

Meeting Summary
Roadless Area Conservation National Advisory Committee
January 16-17, 2008
Yates Building, U.S. Forest Service, Washington, DC

Participants

Committee Members Present:

- Darin Bird – Utah Department of Natural Resources
- Adena Cook – Blue Ribbon Coalition
- Robert Cope – County Commissioner Lemhi ID
- Jeff Eisenberg – National Cattlemen’s Beef Association
- Paul Hansen – The Nature Conservancy
- Dale Harris, RACNAC Co-Chair – Montana Wilderness Association
- Geraldine Link – National Ski Areas Association
- Jim Riley – Intermountain Forest Association
- Greg Schaefer, RACNAC Co-Chair – National Mining Association and Arch Coal
- Todd Schulke – Center for Biological Diversity
- Ray Vaughan – WildLaw
- Chris Wood – Trout Unlimited

Committee Members Not Present:

- Denny Scott – Carpenters Union

U.S. Forest Service

- Mark Rey, Under Secretary NRE
- Gail Kimbell, Chief of the USFS
- Tom Tidwell, Northern Regional Forester, Region 1, USFS
- Rick Cables, Rocky Mountain Regional Forester, Region 2, USFS
- Jessica Call, RACNAC Coordinator, USFS
- Richard Cook, DFO, Deputy Director EMC, USFS
- Joan Dickerson, Environmental Coordinator, Region 1, USFS
- Sharon Friedman, Strategic Planning Director, Rocky Mountain Region, USFS
- Brad Gilbert, Team Leader for Idaho Roadless Rule EIS, USFS
- Kathy Kurtz, Colorado Roadless Interdisciplinary Team Leader, USFS
- Bill Supulski, Roadless Area Conservation Coordinator, USFS

Idaho

- Lieutenant Governor Jim Risch
- Thomas Perry, Counsel to the Idaho Office of Species Conservation

Colorado

- Mike King, Deputy Director, Colorado Department of Natural Resources
- Paul Orbuch, Assistant Director, Colorado Department of Natural Resources

Facilitation:

- Kathleen Rutherford, Kearns & West
- Janet Thomson, Kearns & West

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Committee Agreements

Future Discussions Regarding USFS and State of Idaho Rulemaking:

The RACNAC resolved to hold subcommittee meetings prior to the next RACNAC meeting (scheduled for February 20-21, 2008) to further define the scope of Idaho roadless issues that the Committee will discuss. The RACNAC will likely meet twice, in February and March, to deliberate and draft a letter of advice to the USFS and State of Idaho regarding the proposed rule.

RACNAC Assistance with the Colorado Rulemaking

The RACNAC agreed that Ray Vaughan will serve as the RACNAC point of contact for the Colorado rulemaking. If issues arise that are pertinent for the RACNAC to discuss he will notify the co-chairs or the full Committee. The RACNAC will meet with the State of Colorado after the draft rule and draft EIS are published, currently slated for late May/early June.

Additional Meeting Highlights

Welcoming Remarks and Introductions:

Dale Harris, RACNAC Co-Chair, welcomed the Committee, members of the public, and attendees from the State of Idaho and USFS. Dale noted that PBS is in attendance to film the meeting for their PBS NOW show. Richard Cook, the Designated Federal Official (DFO) for the RACNAC, noted that all the Committee members have been reappointed for additional two-year terms and that, due to broad Committee support, Dale Harris and Greg Schaefer will continue to act as co-chairs. Kathleen Rutherford reviewed the ground rules.

The Committee reserved February 20-21, 2008 (Las Vegas) and late March (specific date and location to be determined) for future meetings.

Update from Chief Abigail Kimbell and Undersecretary Mark Rey

Undersecretary Mark Rey and Chief Abigail Kimbell thanked the RACNAC members for their work and continued dedication to the Committee. Chief Kimbell noted the great importance of the proposal to set roadless area characteristic standards for millions of acres of land in Idaho. Chief Kimbell thanked Lieutenant Governor Risch for his role in shaping the petition and the proposed rule and for his involvement with the RACNAC. This process can serve as a model for roadless management in other states.

