



For Immediate Release

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## FOREST SERVICE PETITIONED TO REPEAL RULE LOCKING UP NATIONAL FORESTS

The Washington Legal Foundation (WLF) today petitioned the Department of Agriculture to repeal a controversial rule that went into effect in the waning days of the Clinton Administration which would essentially lock-up nearly 60 million acres of national forests to road building, road reconstruction, and timber harvesting. The rule, known as the Roadless Area Conservation Rule, was published in the *Federal Register* on January 12, 2001, after being rushed through the regulatory process, along with many other last-minute agency regulations, shortly before the Bush Administration took office.

In its petition, WLF argued that the hastily promulgated rule should be repealed because of the prior Administration's woeful failure to comply with the procedural requirements of the National Environmental Policy Act (NEPA) as well as the Administrative Procedure Act (APA). In particular, Forest Service officials 1) failed to give proper notice to the public; 2) failed to consult with state, local, and Indian tribe governments; and 3) failed to analyze the cumulative impacts of the rule and reasonable alternatives. The rule will have catastrophic environmental impacts, needlessly prevent access to the forests by the public for off-road recreational use, including snowmobiles, and prevent timber harvesting and related activities in the national forests.

"The Forest Service has admitted that one third of our National Forest System is at high risk of catastrophic wildfire and of insect infestation and disease. Yet this rule, which defies both common sense and scientific basis, would make it difficult to actively manage and protect our national forests," said Paul D. Kamenar, WLF's Senior Executive Counsel upon filing the petition.

Litigation challenging the final rule for failing to comply with NEPA is pending in federal court in Idaho with a hearing on motions for a preliminary injunction scheduled for March 30, 2001. Regardless of the outcome of that hearing, WLF's petition provides the new Administration with an opportunity to undo the regulatory excesses of the prior Administration.

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