

Katie Bilodeau
Moscow, ID
katheryn.a.bilodeau@gmail.com

Gary Macfarlane
Troy, ID
gary@wildrockies.org

Director
Ecosystem Management Coordination
201 14th Street SW, Mailstop 1108
Washington, DC 20250-1124

Re: Public comment on rescinding the 2001 Roadless Rule, demarcated on
www.regulations.gov as Docket (FS-2025-0001); Federal Register Number 2026-18648;
and Document ID
FS-2025-0001-342438

Forest Service,

You should have provided a more adequate time to comment on this proposal and environmental impact statement (EIS). This process has been rushed, which has eliminated and prejudiced public participation. The rushing is especially noticeable when compared to the process that created this rule. *See* Roadless Rule EIS, Nov 2000 (provided with this comment).

We are incorporating our earlier comments and attachments by reference. Because we have other attachments for this submission, we will not resubmit any of our earlier attachments, as you already have all of them. The tracking number for our first submission is mfr-aqov-n8wl. For the documents we submitted, we did have to break some of them up because of the limitations on the website to submit public comments—i.e. there was one scientific article just over 10MB that had to be broken into two and the Forest Service’s earlier EIS on the roadless rule, from November of 2000, was 16 MB, so we broke that into five documents.

The Forest Service’s preferred action is not popular. Your own EIS said that 99 percent of the comments you received about the Roadless Rule were in favor of keeping it in place. Minimally, you should keep the rule in place, but if this administration wants a win that can show Republicans value clean drinking water, cleaner air, the other advantages intact forests provide, you should consider strengthening a rule and analyzing an alternative that closes the logging loopholes. After all, the Forest Service doesn’t own this land—you manage it for the public.

IGNORING FIRE SCIENCE

We think the Forest Service ignored the fire science we pointed out in our initial letter. We will elaborate for four main points, and provide supporting science for points where we haven’t already given you information:

1. Climate and weather are the primary drivers of fire severity; it is not “fuel loading.”
See, e.g., Reilly et al. 2022. Cascadia Burning: The historic, but not historically unprecedented,

2020 wildfires in the Pacific Northwest, USA. Ecosphere. DOI: 10.1002/ecs2.4070; [NOAA webpage on Wildfire and Climate connection](#) (pdf provided with submission).

2. Increased forest protection in intact ecosystems does not mean higher severity fire. In 2016, researchers studied the relationship between roadless and Wilderness areas in the West and found forests with more protection had lower instances of fire severity, even though they had the highest overall levels of biomass and what the Forest Service calls “fuel loading.” This was the Bradley et al. 2016 paper we provided in our first submission. Studies after that have found that, after accounting for fire and weather, intensive forest management is a secondary driver of high-severity. For science on that point, we provided Zald and Dunn 2018. *Severe fire weather and intensive forest management increase fire severity in a multi-ownership landscape*, Ecological Applications 28(4): pp. 1066-1080.

3. Ecosystems and species have evolved with high-severity wildfire in Western forests. Fire burns in mosaics and often provides renewal. “Black-backed Woodpeckers, for example, require burned forests that are densely stocked and have an abundance of large, thick-barked trees favored by wood-boring beetles...Indeed, data collected from within a wide variety of burned forest types show that the probability of Black-backed Woodpecker occurrence decreases dramatically and incrementally as the intensity of traditional harvest methods increases.” R. Hutto, 2008. *The Ecological Importance of Severe Wildfires: Some Like it Hot*. Ecological Applications 18(8): pp. 1827-1834. Morel mushrooms, too, often coincide with burned forests. Scientists who studied the fire regime in the Selway Bitterroot Wilderness found that fire affected the composition and structure of the forest, but that wasn’t a detrimental thing for forest regrowth:

Crucially, we found that northern Rockies mesic mixed-conifer forests that have had limited suppression and experienced fire during the twentieth century are highly resilient to fire, including short-interval reburns—96% of plots either persisted as or are regenerating to coniferous forests. Thus, our new empirical data validate the prediction of Davis et al. (2023) that conifer regeneration in the mesic forests of the northern Rockies is likely to remain resilient to fires and climate change for at least the next few decades.

