_mgt/overview.shtml (last visited Apr. 12, 2004).

²⁵ *Id.*

²⁶ *Id.*

²⁷ Special Areas; Roadless Area Conservation 66 Fed. Reg. 3244-01, 3245-01 (Jan. 12, 2001).

²⁸ United States Forest Service, *Acres of landcover types within Inventoried Roadless Areas and Wilderness Areas grouped by mega-region*, ROADLESS AREA CONSERVATION at http://roadless.fs.fed.us/documents/feis/data/gis/far/far210_table_far13.htm (last visited Apr. 12, 2004).

²⁹ See, e.g., National Wilderness Preservation System, 16 U.S.C. § 1133 (2004) (stating that the US mining laws and all laws pertaining to mineral leasing shall extend to those national forest lands designated as “wilderness areas”; subject, however, to reasonable regulations governing ingress and egress as may be prescribed by the Secretary of Agriculture consistent with the use of the land for mineral location and development and exploration, drilling, and production).

³⁰ *40 Years of the US Interstate Highway System: An Analysis*, THE PUBLIC PURPOSE at www.publicpurpose.com/freeway1.htm (last visited Apr. 12, 2004) (noting we now have 42,700 miles of operational interstate highway); United States Forest Service, *Overview*, ROAD MANAGEMENT WEBSITE at http://www.fs.fed.us/eng/road_mgt/overview.shtml (last visited Apr. 12, 2004) (noting that The Forest Service has over 380,000 miles of road that they know about).

³¹ See WORLD WILDLIFE FUND & CONSERVATION BIOLOGY INST., IMPORTANCE OF ROADLESS AREAS IN BIODIVERSITY CONSERVATION: A SCIENTIFIC PERSPECTIVE 9–10 (June 2002) (showing that certain populations of endangered species avoid roads, and many can not be found in roaded areas), available at http://www.consbio.org/cbi/applied_research/roadless/roadless_pdf.htm (last visited Apr. 13, 2004).

³² ALVIN TOFFLER, FUTURE SHOCK 4 (1970).

³³ PETER RUSSELL, WAKING UP IN TIME 19 (1998) (applying Georges Anderla’s theory on the rate of increase for collective human knowledge).

estimated to be doubling every 18 months.³⁴ Knowing what we know now, we can no longer deny that most activities conducted on public lands are not sustainable.

In lay terms, we're consuming our grandchildren's share of resources from our national treasure chest of natural capital. Such a practice cannot continue. If we were using roaded areas in a sustainable manner and restoring them as we went along, we could be enjoying a steady flow of resources from those developed lands.³⁵ We've dismissed restoration as too costly, yet have never stopped to calculate the ever-accruing social and environmental costs of not restoring degraded habitats.

But There's Something There I Need

The argument that not developing roadless areas denies people access to resources is weak. If the areas were reasonably simple to access and contained critical resources, those resources would already have been extracted. We've had well over a hundred years to build roads into currently unroaded areas.³⁶ Most of these remote areas have no roads in them for very good reasons:

- (1) the resources desired for extraction have little market value,
- (2) the cost of retrieving them is too great, and/or
- (3) the cost to mitigate the impacts on co-existent sensitive resources exceed the net value of the extractable resources.³⁷

Prices for natural resource products have not kept pace with other commodities.³⁸ Costs of extraction, although lowered by technological advances, are still insufficient to offset some natural values.³⁹ Simply looking at short-term economics without considering the triple bottom line, which includes social and environmental costs and benefits, gives a false impression of true trade-offs.

Arguments that roadless areas are an important source of timber are based on the fact that a

³⁴ *Id.* (echoing Moore's Law of increases in computer processing power).

³⁵ This is after all the objective of the maintenance of the National Forest Wilderness. Wilderness – Primitive Areas: Objectives, 36 C.F.R. §293.2 (2003) (“National Forest Wilderness resources shall be managed to promote, perpetuate, and where necessary, restore the wilderness character of the land . . .”).

