

**Congress of the United States**  
**Washington, DC 20515**

March 18, 2009

The Honorable Tom Vilsack  
Secretary of Agriculture  
U.S. Department of Agriculture  
1400 Independence Avenue S.W.  
Washington, DC 20250

Dear Secretary Vilsack:

We look forward to an opportunity to work with President Barack Obama and the Administration to protect lands within the Roadless Area Conservation Rule, a popular and balanced conservation policy that preserves 58.5 million acres of inventoried roadless areas in the national forests. As ardent supporters of this policy in Congress, we are pleased to support a President who has previously endorsed this policy, and had the opportunity to cosponsor S. 1478, which would codify the rule, as a Senator. Today we write to recommend that the U.S. Department of Agriculture issue a directive requiring Secretarial – level approval of any U.S. Forest Service projects that might be inconsistent with the roadless rule until more permanent protections can be implemented.

The Roadless Area Conservation Rule was promulgated by the Clinton Administration on January 12, 2001, after the most extensive public involvement process in the history of federal rulemaking. However, during its tenure, the Bush Administration repeatedly undercut its protections, failed to defend it against legal challenges, and ultimately sought to replace it with a discretionary state petition process in 2005.

Presently, the status of the roadless rule is uncertain. Conflicting court decisions and injunctions have been issued for and against the rule by courts in California and Wyoming, and appeals are pending in the Ninth and Tenth Federal Circuits. Under the terms of the latest court decisions, the majority of the 58.5 million acres of inventoried roadless areas are at risk from logging, road building and other development prohibited by the rule.

Due to the aforementioned issues, we believe there is the need for prompt administrative action to ensure that national forest roadless areas remain protected and are not inadvertently harmed in the short term. We specifically recommend that the U.S. Department of Agriculture issue a directive requiring Secretarial-level approval of any U.S. Forest Service projects that might be inconsistent with the roadless rule. There is recent precedent for a U.S. Department of Agriculture issuance of a directive requiring Secretarial-level approval of any U.S. Forest Service projects that might be inconsistent with the roadless rule a similar approval process for roadless area activities was adopted by former U.S. Forest Service Chief Dale Bosworth in 2001.

Such action would be consistent with President Obama's support for the roadless rule and the protections it affords our last undeveloped national forestlands. Additionally, it would ensure that

these public lands will not be threatened while the federal courts' conflicts are resolved and more permanent protections can be implemented.

Thank you for your attention to this matter and congratulations on your recent appointment to Secretary of Agriculture.

Sincerely,



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JAY INSLEE  
Member of Congress

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MARK STEVEN KIRK  
Member of Congress

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NICK J. RAHALL, II  
Member of Congress

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TIMOTHY V. Johnson  
Member of Congress

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RAÚL M. GRIJALVA  
Member of Congress

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EDWARD J. MARKEY  
Member of Congress

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GEORGE MILLER  
Member of Congress

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HENRY A. WAXMAN  
Member of Congress

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JOHN D. DINGELL  
Member of Congress

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MAURICE D. HINCHEY  
Member of Congress

Frank Pallone Jr

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Pete Stank

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