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The Roadless Report: Analyzing the Impacts of Two Roadless Rules on Forested Wildlands*

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Executive Summary

Only a fraction of the nation’s public, forested wildlands—4 percent of the United States—remain wild today. The Forest Service, the agency that manages national forests, manages two types of undeveloped wildlands within its jurisdiction. The first is Wilderness, which Congress has designated under the Wilderness Act and is protected by the statute’s substantive requirements. The second is roadless areas (approximately 2.4 percent of the U.S. land base), which are more vulnerable to development. Roadless characteristics are the exact same qualities that define Wilderness. Threats to these qualities include logging and roadbuilding, which fragment roadless landscapes and eliminate roadless characteristics—leaving distinct human footprints—for generations. Outside of Alaska with its massive Tongass and Chugach National Forests, Idaho and Montana national forests have the second and third largest roadless bases, at 9 million acres and 6 million acres, respectively.

The 2001 Roadless Area Conservation Rule (“RACR”) and the Idaho Roadless Rule govern the states with the three largest roadless bases. The Forest Service, under the Clinton Administration, created RACR in response to strong public sentiment for protecting these areas and the clean water, the biological diversity, the forest health, and the recreational opportunities that roadless areas provide. The following Bush Administration created a state-petitions process for each state to develop its own roadless rule, and before the Ninth Circuit set aside that process, the Forest Service published the Idaho Roadless Rule. Even after finding the state-petitions process unlawful, the Ninth Circuit later upheld the Idaho Roadless Rule.

With RACR in place for about 18 years and the Idaho Roadless Rule in place for about 10 years, we asked how well the National Roadless Rule and the Idaho Roadless Rule protect roadless areas in practice. We focused on Montana (governed by RACR) and Idaho (governed by the Idaho Roadless Rule). We first compared the rules. RACR prohibits logging in roadless areas with four exceptions. The Idaho Roadless Rule divides roadless areas into a five-theme spectrum and allows logging activities that vary from more restrictive than RACR (one category with only 16 percent of Idaho’s inventoried

* This executive summary has been updated from the February 2019 version because we added an addendum to the report September 2020. The addendum corrects one incorrect assertion in the report and addresses feedback from colleagues about whether the 2001 Roadless Rule provides for amending boundaries. The body of the report is unchanged, but the addendum is new and the Executive Summary has been updated to reflect the addendum.

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roadless areas) to not restrictive on logging at all. Four of the Idaho Roadless Rule's five themes impose less restrictions on logging than RACR, which amounts to the potential for more logging in 84 percent of Idaho's roadless areas. Additionally, while RACR allows a national forest to augment protection for any roadless area, the Idaho Roadless Rule forbids enhancing protection for any roadless area in Idaho.

The Forest Service provided the authors of this report two spreadsheets that contained a preliminary accounting of logging in roadless areas in Montana and Idaho since 2010. We examined this accounting, which identified the projects that cut trees in roadless areas, and we then examined many of the environmental analyses that authorized these projects. Friends of the Clearwater, a small forest-watchdog and educational nonprofit that monitors the wild Clearwater Basin in North Central Idaho, has on file most—if not all—projects over the last 30 years that proposed some logging in roadless areas on the Nez Perce and Clearwater National Forests.

We found RACR initially stopped roadless logging entirely in the Nez Perce and Clearwater National Forests, but the Forest Service began testing the exceptions, and the Idaho Roadless Rule reversed the cessation on logging. In the 1990s, the Forest Service logged over 6,000 acres in roadless areas. When the Forest Service first implemented RACR in 2001 and until 2008, no roadless logging occurred on these two forests. Since the 2008 Idaho Roadless Rule, however, the Forest Service has authorized logging on over 1,000 acres of roadless areas in the Nez Perce-Clearwater National Forests alone, often in the name of “forest health.” The Forest Service reported roadless logging in preliminary numbers up to 18,000 acres of roadless areas across Idaho. While the Idaho Roadless Rule is structured for increased logging, RACR has four exceptions. We found the Forest Service, while not choosing to log roadless areas in the Nez Perce and Clearwater National Forests when RACR governed (2001-2008), has spent the last decade regularly applying those exceptions in Montana.

In the past decade, the Forest Service has disclosed preliminary figures that it authorized approximately 33,000 acres of roadless logging from 2010 to 2018 in the national forests in Montana. The Forest Service fit these logging projects under one of RACR's four exceptions for logging. In approximately two-thirds of these projects, the Forest Service applied the tree-cutting exception to “restore” ecosystems. When the Forest Service evaluated the roadless areas to recommend for wilderness for the Beaverhead-Deerlodge Revised Forest Plan, the evaluation excluded areas where trees were cut, regardless of the reason that motivated the logging.