Jaffe et al. 2023. Mesic mixed-conifer forests are resilient to both historical high-severity fire and contemporary reburns in the US Northern Rocky Mountains. *Forest Ecology and Management* 545 (2023) 121283. We’ve provided this article, too, and note that one of the researchers of this publication was a scientist with the US Forest Service.

4. While fire in forests is good, fire in communities is tragic. The Forest Service’s own science, however, found that the best way to protect homes is to lower their ignitability as well as the making the first 40 meters surrounding the home as firewise as possible (i.e., reducing ignitability). It is not logging deep in the forest. Homes with low ignitability can survive high-intensity wildland fires, but highly ignitable homes can be destroyed during lower-intensity fires. We already provided you Cohen 2000 in our earlier comments. We’ve included this round a fact sheet drafted by Dr. Cohen: A More Effective Approach for Preventing Wildland-Urban Fire Disasters.

Some of the science in the last 10-20 years suggests that cutting trees to affect fire behavior 1. won't work; 2. isn't necessary for ecosystems; and 3) community protection starts with the house and within 40 meters of the house.

STATE-SPECIFIC MANAGEMENT WILL DESTROY ROADLESS CHARACTERISTICS.

State-specific (and local) management will destroy roadless characteristics on a faster and incremental basis that will not be possible to track—we will lose large, intact chunks of intact forests. We point you back to our Roadless Report, which we provided and discussed with our first submission. For example, even though the Idaho Roadless Rule had weaker guardrails, generally, than the 2001 Roadless Rule, it had some guardrails, and in Idaho, the Forest Service exceeded its own predictions on what it would authorize for logging. In Montana, the Forest Service exceeded its annual prediction for logging in roadless areas nationwide in this one state. This discussion is all in our report. We refer you back to that report and incorporate it by reference here.

THE FOREST SERVICE'S REPRESENTATION IN THE EIS OF WHAT HAS BEEN LOGGED IS NOT SUPPORTED BY ITS OWN RECORDS.

In our September 2025 comments, we requested the following in an EIS:

- An accounting of logging or other substantially noticeable development in every inventoried roadless area in all of the national forests that occurred under the 2001 Roadless Rule, and a comparison of the actual 2025 numbers to the forecasted numbers in the 2001 Roadless Area Conservation Rule. This will help analyze the no-action alternative. The Forest Service should review the logging it approved in roadless areas to date and provide pictures of the areas, much like how we just provided you pictures of the work authorized in the West Fork Crooked River Inventoried Roadless Area in Idaho.

In the EIS, the Forest Service stated:

The best available information on activities that have been implemented within IRAs over the last decade comes from the Forest Service Activity Tracking System. This data shows an average of 500 acres per year of timber harvest and a total of 1.8 million acres of hazardous fuels reduction within IRAs managed under the 2001 Roadless Rule. P. 15

The hand-tracked data the Forest Service provided to us casts doubt on this data. From 2008-2018, there was an individual whose job included tracking the Forest Service's authorizations for cutting trees in roadless areas, and this actual tracking, between 2008 and 2018 averaged much more than 500 acres per year in just Montana. While last fall we gave you the Forest Service spreadsheet where we incorporated our fact-checking (because we found that Mr. Riggers number was lower than what the decision documents authorized), we are giving you the exact spreadsheet that Region 1 Roadless Coordinator, Brian Riggers, provided us when the US Forest Service was tracking this.

