

# Status of State Roadless Petitioning in the West

*Prepared by the Western Forestry Leadership Coalition*

*www.wflcweb.org/roadless/*

*04/20/07*

## **ALASKA (last updated 11/09/05)**

Contact: Sam Bishop, Associate Director, Alaska Governor's Office (D.C.)  
Phone: 202-624-5858  
Email: sbishop@alaskadc.org

Website: None

Status: Over one quarter of the state of Alaska is affected in this ruling. 14.7 million acres is contained in the two national forests of Alaska: the Chugach and the Tongass. The Roadless rule was challenged in nine separate lawsuits, and Alaska was among the plaintiffs. Alaska was subsequently able to settle its suit when the USDA agreed to initiate a process to enact a regulation that would temporarily exempt the Tongass from the application of the Roadless Rule until the completion of a rulemaking process for a permanent amendment intended to exempt both the Tongass and Chugach from its application. Alaska does not plan to participate in the state petitioning process. Instead the state will work with the existing forest plans and forest plan revision/amendment process.

Petition: Not applicable

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## **ARIZONA (last updated 04/16/07/)**

Contact: Lori Faeth Sr. Policy Advisor for Natural Resources, Agriculture and Environment, Arizona Governor's Office  
Phone: 602-542-1334  
Email: [LFaeth@az.gov](mailto:LFaeth@az.gov)

Website: [http://www.azgfd.gov/outdoor\\_recreation/roadless.shtml](http://www.azgfd.gov/outdoor_recreation/roadless.shtml)

Status: Per the 2005 Roadless Rule, Governor Napolitano worked to develop a plan to protect Arizona's roadless areas. The State did receive \$200,000 on June 28, 2006 to help with costs associated with development of the petition. Per the Governor's request, Arizona Game and Fish did a complete review of Arizona's Inventoried Roadless Areas and convened a series of open houses around the state to solicit public input. Nearly 4,000 people commented with over 95% of the input urging full protection of Arizona's IRA's. With the overturn of the 2005 Rule, there is no longer a need to submit a petition.

Petition: Not applicable.

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## **CALIFORNIA (last updated 10/27/06/)**

Contact: Todd Ferrara, Deputy Secretary for External Affairs  
California Resources Agency  
Phone: 916-653-5656  
Email: todd.ferrara@resources.ca.gov

Website: [http://resources.ca.gov/roadless\\_rule.html](http://resources.ca.gov/roadless_rule.html)

Status: Governor Schwarzenegger has filed a petition to protect the roadless areas of national forests in California. The Governor is requesting state-specific protections for national forests within the state. The Governor's petition prohibits road construction on approximately 21 percent of total the land (4.4 million acres of Inventoried Roadless Areas) in California's 18 national forests.

Petition: [http://resources.ca.gov/docs/CA\\_Roadless\\_Petition\\_Final.pdf](http://resources.ca.gov/docs/CA_Roadless_Petition_Final.pdf)

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## **COLORADO (last updated April 16, 2007)**

Contact: Mike King, Deputy Director  
Colorado Department of Natural  
Resources  
Phone: 303-866-4620  
Email: [mike.king@state.co.us](mailto:mike.king@state.co.us)

Website: <http://wildlife.state.co.us/LandWater/Roadless/>

Status: In an effort to promulgate a Colorado Rule Gov. Bill Ritter, on April 11, 2007, formally requested a state-specific rule-making process (“insurance policy”) to protect Colorado’s 4.1 million acres of forested roadless areas from development. In a four-page letter sent to the U.S. Department of Agriculture and the U.S. Forest Service, Ritter asked for several modifications to the petition former Gov. Bill Owens submitted to the federal government in November 2006.

Petition: <http://dnr.state.co.us/NR/rdonlyres/5A2A7EB4-4CDE-4ABA-A30F-37AB3594CE9A/0/RoadlessPetitionFinal1.doc>

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## **IDAHO (last updated 04/03/2007)**

Contact: Tom Perry, Legal Council to Governors Office of Species Conservation  
Phone: 208 334-2189, extension 12  
Email: [tperry@osc.idaho.gov](mailto:tperry@osc.idaho.gov)

Website: [http://gov.idaho.gov/roadless\\_petition.html](http://gov.idaho.gov/roadless_petition.html)

Status: Governor Risch submitted Idaho's petition to the US Secretary of Agriculture under the Administrative Procedures Act on October 5, 2006. On November 29 and 30, 2006, Governor Risch and his principle staff presented the petition to the Roadless Area Conservation National Advisory Committee (RACNAC). The RACNAC reviewed the petition and unanimously recommended to the US Secretary of Agriculture to engage in Federal rule making with the state. On December 22, 2006 the US Secretary of Agriculture accepted Idaho's petition and directed the forest service to begin the rule making process with the state. A final rule incorporating Governor Risch petition is projected to be complete August 22, 2008.