³⁶ UNITED STATES FOREST SERVICE, ROADLESS AREA CONSERVATION FINAL RULE: QUESTIONS AND ANSWERS, 2-3 (2001) (stating that the Forest Service began work on roadless initiatives in 1972, so that prior to the regulation road construction and mining generally was unregulated), *available at* http://roadless.fs.fed.us/documents/rule/qa/rule_qa.PDF.

³⁷ *Id.* at 8-9 (citing economic impact studies on job claims and the costs of the regulatory scheme).

³⁸ *See, e.g.,* Neal Gilbertsen & Dan Robinson, *Natural Res.: Mining & Timber*, ALASKA ECON. TRENDS (Alaska Dep't of Labor & Workforce Dev.), Dec. 2003, at 3, 8 (“the underlying essence is the fact that the growing worldwide production of timber has exceeded demand for most of the past decade.”), <http://labor.state.ak.us/trends/dec03.pdf>; *Stop Demagoguing – Roadless Initiative was Overdue*, GREAT FALLS TRIBUNE, Jan. 15, 2001, *available at* <http://www.greatfallstribune.com/news/stories/20010115/opinion/186012.html> (addressing the declining timber economy and falling prices of natural resources).

³⁹ Chad Hanson, *Ending Logging on Natural Forests: The Facts in the Year 2000*, EARTH ISLAND J., Fall 2000, at E2, *available at* http://www.earthisland.org/eijournal/fall2000/eia_fall2000jmp.

number of forests scheduled harvest in those areas.⁴⁰ It was political necessity, not the quality or accessibility of the timber that drove those harvest plans. The 2000 Committee of Scientists Report, laying the groundwork for new planning regulations, as well as other investigative reports have confirmed what many Forest Service employees have known for quite some time: older Forest Plans were built using a timber optimization computer model, not a sustainable resource allocation model.⁴¹

During the forest planning process, political and industry forces pushed for higher annual timber volumes.⁴² After decades of unsustainable timber harvest, the only places where it could even be suggested that more timber was available were in those blank, roadless spots on the map where there were little data on trees or anything else.⁴³ The Forest Service knew that there would be significant limitations and very high costs associated with creating roads in those unroaded areas.⁴⁴ But taxpayers have always subsidized commodity and amenity activities on national forest lands⁴⁵. If the timber harvests were sold cheaply enough, roads could be built.

To add perspective, note that national forests provide only 4% of the country's wood fiber production, less than 5% of our beef, and 0.4% of oil and gas.⁴⁶ One can hardly claim that our nation's gross domestic product or our marketplaces require incursions into roadless areas to stay afloat.

Science tells us that intact, large tracts of unroaded forests are less susceptible to disease, insect attacks and catastrophic fires.⁴⁷ Four different studies in the last eight years conclude

⁴⁰ See, e.g., Slide Ridge Timber Sale Environmental Impact Statement, 66 Fed. Reg. 58710-01 (Nov. 23, 2001) (noting that 80% of the scheduled timber sale in the Tongass National Forest is inventoried roadless area); See also, 2003 Record of Decision on the Woodpecker Project Area Final Environmental Impact Statement 68 Fed. Reg. 65434-01 (November 20, 2003) (referring to a record of decision that will allow timber harvest within a the Crystal Inventoried Roadless Area in the Tongass National Forest); Cave Gulch Post-Fire Salvage Sale 66 Fed. Reg. 12457-02 (discussing a final Environmental Impact Statement for a timber sale in roadless areas in the Helena National Forest).

⁴¹ K. Norman Johnson, James Agee et al., *Sustaining the People's Lands: Recommendations for Stewardship of the National Forests and Grasslands into the Next Century*, 97 JOURNAL OF FORESTRY, 6, 7 (May 1999) (discussing the need to adopt a broad concept of sustainability for resource management).

⁴² *National Polls Show Support for Roadless Area Protection*, NORTHWEST TRAILS ARCHIVE AND RESTORATION PROJECT, Feb. 14, 2004, available at <http://members.efn.org/~ntarp/news/poll.htm> (discussing the politicians, timber and mining interests opposing the Forest Service initiative to stop new road construction in currently roadless areas of forest).

⁴³ *Stop Demagoguing – Roadless Initiative was Overdue*, GREAT FALLS TRIBUNE, Jan. 15, 2001, available at <http://www.greatfallstribune.com/news/stories/20010115/opinion/186012.html> (noting the decline in timber harvests in Montana forests).