Curiously, “hazardous fuels reduction” is a category separated from timber harvest. We know from on-the-ground observation that hazardous fuels reduction is timber harvest. Even the Chief of the Forest Service has testified to Congress that the agency has to add in the big, commercially valuable timber into sales so it is financially “viable” to cut smaller trees. Also, the Forest Service does not title projects “logging projects” or “timber harvests” even if they cut down and haul away trees. The Forest Service calls them “fuel reduction projects,” “thinning projects,” “restoration projects,” and the like. Many grassroots groups have ground-truthed the euphemistically titled projects after the cutting has been done. These groups assembled their ground-truthing on the Pacific Northwest Climate Alliance’s webpage: <https://www.forestclimatealliance.org/logging-photo-gallery>. We’ve made a pdf of the webpage and submitted it with our comments; we also took screenshots because the webpage pdf was missing information. These pictures are from that webpage: one of the below projects is a “fuels thinning” project, one is a “vegetation fuels and management” project, and one is a “free-selection” thinning project. Can you tell which is which?





Given timber harvest and thinning are pretty similar when one observes what has been cut, does this mean that the Forest Service has authorized over 1.8 million acres of logging in roadless areas?! There needs to be a much more in-depth analysis of what this looks like. The direct effects are where the logging has happened, but the indirect effects are fragmentations across landscapes, which suggest a much wider impact, and suggests abuse of the exceptions for logging in the 2001 Roadless Rule.

THERE WILL VERY LIKELY BE DEVELOPMENT FAR INTO ROADLESS COUNTRY, CONTRARY TO THE FOREST SERVICE'S REPRESENTATION IN ITS EIS.

In our previous comments, we requested the following (footnote omitted) along with a justification for that request.

- An accounting of logging or other substantially noticeable development in every inventoried roadless area in both of the state rules, and a comparison of the actual numbers to the forecasted numbers. Based on these state-specific experiences, which generally had less limitations on logging than the 2001 Rule, these actual numbers will help the agency with a more honest prediction of how much logging would occur in inventoried roadless areas everywhere should the agency rescind the 2001 Rule. We are particularly interested in honest predictions of logging in inventoried roadless areas in

the Tongass National Forest. The trend we saw when we studied Montana and Idaho was that it was easier to log inventoried roadless areas when a boundary was a road. The West Fork Crooked River area logged abutted a road. The Tongass has far fewer roads bordering roadless areas than the roadless inventory in the Lower 48. For this reason, we suspect that generally, it fared better under the 2001 Roadless Rule.

Appendix 1 in the DEIS lays out the agency's thinking on what may or may not be roaded and logged in roadless areas under the two action alternatives that would remove some or all of the current protections. Specifically, this appendix has a section on potential timber operability that states areas greater than 1 mile from road are likely inoperable. That analysis is not credible because there are numerous examples of roadbuilding/logging in roadless areas prior to the roadless rule and in uninventoried roadless areas during the recent past that exceed one mile from a road. There were also proposals to road and log roadless areas during the time the roadless rule was being litigated more than one mile from a road. A comparison of the roadless inventory maps – RARE II, the first iteration of forest plans, the roadless rule, and the latest forest plan revisions demonstrates this case.¹

The following bulleted list gives some examples of roadless logging either done, proposed, or analyzed greater than one mile from an existing road on Region I (northern Idaho and Montana):

- Cove-Mallard Inventoried Roadless Areas. These two areas were the site of the infamous Cove/Mallard timber Sales in the 90s on the Nez Perce National Forest in Idaho. While the eventual implementation of the Roadless Rule prevented near complete liquidation of these roadless areas – together nearly 80,000 acres in size and contiguous to the Frank Church-River of No Return Wilderness – the roads and logging penetrated deep into these areas. Attachments 1a and 1b document the destruction of roadless characteristics of part of these two areas. They are pages from the Cove and Mallard RODs and FEISs as well as the roadless maps from the 1987 Nez Perce National Forest Plan and the 2025 Nez Perce-Clearwater National Forests Plan Revision of these areas.
- Ogden Mountain Inventoried Roadless Area: This area on the Helena National Forest has apparently lost its roadless characteristics and it did not even make the inventory process in for wilderness consideration in the recent Helena Lewis and Clark National Forests Plan Revision. As far as we are aware, logging and possibly mining development are to blame. Attachment 2 includes maps from the revision EIS that document the current IRAs in this part of the two administratively combined national forests and maps and write-ups of the wilderness evaluation in this same part of the two forests. This documents the absence of Ogden Mountain.