Presentation from Idaho Lieutenant Governor Jim Risch

Governor Risch asked the RACNAC and the members of the public in attendance to focus on the great achievement of describing management themes to suit each of the 280 unique roadless properties in Idaho. According to a poll from the Idaho Conservation League, approximately 86% of the respondents approved of the proposed land management designations described in the petition and the proposed rule. Lt. Governor Risch noted his frustration that there has been greater focus on the few remaining concerns than on the broad agreement on the contents of the proposed rule. He expressed hope that the opportunity to fully protect 3.3 million acres of land would not fall by the wayside due to lingering concerns that need resolution.

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Governor Risch briefly reviewed the key management themes proposed. For the first two management themes, (Wildland/Recreation and Primitive) the management restrictions are stronger than those from the 2001 Roadless Area Conservation Rule (2001 Rule). While under the 2001 Rule road building is permissible under certain circumstances, in the proposed rule there will be no road building at any time, for any purpose, in these 3.3 million acres.

The Backcountry/Restoration theme contains similar levels of protection to the 2001 Rule. Counties have legitimate concerns about municipal watershed management and prevention of wildfire in Wildlife/Urban Interface areas (WUIs) throughout these lands. The inclusion of “stewardship roads” in Backcountry/Restoration areas is intended to address those concerns. He further clarified that the Backcountry/Restoration theme is not intended to be used for commercial timber harvesting purposes.

Lt. Governor Risch noted that his proposed language is not entirely congruent with what came out of the USFS proposed rule for Backcountry management. This will need to be clarified. The RACNAC is in a unique position to help reconcile the difference between the intent of the State of Idaho and the wording that is in the proposed rule. In particular, concerns have been raised about phosphate mining in southeast Idaho; including some sideboards to clarify the intent will raise the level of comfort with that section. The intent is not to open the entire 5.2 million acres of Backcountry areas to phosphate mining.

Lt. Governor Risch recognized Tom Perry, David Hensley, and Jim Caswell for their assistance in compiling the rule. The rule has helped to resolve major controversies in roadless areas and can hopefully be a model for resolving roadless conflicts in other parts of the country.

Lt. Governor Risch fielded questions from the RACNAC regarding: addition and subtraction of areas to the roadless inventory; movement of parcels from one management theme to another; the possibility for future change of management themes and areas included in the roadless inventory; management of ski areas; language differences between the November 2006 and January 2008 Idaho presentations to the RACNAC; and sideboards for phosphate mining.

The RACNAC commended Lt. Governor Risch for his role and leadership in developing the Idaho petition and proposed rule.

Presentation from USFS and State of Idaho Regarding Idaho Rulemaking

Northern Regional Forester Tom Tidwell thanked the State of Idaho and the Lieutenant Governor for their leadership on the proposed roadless rule. He highlighted the need for public comment on the proposed rule and reminded the audience that the rule does not permit any activity to occur on the land because proposed activities must still go through environmental analysis (and, consequently, public comment).

Brad Gilbert, USFS Team Leader for the Idaho Roadless Rule EIS, noted that there will be 16 public hearings in Idaho to gather comment on the proposed rule over the course of the next month. Gilbert provided an overview of the five management themes in the proposed rule and

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noted that the rule does not: change the status of any existing roads or trails; change grazing regulations; deal with motorized equipment and mechanical transport; deal with locatable minerals; deal with the use of wildland fires in roadless areas; alter existing rights; or alter responsibilities to tribes.

Tom Perry, Counsel to the Idaho Office of Species Conservation, provided detail on the management themes in the proposed rule. The Wildland/Recreation theme provides for stronger protection than the 2001 Rule in that it prohibits the construction of roads for saleable and leasable minerals. The Special Areas of Historic or Tribal Significance (SAHTS) theme prohibits road construction and reconstruction, allows timber cutting to a very limited degree, and prohibits mineral activity. This management theme provides a similar level of protection to the Primitive theme, and both are more restrictive than the 2001 Rule. The SAHTS acreage could potentially increase during the comment period as more tribes identify lands that should be protected.