⁴⁴ *What Do Scientists Say About Roadless Areas?*, WORLD WILDLIFE FUND, available at <http://www.worldwildlife.org/forestfires/scientists.htm> (noting that many of the Forest Service's existing roads are in disrepair and their road maintenance backlog totals more than \$8 billion).

⁴⁵ See, e.g., Karen Moskowitz, *John Muir Project Reports*, JOHN MUIR PROJECT, Jan. 1999, at <http://www.johnmuirproject.org/documents/NF%20Contributions%20Economic%20Report.pdf> (discussing the economic of expenditures from taxpayers and other sources by the Forest Service).

⁴⁶ *What Do Scientists Say About Roadless Areas?*, WORLD WILDLIFE FUND, available at <http://www.worldwildlife.org/forestfires/scientists.htm> (arguing that the extensive network of Forest Service roads is justified to serve industries such as timber, oil and gas, although only four percent of the country's wood fiber production and 0.4 percent of oil and gas comes from the national forest system).

⁴⁷ *Id.*

that fires are generally less severe in unroaded areas and the risk of fire ignition is lower than in roaded areas.⁴⁸ In the Roadless Area Draft Environmental Impact Statement, the Forest Service concluded that 12% of roaded forests are at high fire risk, compared to less than 3% of unroaded areas.⁴⁹

Another spurious argument is that roading allows better access for fighting fires. Most roads are not located to provide access for safe and effective fire-fighting.⁵⁰ Roads in canyon bottoms are particularly hazardous and unsuitable for launching an attack on a fire.⁵¹ In addition, more fires start in roaded areas than unroaded, primarily due to the greater presence of humans and motorized vehicles.⁵² Given drought patterns and ninety years of fire suppression, fire behavior and intensities call for a different approach than driving a crew around with hand tools.⁵³ Now firefighting, including initial attack, is done largely from the air.⁵⁴

A New Modus Operandi

People frequently complain that the Forest Service doesn't operate like a business.⁵⁵ True enough. It is not a business; rather, it is a trust and asset management company, but prudent practices are still necessary. With hundreds of thousands of miles of road in existence and

⁴⁸ *Scientific Basis for Roadless Area Conservation*, WORLD WILDLIFE FUND AND THE CONSERVATION BIOLOGY INSTITUTE, June 2002, available at <http://www.worldwildlife.org/forests/forestssection.cfm?sectionid=208&newspaperid=17&contentid=925> (noting that the evidence suggests that fire suppression activities have had a lower impact on roadless areas than on roaded portions of the national forests, and citing data that indicate the lower impact might be attributable to limited access and steep terrain).

⁴⁹ *Catastrophic Fires*, WORLD WILDLIFE FUND, available at <http://www.worldwildlife.org/forestfires/catastrophic.htm> (citing the Forest Service's assessment which shows that 12 percent of roaded national forests are at high risk for fire and in roadless areas, this figure is less than three percent).

⁵⁰ *Our National Forests: Once They're Gone, They're Gone Forever*, SAVE FORESTS NOW.NET, available at <http://environet.policy.net/forests/national/> (discussing the lower construction standards for logging roads and the difficulties these standards pose for multiple use roads).

⁵¹ *The Ten and Eighteen*, at <http://www.angelfire.com/nv/blm/safety.html> (last visited Apr. 11, 2004) (discussing the ten standard fire orders and eighteen watchout situations developed by the wildland fire community, and emphasizing the importance of maintaining good visibility and escape routes); See, Kathy Murphy, *10 & 18 Posters*, UNITED STATES FOREST SERVICE, at http://www.fs.fed.us/fire/safety/10_18/10_18_posters.html (discussing posters of 10 standard fire orders and 18 watch out situations common for firefighting).

⁵² *Catastrophic Fires*, WORLD WILDLIFE FUND, at <http://www.worldwildlife.org/forestfires/catastrophic.htm> (last visited Apr. 11, 2004) (stating that wind zones and denser fuel loads caused by roadways result in more forest fires).