¹ This is true even though earlier inventories failed to identify actual roadless land that has since been identified in the latest forest plan revision processes. In most cases those faulty inventories were adopted in the roadless rule except in instances where the inventories were compressively updated on individual national forests during the timeframe the roadless rule was being formulated. Also, see our previous scoping comments and our report on how the terminology regarding roadless areas changed after the roadless rule. Inadvertently or not, the fact that the Forest Service now only refers to the areas in the static roadless rule inventory as roadless areas and not the revised boundaries or areas identified for potential wilderness recommendation in the forest plan revision process obfuscates what is truly roadless. Again, the sole purpose of the roadless inventories was and is to identify what areas might be recommended as Wilderness.

- **Mallard-Larkins Roadless Area:** This area on the Clearwater National Forest had two large intrusions into the roadless area. The first in the Hidden and Fix Creek drainages is on the eastern end of the area. Just before the 1987 Clearwater National Forest Plan was done, a road was built for logging but the logging had not been completed. The other area on the southwestern end cut off the Aquarius Research National Area (RNA) from the roadless area. The RNA was not of a sufficient size to be considered roadless. See Attachment 3.

These are not the only areas affected in Region I. A review of the most recent Beaverhead-Deerlodge and the Helena-Lewis and Clark National Forests Forest Plans show some logging and road development took place at some point in time inside the West Pioneers and Middle Fork Judith Wilderness Study Areas and contiguous roadless land. Even though this development only affected a small portion of these two large areas, it appears to have penetrated more than a mile into the respective roadless areas. Proposals for logging on the Clearwater National Forest (Middle-Black) included an alternative (not chosen) that would have extensively roaded and logged in the Pot Mountain Roadless Area during the time the roadless rule was being litigated. The recently approved Twentymile Timber Sale on the Nez Perce National Forest (currently under litigation) approves logging in a currently uninventoried roadless area more than one mile from a road. A part of the Lionhead Roadless Area on the Gallatin National Forest has been proposed as Wilderness by the agency, yet logging has taken place in part of the area as well. According to the wilderness evaluation process for the Lolo National Forest Plan revision, the Garden Point IRA has been completely logged. This list is not comprehensive.

As such, the DEIS lacks credibility because it does not properly project impacts. Furthermore, the DEIS should include in the project record and be informed by the RARE II FEIS, maps, state supplements, the roadless and wilderness inventory processes of every single forest plan, including its first to present iterations, and every NEPA document that affected or affects inventoried roadless areas and inventoried roadless areas or the roadless expanse that the Forest Service has identified.

THE AGENCY DID NOT PRESENT OR ANALYZE A REASONABLE RANGE OF ALTERNATIVES.

In our comments last September, we asked for the following:

- *An alternative that evaluates an improved Roadless Rule. This alternative should eliminate the “fire” and “habitat restoration” exceptions from the current rule (36 CFR § 294.13(b) when it was first published) and reincorporate the U.S. public’s inventoried roadless areas in Idaho and Colorado back under one national rule. A “no-action” alternative as the agency described it should be included, but given the logging to date in inventoried roadless areas, a reasonable range of alternatives must analyze something more protective than the current implementation. This alternative should include no motorized or mechanized transport and a withdrawal from mineral entry. This alternative should re-inventory roadless areas and include all wildlands in the East and West that have been erroneously excluded from second Roadless Area and Review Evaluation (RARE II); this non-inventoried land is commonly referred as “unroaded” areas.*

You didn't add the alternative requested. An EIS must have a reasonable range of alternatives. In the 2001 EIS the Forest Service examined an alternative that did not have the logging and roadbuilding exceptions. That was not the alternative the agency ultimately chose, but minimally the agency analyzed it. All action alternatives in the current EIS reduce roadless protection, even the "no action" one given the way the Forest Service is implementing the current rule. Given the current biodiversity crisis, this is not a reasonable range of alternatives. We provided the environmental impact statement for the 2001 Roadless Rule for comparison and to emphasize this inadequate "hard look."