The Backcountry/Restoration theme is intended to have the spirit and intent of the 2001 Rule yet provide the opportunity for Idaho to protect its communities and watersheds from risk of severe wildland fire. Management activities under this theme must maintain or improve roadless characteristics. Road construction and reconstruction is generally prohibited but there are seven exceptions and the activity is permitted for phosphate mining. Surface use and occupancy is allowed for leasable minerals. Forest health and timber cutting is permissible if it maintains or improves one or more of the roadless characteristics.

The General Forest Rangeland/Grassland provides a variety of goods and services, permits a broad range of recreational activities, and provides for road construction/reconstruction, timber cutting, and mineral activity. This management designation may need further examination to ensure that the boundaries are appropriate considering concerns recently voiced regarding mule deer and phosphate mining. As a clarification, the petition contained 87,000 acres fewer General Forest lands than the proposed rule due to an oversight that was corrected when reconciling acreage numbers from the State and the USFS. Lands were designated as General Forest largely based on having a similar designation in existing forest plans.

Perry explained that the clause to accommodate future change for roadless areas provides a two-tiered process. For small changes such as technical errors and errant maps there should be an opportunity for public comment in addition to the notice provision in the proposed rule. For more serious changes such as moving boundaries and changing management themes there will be a mechanism similar to a rulemaking (which includes public involvement). The Chief of the USFS will be responsible for deciding whether or not a change is significant.

To ensure community protection from wildfire, the timber cutting section of the proposed rule includes the phrase "significant risk" originally described in the field guide to the Healthy Forests Restoration Act (HFRA). The intent is to provide protection in WUIs while maintaining or improving roadless characteristics in the long term. This will provide USFS with the flexibility to be a good neighbor and prevent uncharacteristic and unwanted wildfires. The

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proposed rule should probably contain more language from the HFRA field guide regarding the analytical process the line officer would go through to consider proposed activities. The proposed rule does not contain the phrases “generally small diameter” and “generally infrequent” that were in the 2001 Rule because they are difficult for line officers to interpret. To this end, Perry clarified that the intent is to retain old growth trees to the maximum extent possible.

For mineral activities, valid and existing rights are not affected by the proposed rule. Road construction and reconstruction and surface use and occupancy are not allowed in the first three management themes (more restrictive than the 2001 Rule). Those activities are permitted in the General Forest management theme, which is less restrictive than the 2001 Rule. For the Backcountry Restoration theme, surface use and occupancy are allowed for leasable minerals; for saleable minerals, only administrative uses of sand and gravel are permitted. The exception in the Backcountry theme is that road construction, reconstruction, and surface use and occupancy are permitted for phosphate minerals. The proposed rule may need additional sideboards to clarify the extent to which phosphate mining is permissible. There are currently 9,100 acres of Known Phosphate Leasing Areas (KPLAs) under existing lease and an additional 6,400 acres of KPLAs in Backcountry and 5,700 acres in General Forest areas that are currently unleased.

Through the public comment on the proposed rule, Idaho is trying to determine the extent to which leasing would be sought for geothermal areas. If a deposit were found in Backcountry areas there would be surface use and occupancy rights to determine the claim; however, a change to the rule would be required in order to generate the geothermal power.

For implementation of the proposed rule, projects would be: screened at a local level; required to undergo full environmental analysis including public involvement; and required to be consistent with existing forest plan direction that provides sideboards on project design.

Gilbert provided an overview of the Draft Environmental Impact Statement (DEIS) for the proposed rule. The three alternatives analyzed include the 2001 Rule, existing forest plans, and the state petition presented by Governor Risch (the Idaho Roadless Rule). The DEIS focuses on roads, timber harvest, and mineral activities. Special areas (such as Wild and Scenic Rivers) will continue to be managed under existing forest plans. The tables in the DEIS indicate the estimated extent of resource use and management under the three alternatives; the data is based on averages from the last five years of activity and projections for the next five years of activity. The State and USFS do not anticipate much development occurring as a result of the proposed rule.

The State clarified that in any conflict between forest plans and the proposed rule, the proposed rule supersedes the forest plans.