The Forest Service's quality of discourse on how logging impacts roadless characteristics has eroded over time, which further facilitates roadless logging. Prior to RACR, 1990s Forest Service project-specific environmental analyses in the Nez Perce and Clearwater National Forests recognized that logging degraded and eliminated roadless characteristics. The agency held that timber harvest modified natural processes, shelterwood logging created unnatural disturbances in the landscape, and cutting trees, which generated features such as stumps, created signs of human alteration. Even in the environmental analyses that accompanied RACR and the Idaho Roadless Rule, the Forest Service recognized that logging and road construction can potentially eliminate roadless characteristics.

Despite the Forest Service's earlier position, the agency occasionally reversed its conclusions on whether logging harmed roadless areas in the first decade of RACR. Between 2001 and 2008 in Idaho, the Forest Service concluded in environmental analyses, as it had in the 1990s, that logging would degrade roadless characteristics. However, during these seven years, in some environmental analyses the agency opined that logging might improve roadless characteristics by reducing the potential for stand-replacing wildfire. If the Forest Service could assert that ecosystems would be improved with logging, the agency could apply one of RACR's logging exceptions. The Idaho Roadless Rule adopted this “stewardship purpose” logging exception for themes that govern most of roadless base in Idaho. After

the Idaho Roadless Rule began to govern roadless areas in Idaho, we have seen this flip in reasoning solidify, where the Forest Service has commonly concluded that logging in a roadless area will have neutral or beneficial impacts to roadless characteristics.

With fresh reasoning that logging augments roadless characteristics, the Forest Service has been exploiting logging exceptions under RACR and logging permissions under the Idaho Roadless Rule. The Forest Service in Montana and Idaho, post 2010, similarly analyze the impacts of logging on roadless characteristics. Regardless of which rule governs, below are several examples of the Forest Service reasoning that leads to its conclusions that logging will either not impact or beneficially impact roadless characteristics. The Forest Service argues that (1) taking no action will adversely impact roadless characteristics; (2) logging inflicts only temporary, short-term effects on roadless characteristics; (3) there will be minimal impacts (even while concluding other roadless areas that have undergone similar timber harvests have demonstrably impaired roadless characteristics); (4) a little more detriment is negligible if there is already evidence of any prior human activities; and (5) intense logging on a small part of the roadless area will not, on average, impact the whole roadless area.

Science fleshes out the fallacy of some of this reasoning. Peer-reviewed science establishes that natural tree death—regardless of its cause—is a process by which forests renew and exists in healthy forests and their ecosystems. Severe fires are part of the natural history of some forests, specifically those in northern Rocky Mountains of Idaho and Montana. Forests in the western United States generally have not experienced more fires as a direct result of bark beetle activity. Global warming—not the Forest Service’s history of fire suppression—greatly influences fire seasons. Even with global warming, older unlogged forests, which include many roadless areas, have been found to burn less severely while thinning and regeneration logging can lead to more severe fires because it opens up forests and dries out remaining vegetation.

Time fleshes out the fallacy of the remaining reasoning. When the Forest Service revises forest plans, we found a pattern where the agency drops isolated acreage from its wilderness-recommendation process because timber harvest has eliminated roadless and wilderness characteristics. The Forest Service Handbook directs the agency to identify a basic potential-wilderness inventory; the agency can include areas where logging has occurred if improvements are not substantially noticeable. In the Beaverhead-Deerlodge Revised Forest Plan, logged roadless areas were eliminated from the potential-wilderness inventory for lacking roadless and wilderness characteristics. In the Idaho Panhandle National Forest, the Forest Service omitted from the 2008 Idaho Rule roadless inventory areas with previous timber harvest. The evidence of timber harvest (e.g., stumps) drives the decision to exclude considering these areas as potential wilderness. The Forest Service does not look into whether it had approved the tree cutting to improve roadless characteristics.

In conclusion, both RACR and the Idaho Roadless Rule have facilitated a gradual erosion of the roadless system. Neither rule effectively protects roadless areas from logging, but rather provides exceptions for logging and roadbuilding to various degrees, which the Forest Service is exploiting. The Forest Service’s environmental analyses have shifted to justify utilizing the exceptions in an unchecked manner, and because the Forest Service does not update roadless boundaries, wildlands overlooked from the initial inventories remain unprotected while there is a growing number of “inventoried roadless areas” that no longer have roadless and wilderness characteristics. Given these rules are not as protective as assumed, we need a substantive review of both rules and an accounting of the remaining roadless areas in the United States. Additionally, the public and its government must engage in a thoughtful discourse about whether protecting roadless areas is a priority and, if so, how to effectively do that.