⁵³ *Fire Management: Fire policy and reports, programs and priorities*, UNITED STATES FOREST SERVICE, at <http://www.fs.fed.us/fire/management/index.html> (last visited Apr. 11, 2004) (explaining the Fire Management Program's use of fire prevention, fire suppression, and fire use).

⁵⁴ William B. Scott, *Firefighting's Smoky Horizons*, AVIATION WEEK AND SPACE TECHNOLOGY, Nov. 3, 2003, at 58 (discussing the increased use of aircraft in firefighting as firefighting has grown more complex).

⁵⁵ Randal O' Toole, *Run Them Like Businesses: Natural Resource Agencies in an Era of Federal Limits*, THE THOREAU INSTITUTE, available at <http://www.ti.org/business.html> (last visited Apr. 11, 2004) (expressing support for Congressional action for operating the Forest Service as a business).

over an eight billion-dollar backlog of road maintenance, what sense does it make to build more roads? Until we can close unneeded roads and maintain necessary ones, both of which fragment habitat and dump sediment into streams, we shouldn't be building more.

As our roadless areas diminish, ecosystem and human demands are increasing.⁵⁶ We must retain some unroaded lands to conserve biodiversity and to allow future generations options for the use and conservation of resources. Biodiversity is critical to the recovery of land and the health of the environment.⁵⁷ Past actions in roaded areas prove that we are not very good at retaining biodiversity once we are granted motorized access. As our population increases demand for undeveloped land and all the attendant natural benefits will likewise increase.

Current trade policies and tax incentives favor major corporations (coupled with price controls, subsidies, mergers and deregulation).⁵⁸ Prices for raw materials are kept absurdly low.⁵⁹ Small towns aren't going to make it without help. One serious weakness in the Roadless Area Conservation Rule, as well as in other well-intended environmental protection actions, is that there are no transition policies or programs to help small towns and resource dependent communities adjust their practices and businesses to operate under a new paradigm. There is no policy to deal with future shock.

The primary reason for this lack of a transition strategy is that corporations don't gain directly. Therefore, the problem doesn't register on the political scale. It's easier to lobby for status quo (follow the money to multi-national corporations) than to lobby for innovative new programs that emphasize restoration, value-added on-site manufacturing and true sustainability (follow the money to communities and small businesses).

We, as a nation, have to take definitive action to support small farmers, ranchers, loggers, renewable energy entrepreneurs and small sustainable businesses in general, if we want to diversify and maintain resource-dependent communities. That doesn't mean that we should simply continue unsustainable practices, spreading them out over roadless areas once we've exhausted the roaded zones. Community health can be accomplished by reinvesting in our capital assets – our natural resources. There is a tremendous amount of work to be done. And there is a great skill bank in resource-dependent communities to perform the kind of work necessary to restore watersheds and forest health. Putting the two together means current jobs and an investment in our natural capital for the future. Honorable work for a trust management agency and completely viable for the richest nation in the world... there's no excuse for inaction.

⁵⁶ Special Areas; Roadless Area Conservation 66 Fed. Reg. 3244-01 (Jan. 12, 2001) (noting that expanding populations, and the pressures they place on natural resources, compelled promulgation of the roadless area conservation rule).

⁵⁷ UNITED STATES FOREST SERVICE, NATIONAL REPORT ON SUSTAINABLE FORESTS: ANALYSES OF THE INDICATORS 11 (Oct. 2003) (discussing the importance of conservation of biological diversity), *available at* <http://www.fs.fed.us/research/sustain/sustain/Analyses%20of%20the%20Indicators.pdf>.

⁵⁸ CITE

⁵⁹ *See, e.g.*, Karyn Moskowitz, *Economic Contributions and Expenditures in the National Forests*, JOHN MUIR PROJECT REPORT 3, Jan. 1999 (examining the disproportionate value of services provided by ecosystems compared to what the government charges to extract them), *available at* <http://www.johnmuirproject.org>.

The Roadless Initiative is just one example of a public land management agency finally admitting that we cannot continue doing what we've been doing and expect conditions to improve, or even expect them to stay the same. The long-term health of our public lands and communities, and indeed the nation, is dependent on public lands being managed in a truly sustainable manner.

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