Identification of Issues for Deliberation on Idaho Rule

The RACNAC identified a list of issues regarding the proposed rule for further discussion in February and March:

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- What requirements could/should be included for enforcing road decommissioning?
- Road decommissioning should be added to the timber section
- What management theme changes should be made to the proposed rule, particularly in southeast Idaho?
- Public comment and notice should be added to the change clause
- The definition of significant change and the process by which significance is determined should be clarified in the change clause section
- What are the parameters surrounding and the definition of temporary roads?
- What sideboards should be added to the phosphate mining section?
- What changes should be made to the SAHTS?
- What, if anything, should be included regarding the role and definition of the implementation committee established by Idaho Executive Order 2006-34?
- What is the definition of significant risk and what additional language should be included to clarify this section?
- What changes can be made to the section describing forest health activities to clarify the intent?
- What changes should be made regarding ski area management?
- In which cases should language be changed to clarify the intent?

The RACNAC noted that the key issues are clarifying the language in the proposed rule and straddling the line between providing for management flexibility where it is need and providing certainty of roadless values protection. The Committee agreed that Jim Riley, Todd Schulke, Ray Vaughan, Adena Cook, and Chris Wood would help to further define the above list of issues prior to the next RACNAC meeting.

Discussion of Future Activities for RACNAC

Since the RACNAC has achieved consensus agreement on advice for seven state petitions, some members of the Committee have interest in publicizing that story to promote future collaborative efforts to address roadless or other USFS-related topics. There is some interest in having the state governors who have had positive experiences with the RACNAC speak to other states to encourage the submittal of additional petitions. It was also noted that under the current charter the committee could venture beyond Roadless issues. Building on this notion, one alternative offered was building a standing FACA committee to advise the USFS on important issues. Not all Committee members are in favor of expanding the role of the Committee.

The co-chairs will talk to Chief Kimbell regarding potential value added work for the Committee. It was agreed to postpone a full discussion of potential future activities for the RACNAC until after the Committee has compiled its advice on the Idaho rule.

Update Presentation from USFS and State of Colorado

Mike King, Deputy Director for the Colorado Department of Natural Resources, provided an overview of the state process leading to development of the Colorado petition and described the Memorandum of Understanding (MOU) between the State and the USFS. The MOU provides for interim protection of roadless lands in the event that the 2001 Rule is overturned; retains coal

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areas in Inventoried Roadless Areas (IRAs) while providing for reasonable access to those areas; and provides for USFS re-evaluation of inventories so that the roadless areas are accurately mapped.

Rick Cables, Rocky Mountain Regional Forester, described the difference between the Colorado roadless inventory under the 2001 Rule and in the proposed state rulemaking. The previous inventory accounted for 4.433 million acres of IRAs in Colorado. The draft Colorado roadless petition includes 4.041 million acres of roadless land. The discrepancy is due to a combination of factors including Congressional designation of Wilderness or other special areas (142,000), removing lands from ski area permit/boundary allocations (8,000) or having the lands become roaded between the 1979 inventory and the 2001 rule (262,000). Most of the recently roaded lands are on the Grand Mesa, Uncompahgre and Gunnison National Forests (GMUG) in Western Colorado. An additional 20,000 acres have been added to the inventory based on incorrect mapping prior to the 2001 Rule.

Paul Orbuch, Assistant Director for the Colorado Department of Natural Resources, presented the anticipated timeline for Colorado's rule development. The scoping period runs from December 27, 2007 through February 25, 2008; the proposed rule and DEIS will be published on May 30, 2008; the comment period will run from June 1 through August 29, 2008; the FEIS will be published on November 30, 2008; and the final rule and Record of Decision will be published on December 30, 2008. Orbuch explained that a great deal of scoping was conducted through the task force process so no public hearings will be held prior to publication of the draft rule. The MOU on the NEPA process was signed in January, establishing Colorado as a cooperating agency. The USFS is in the midst of drafting a description of the 360 roadless areas which will be published as an appendix to the DEIS.