Petition: [http://gov.idaho.gov/roadless\\_petition/Final%20Roadless%20Petition.pdf](http://gov.idaho.gov/roadless_petition/Final%20Roadless%20Petition.pdf)

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## **MONTANA (last updated 03/27/07)**

Contact: Mike Volesky, Natural Resource Policy Advisor  
Montana Governor's Office  
Phone: 406-444-7857  
Email: [MVolesky@mt.gov](mailto:MVolesky@mt.gov)

Hal Harper, Chief Policy Advisor  
Montana Governor's Office  
Phone: 406-444-5546  
Email: [HHarper@mt.gov](mailto:HHarper@mt.gov)

Website: None

Status: To gather input from county commissioners, Governor Schweitzer traveled to visit over 20 counties that had the potential to be affected by a roadless petitioning process. The information gathered from counties and various other interested parties was to be used in crafting the state's petition. Given the ongoing legal battles and uncertainties involving the contrasting petition processes, Governor Schweitzer decided not to submit

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a petition at this time. The state remains available to work with the Forest Service within the existing forest planning process.

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## **NEVADA (last updated 2/09/06)**

Contact: Steve Robinson, Deputy Chief of Staff  
Officer of Governor Guinn  
Phone: 775-684-5670  
Email: sarobinson@gov.state.nv.us

Website: None

Status: Governor Guinn is considering a process whereby the Forest Service will confer with State Directors and the Governor's Office throughout the forest planning process. The Forest Service intends to make recommendations for the future status of most roadless areas by October 2006. Depending upon those recommendations, the Governor will determine whether it is necessary to file a petition.

Petition: Not applicable

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## **NEW MEXICO (last updated 03/28/07)**

Contact: Joanna Prukop, Cabinet Secretary  
Energy, Minerals, and Natural Resources Department  
Phone: 505-476-3227  
Email: joanna.prukop@state.nm.us

Website: <http://www.emnrd.state.nm.us/MAIN/roadless.htm>

Status: In May 31, 2006, under the 2005 State Petitions Rule that replaced the 2001 Roadless Rule, Governor Bill Richardson filed a petition for complete protection of 1.7 million acres of New Mexico wilderness. Governor Richardson included a 100,000 acre parcel known as Valle Vidal in the Carson National Forest in the petition. The Valle Vidal was added to the National Forest System after the original roadless inventories. The Valle Vidal is a lush mountain basin in the heart of the Sangre de Cristo Mountains in Northern New Mexico.

Subsequently, on December 13, 2006, the Valle Vidal Protection Act of

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2005 sponsored by New Mexico's Representative Tom Udall was signed into law by President Bush. The new law withdraws New Mexico's "Valley of Life" from mineral leasing.

In addition, on September 20, 2006, the United States District Court for the Northern District of California set aside the 2005 State Petitions Rule and reinstated the 2001 Roadless Rule. Along with California and Oregon, the New Mexico Attorney General is participating in the lawsuit against the Forest Service, which challenged the 2005 State Petitions Rule. On February 6, 2007, the Court issued its final injunction order implementing the September 20, 2006 opinion. It enjoins the Forest Service from approving or authorizing management actions in inventoried roadless areas that would be prohibited by the 2001 Roadless Rule without first remedying the legal violations in the 2005 State Petitions Rule.

Petition: <http://www.emnrd.state.nm.us/EMNRD/MAIN/documents/NMRoadlessPetition2.pdf>

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## **NORTH DAKOTA (last updated 03/27/07)**

Contact: Lance Gaebe, Policy Advisor  
North Dakota Governor's Office  
Phone: 701-328-2200  
Email: lgaebe@state.nd.us

Website: None

Status: Governor Hoeven is still considering the options under the 2005 Roadless Rule and has not yet decided whether to submit a state petition. The lawsuit brought against the Forest Service in defense of the State's section line law was settled. The decision was to set up a process whereby each county parcel under dispute is individually analyzed by the forest service. The State will give some time for this process to be implemented.