We made several other requests in our fall 2025 comments—we could not find where the Forest Service addressed them. Please complete a supplemental EIS with this information.

- *An alternative that bolsters protections of the roadless inventory by designating them as backcountry special management areas. In the Forest Service History Series, The Wilderness Movement and the National Forests: 1964-1980, FS 391, by Dennis Roth, the Forest Service has said it can protect roadless areas administratively without wilderness designation. Given the importance of remaining roadless areas for watershed protection, fish and wildlife, and recreation, the USDA should consider applying 36 CFR 294.1 to roadless areas. These places, "which should be managed principally for recreation use substantially in their natural condition and on which ... certain other uses may or may not be permitted may be approved and classified by the Chief of the Forest Service or by such officers as he may designate if the particular area is less than 100,000 acres. Areas of 100,000 acres or more will be approved and classified by the Secretary of Agriculture." These protections, as is the case with Mallard-Larkins Pioneer Area in Idaho or the Jewell Basin Hiking Area in Montana, don't allow road building, logging, or mechanized and motorized recreation use. This is an existing template for bolstering protection of roadless areas.*

- *The irretrievable and irreversible commitment of resources from rescinding roadless protection. Logging roadless areas, regardless of the euphemisms the agency uses, are commonly considered by the judiciary as an irreversible and irretrievable commitment of resources. California v Block, 690 F.2d 753 (9th Cir. 1982), when reviewing the second Roadless Area Review and Evaluation ("RARE II"), the Ninth Circuit found that allocating roadless areas to development required site-specific impacts, even at this national level. While the National Forest Management Act regulations were different then, the current 36 C.F.R. § 219(a) requires the Forest Service to exclude inventoried roadless areas from a forest plan's lands "suited for timber production." Repealing the roadless rule could make many areas in current forest plans instantly "suited for timber production" in a way no forest plan has considered. That will detrimentally impact aquatic and terrestrial habitat in a way no forest plan analyzed as well. As the US Forest Service has demonstrated with the Nez Perce and Clearwater National Forest, a forest plan can be in place for 30 years before the agency revises it. This means it could be decades before the Forest Service actually analyzes what it means for inventoried roadless areas to be "suitable for timber production." Because the agency certainly*

won't wait for forest plan revisions to start logging roadless areas if it rescinds this rule, that site-specific analysis must be done in this EIS.

- The impact to habitat for all species that are found in inventoried roadless areas—terrestrial and aquatic.

We did not see any discussion or analysis on the points above. We did not see a discussion on the impact to sensitive, threatened, and endangered species. While the Forest Service likely underpredicted the acres of logging, the agency only seemed to give a total estimate of the acres directly logged. But, when logging is spread out, it fragments landscapes and affects more than the direct acreage logged. This will likely end up endangering many species with going extinct.

In sum, we oppose the Forest Service's preferred alternative as well as the other action alternative. Because the current roadless rule is not living up to its promise of protection, we recognize that the Forest Service has spoon-fed us two really bad choices as well as spoon-fed us the subpar status quo without adequately analyzing anything. The Forest Service should have considered and adopted an alternative that strengthens roadless protection.

Sincerely,

Katie Bilodeau
Moscow, ID
katheryn.a.bilodeau@gmail.com

Gary Macfarlane
Troy, ID
gary@wildrockies.org