Orbuch reviewed the issues paper prepared by the state of Colorado in response to the RACNAC's suggestions from August 2007. Throughout the rule, the State will make clear that all management objectives should be achieved without building roads, to the extent possible. The RACNAC had raised several recommendations regarding updating the roadless inventory in the state. USFS has done a thorough update of boundaries and will soon provide that to the State; those lands will be named Colorado Roadless Areas.

Sharon Friedman, Strategic Planning Director for the Rocky Mountain Region, USFS, explained that Colorado intends to provide flexibility for roadless management to ensure community protection from wildfires and to preserve municipal watersheds. The RACNAC had requested more specific guidance on which areas would be included for wildfire protection. Colorado intends to follow the 2001 Rule in integrating existing forest plans with the rulemaking. Therefore, Colorado will use the forest plans that have already been through public comment to identify those special areas that require additional management restrictions. The emphasis will be on balancing community protection with roadless characteristics. Colorado has approximately 80 Community Wildfire Protection Plans (CWPPs) and 39 currently undergoing development. If entities change their CWPPs there will be flexibility incorporated into the Colorado roadless rule to accommodate them. Many of the CWPPs are not in roadless areas.

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Paul Orbuch emphasized the fact that Colorado would find use in the RACNAC developing guidelines that clarify the definition of temporary roads, ideally prior to the completion of the Colorado DEIS in May. In the rulemaking process, Colorado is requiring that temporary roads can only be open for their administrative use and not open to the public and must be closed at the end of the project and restored.

The State intends to clarify in the rule that all roads created for current or future grazing must follow the above-mentioned rules for temporary roads. The State will include language describing the high importance of maintaining a viable ranching industry in the preamble to the rule.

Roads can only be constructed for water conveyances and utilities where consistent with forest plans and where there are no other reasonable alternatives. Such roads will be subject to the requirements for temporary roads. Current forms of motorized and mechanized access will be allowed for the extension of current permits. There may be the ability to construct utility corridors or water conveyances in the future.

For ski area management, about 8,000 acres will be removed from Colorado Roadless Areas. There is an MOU requiring that the Colorado Department of Natural Resources and Department of Wildlife act as cooperating agencies with the USFS to analyze any activities in ski areas. Ski area managers will be part of those conversations but cannot be cooperators in the NEPA process.

The RACNAC sought and received clarity that forest health and fuels treatments are intended to provide protection from wildfires. Colorado intends to perform such treatments in compliance with HFRA but will require exceptions for certain ecosystem conditions such as large quantities of dead trees. The RACNAC suggested that the Colorado rule include language from HFRA or reference its appropriate sections to clarify when and how the regulations will be applied. The RACNAC suggested that HFRA parameters apply in all cases, even for non-HFRA projects. The Committee encouraged Colorado to provide as much clarity in the rule as possible, especially regarding the extent of USFS management discretion.

Paul Orbuch noted that Colorado has added the word “safety” to the public health section as the RACNAC had recommended in 2007. The State is still considering how to define a “potential threat” to natural resource values and requested assistance from the RACNAC on this issue. The RACNAC suggested that the “natural resources” clause might not be appropriate in the temporary roads section dealing with the loss of life and property.

Orbuch clarified that the North Fork coal areas will remain in the Colorado roadless inventory and will have specific management and restoration standards applied when roadbuilding is necessitated. The rule will ensure that NEPA is required as part of the permitting process and will attempt to minimize roadbuilding in these areas.

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The RACNAC had recommended that Colorado establish a RAC-like advisory committee to assist the State during rulemaking. The State declined to do so since the petition development process involved extensive public involvement under two governors. Colorado accepted the RACNAC's advice and executed an MOU with USFS to establish the State as a cooperating agency for the rulemaking.

The State will take the RACNAC's recommendation to study the role of roadless areas in the context of climate change; this will happen through the NEPA analysis. The RACNAC clarified that the intent behind this request was to determine which areas, particularly those at high elevations that are habitat strongholds for fish and wildlife, may or may not have the ability to respond to climate change.