Petition: Not applicable

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## **OREGON (last updated 03/27/07)**

Contact: Kevin Birch, Oregon Department of Forestry  
Phone: 503-945-7405  
Email: kbirch@odf.state.or.us

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Website: [http://governor.oregon.gov/Gov/p2005/press\\_083005.shtml](http://governor.oregon.gov/Gov/p2005/press_083005.shtml)

Status: Status: Governor Kulongoski supports protecting Oregon's roadless areas. Oregon joined with California and New Mexico in a lawsuit against the US Forest Service; the suit argues that in issuing the 2005 Roadless Rule, the Forest Service failed to comply with the environmental analysis requirements of the National Environmental Protection Act (NEPA). The case was decided in favor of the State of Oregon. The 2001 Roadless Rule has been reinstated providing inventoried roadless area protection. The State of Oregon is taking no further action at this time.

Petition: [http://www.wflccenter.org/news\\_pdf/133\\_pdf.pdf](http://www.wflccenter.org/news_pdf/133_pdf.pdf)

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## **SOUTH DAKOTA (last updated 11/09/05)**

Contact: Bill Even, Secretary  
South Dakota Department of Agriculture  
Phone: 605-773-5425  
Email: [bill.even@state.sd.us](mailto:bill.even@state.sd.us)

Website: None

Status: As of November 3, 2005 Governor Rounds does not plan to submit a state petition or ask for cooperating agency status in the management of South Dakota's roadless areas. However, this current position is not a final decision, so things could change.

Petition: Not applicable

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## **UTAH (last updated 10/27/06)**

Contact: John Harja, Governor's Office of Public Lands Policy Coordination  
Phone: 801-537-9275  
Email: [johnharja@utah.gov](mailto:johnharja@utah.gov)

Website: <http://governor.utah.gov/publiclands/publicinformation.htm>

Status: Governor Huntsman has indicated that Utah will file a petition if an examination of the issues and concerns involving the six national forests

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in Utah requires that one be filed. Utah plans to use the newly formed Public Lands Policy Coordination Office to work with the six national forests in the state, including the four undergoing plan revisions at this time, to determine the best management structure for the unroaded areas of the state. Attention is being placed on the boundaries of the unroaded areas, current and projected use of motorized vehicles within the areas, forest health considerations, connection of the unroaded area review process with the wilderness review process as required by the 1984 Utah Wilderness Act, and establishment of an unroaded review process for the future.

Petition: <http://governor.utah.gov/publiclands/publicinformation.htm>

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## **WASHINGTON (last updated 07/25/06)**

Contact: John Mankowski, Natural Resources Policy Advisor  
Washington Governor's Office  
Phone: 360-902-0551  
Email: john.mankowski.gov.wa.gov

Website: <http://www.governor.wa.gov/roadless/>

Status: Governor Gregoire is petitioning the USDA under the Administrative Procedures Act to allow an expedited reinstatement of the roadless area protections provided by the 2001 Roadless Rule. The Washington Governor is still considering several additional responses to the 2005 rule. In February, 2006 the Governor announced that Washington State will join California, New Mexico and Oregon in a lawsuit challenging the Bush administration's repeal of the roadless rule.

Petition: [http://www.wflccenter.org/news\\_pdf/134\\_pdf.pdf](http://www.wflccenter.org/news_pdf/134_pdf.pdf)

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## **WYOMING (last updated 5/15/06)**

Contact: Temple Stevenson  
Natural Resource Policy Analyst  
Office of the Governor  
Phone: 307-777-2817  
Email: tstev1@state.wy.us

Website: <http://wyoming.gov/governor/policies/environment/2006env.forest.asp>

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**Status:** Governor Dave Freudenthal and U.S. Forest Service officials have reached an agreement protecting roadless areas from near-term oil and gas leasing in the Bridger-Teton and Shoshone national forests. Under the MOU between Wyoming and the U.S. Forest Service, there will be no new leases in the two forests' roadless areas until their forest plan revisions and leasing availability decisions are complete, which includes opportunities for public outreach and input. Wyoming could still submit a petition for management of roadless areas, but Freudenthal maintains that effective and efficient management decisions are best left within the forest planning process. The MOU relies on the current forest plan revision process to address roadless management issues.

**Petition:** Not applicable