Public Comment:

The following oral public comment was offered to the Committee regarding the proposed Idaho roadless rule:

- Sam Penney (Nez Perce Tribal Chairman). The Nez Perce Tribe expects the federal government to come to meet with the Nez Perce Tribe, government to government, under the federal consultation policy. The Tribe submitted comments to the Idaho Governor's office regarding roadless policy and some of the issues were addressed. Our treaty is with the federal government and not with the State of Idaho. The State has no trust responsibility to the Nez Perce Tribe; that responsibility lies with the federal government. The Tribe has treaty reserved rights that include hunting, fishing, gathering, grazing, and the right to erect temporary buildings. We request that the RACNAC make sure that the federal government comes out and consults with the Tribe to ensure that our concerns are addressed.
- Mathew Jacobson (Pew Environmental Group). I was pleased to see that the verifications provided in Governor Risch's presentation to the RACNAC in November 2006 were replicated in the RACNAC letter to the USFS and in the Federal Register. We want to ensure that those clarifications are carried through into the proposed rule; they are not currently. We have concerns about the provisions for timber cutting and building roads for phosphate mines in the Backcountry/Restoration theme, and with leaving the removal of roadless areas entirely to the discretion of the Chief of the USFS. The charts from the DEIS indicate the difference between the 2001 Rule and the proposed rule for the Backcountry theme and shows the resulting effects on terrestrial habitat, risk to aquatic species, and other effects. These changes are significant, but we think we can work together to resolve these concerns.
- Jim Furnish (Former Deputy Chief of USFS). I commend Lt. Governor Risch for taking a hard look at roadless issues in Idaho and trying to further roadless values in his state. In addition to my written comments I would like to stress that the key issue is trust. The Governor of Idaho explained his intent with the petition and the USFS has eroded some of those terms in this proposed rule. We need to provide a high bar of protection to

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roadless areas and their values but allow for meaningful exemptions as the need arises. I urge you to take caution with the exemptions and assure that the concepts in the Idaho rule are those from the petition and not those espoused in the DEIS and proposed rule.

- Jonathan Oppenheimer (Idaho Conservation League). The proposed rule is written too broadly and we have several concerns about it. The proposed rule requires that activities on roadless lands maintain only one roadless characteristic out of nine. It requires that permanent roads not “substantially alter” roadless characteristics, yet there is no definition for “substantially alter.” The impacts of the proposed rule would likely surpass what is predicted in the DEIS. There were 773 acres of timber cutting approved in 2007 in Idaho under the 2001 Rule; the DEIS predicts only 100 acres of timber cutting annually. The 2001 Rule is currently working in Idaho to accomplish many of the goals that the State and USFS are asking for in the proposed rule; this seems to be a solution in search of a problem. Lt. Governor Risch asserts that the Primitive theme provides greater protection than the 2001 Rule, which is true in relation to road building but not regarding timber cutting. The Primitive theme allows for expansion of logging with little protection. There are over 16,000 acres placed in the General Forest/Rangeland Grassland theme solely because they are in WUIs; if there are exceptions in Backcountry then we should be able to put those lands in a more protective designation. In the proposed rule, important fish and wildlife habitat is placed in the General Forest theme instead of Backcountry Restoration which would provide a minimum level of protection. A final issue is that the WUI designations in the preamble to the rule and in the DEIS do not match. We are encouraged to hear that Lt. Governor Risch hopes to engage the RACNAC in the process of revising language and the Idaho Conservation League would like to participate as well, if possible. However, we think the 2001 Rule works.
- Jerry Bullock (Safari Club, Southeast Idaho Chapter). The mule deer herd in Southeast Idaho in the Caribou Targhee National Forest has a unique genetic makeup. Those deer are recovering from hard winters, drought, elk competition, and other factors. We feel that placing this habitat in the General Forest management theme will cause roading and lead to the destruction of this herd. This habitat should be placed in the Backcountry Restoration theme. Idaho Fish and Game agrees that this land is important wildlife summer range for the mule deer.
- Jerry Randolph (interested citizen). My main concern is Johnson Creek, which is south of Yellow Pine and contains three roadless areas: Caton Lake, Horse Heaven, and Meadow Creek. Johnson Creek is the only Chinook spawning area in the region. Fish and Game has recommended that USFS pursue prescribed burning in the area to reduce fuel loads. However these lands are placed in the General Forest theme which will potentially open them to commodity extraction. I hope the RACNAC will discuss this contradiction between extraction and the need to protect the single important area for Chinook spawning. We participated in the process to gather public input on the Idaho petition and this is not how we expected it to turn out.

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- Kelley Emo (Friends of Clearwater Moscow). I am a member of a research team studying the Coeur D'Alene salamander, a sensitive species. Its habitat is primarily located in areas proposed Backcountry Restoration management. The rate of extinction of these salamanders will be accelerated if the proposed rule allows temporary roads or timber harvest. There are high extinction rates for the salamander in areas near temporary roads, and the salamander is currently experiencing population declines.
- David Carr (Southern Environmental Law Center). I worked with the governors of Virginia, North Carolina, and South Carolina on the roadless rules in those states. I am concerned that the proposed Idaho rule will undermine protection of roadless areas in the Appalachians by setting a precedent for dramatic change from the 2001 Rule. The proposed rule does not limit road building to Backcountry Restoration areas in which watersheds are at risk and there is no imminent threat or significant risk limit on road building for forest health. This proposed rule would gut the prohibitions on building new roads in roadless areas. I urge the RACNAC to be very cautious in supporting this proposed rule.
- Gary Lane (Wapiti River Guides). My livelihood, and that of the other 3600 outfitters and guides in Idaho, is dependent on the state's backcountry. I used to be a habitat biologist for USFS and I am concerned that the proposed rule allows more timber cutting and road building than the 2001 Rule. We need to have no more road building in roadless areas. Roads have far more negative impacts on the ecology than we can afford; we are losing biodiversity. Our lands are already under significant pressure and we need to encourage management activities on lands where management is already allowed, not open roadless areas to management.
- Brad Brooks (Wilderness Society). We are concerned about the stripping of regulations for roadless areas. The proposed rule allows for logging to reduce the risk of wildland fire. Opening the Idaho backcountry will not solve the problem of wildland fire, and we believe that appropriate management flexibility is already included in the 2001 Rule. Our assessment has concluded that only 1.2% of Idaho roadless lands are within a half mile of roadless areas. We need to ensure that the ambiguous language in the proposed rule is adjusted so that it does not allow for commercial logging in Backcountry Restoration management areas. We hope the RACNAC will recognize the fact that we do not need to management the way Idaho roadless areas are managed. We hope you will protect all roadless lands.
- Will Boyd (Friends of the Clearwater). I want to remind the RACNAC of the importance of having a national perspective when reviewing this proposed rule. More people commented on the 2001 Rule than on any other rulemaking process in the country's history; those comments were overwhelmingly for full roadless protection. The range of alternatives in the DEIS is too narrow. The 2001 Rule was intended as a floor for roadless area protection and this proposed rule views it as a ceiling. Another concern is that there are many acres of roadless lands in the Clearwater and Nez Perce areas

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currently in the Backcountry Restoration theme. There was a lawsuit settlement agreement that provides more protection for many of those places than the current management designation; we hope that will be noted. Also, Meadow Creek is split down the middle of the creek into two roadless areas arbitrarily and this area has greater protection under current forest plans than under the proposed rule. My final concern is that there are at least five new timber sales in preliminary stages in Clearwater and two in Nez Perce. These lands are all under the Backcountry theme and we are worried that the language allows these projects to move forward.

- Coby Tigert (Greater Yellowstone Coalition). Although my organization has concerns beyond impacts to the Caribou Targhee, my comments will be limited to that area. The Caribou Targhee is home to diverse wildlife species including mule deer, elk, and cutthroat trout. The roadless areas in this region are a unique mosaic of timber, aspen, sage, and grasslands, and are recognized for their biodiversity and as a source of clean water. Much of this habitat will be jeopardized by the proposed rulemaking due to the proposed exemption for phosphate mining which will open 12,000-13,000 acres for this purpose. This estimate does not include the additional approximately 6,000 acres that would be needed for access, voltage and transmission lines, and rail lines. Nor does this take into account the selenium infiltration adjacent to those sites and downstream. There are currently 17 EPA-designated Superfund sites at these modern phosphate mines, none of which have been cleaned up to date. We have every reason to believe that the proposed rule will result in additional Superfund sites. Selenium is a bioaccumulator and is causing sheep death and a warning to reduce trout consumption. Allowing additional selenium discharges will likely start a cascade of irreversible events. The United States contains a relatively small portion of the global phosphate reserves, so we ask you to reconsider the proposed rule to protect these areas as under the 2001 Rule.
- Joel Webster (Theodore Roosevelt Conservation Partnership). Southeast Idaho has some of the best hunting and fishing areas in the nation. A huge percentage of these lands (65% of the Caribou Targhee) are proposed for General Forest management. The intrusion of roads into an area will require a decrease in the number of hunting tags available in order to provide security for the animals. Idaho has some of the longest hunting seasons anywhere. Southeast Idaho has a much higher percentage of land proposed for the General Forest management theme than the rest of the state. We encourage the RACNAC to take a closer look at this issue. The loss of these areas could really change our quality of life.
- Scott Stouder (Trout Unlimited). I am concerned about the significant risk language in the petition, the road building associated with phosphate mining, and about mistrust surrounding temporary roads. Research shows that about 30% of roads in the national forest system were originally designed as temporary roads. There is a lot of ambiguity surrounding that term. I encourage the RACNAC to discuss temporary roads and put a timeline on them, identify where the funding will come from, and identify what the roads will consist of.

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- Rob Vandermark (Pew Environment Group). I am concerned with the confusion over the language in this proposed rule. The RACNAC has noted that there are significant misunderstandings and misinterpretations associated with the petition. The Lieutenant Governor has acknowledged that the language needs to be refined to be more aligned with his intent. This confusion is compounded by the fact that this rule creates five new land designations that do not exist in USFS regulations or handbooks or in the National Forest Management Act or in HFRA. We need to clarify the language so that line officers will know how to interpret the regulations. We will all want this language to stand the test of time, so it is of utmost importance that we clarify it.
- Paul Sanford (American Canoe Association, Outdoor Alliance). We support protection for roadless areas since they provide some of the highest quality experiences for human powered recreation. The benefit of the doubt when developing this rule should go to roadless protection.

The following oral public comment was offered to the Committee regarding Colorado roadless rule development:

- Mathew Jacobson (Pew Environmental Group). There are deep problems with the Colorado petition and many of them come down to the clarity of language. The Colorado petition was based on language that was so vague that people with widely different values and interpretations could all agree on the text. That process merely sowed the seeds for future battles. We need to provide more specificity rather than continuing to generalize and give broad discretion. I urge the RACNAC to clarify and specify where possible to ensure that we have clear text in the Colorado rulemaking.
- Clare Bastable (Colorado Mountain Club). Our national forest lands are under a lot of recreational and other pressures, particularly from the extractive industries. My organization was involved in the Colorado Roadless Area Task Force and we found that the main sentiment from our memberships and other Colorado recreationists was to continue to protect Colorado's roadless areas as they have been under the 2001 Rule. We have concerns that the exceptions in the Colorado petition will undercut the protections from the 2001 Rule, particularly regarding road building and extraction. We feel that the 2001 Rule affords the highest protections we can possibly get for roadless areas.
- Jonathan Oppenheimer (Idaho Conservation League). I would like to request that a RACNAC subcommittee specifically look at the Primitive management theme in Idaho. It would be helpful to understand the distinction between the Primitive and Backcountry Restoration management themes. Both are clear with regard to roads but not with regard to timber cutting. I would also like a RACNAC subcommittee to determine how the RACNAC and USFS might work together with the State and other stakeholders to refine the language in the proposed rule, especially in light of FACA. I think we can assist both

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Meeting Summary
Roadless Area Conservation National Advisory Committee
January 16-17, 2008
Yates Building, U.S. Forest Service, Washington, DC

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The RACNAC sincerely thanked the public for traveling to the meeting to present comments.

Written comments to the Committee were received from:

- Jim Furnish, Former Deputy Chief of USFS
- Edward Javorka, Former USFS employee and Idaho resident
- Coeur D'Alene Tribe – received and circulated to committee after meeting