



# FORESTS FOREVER

---

50 First St. Suite 401, San Francisco, California 94105

Phone: 415/974-3636 FAX: 415/974-3664

## FOR IMMEDIATE RELEASE

September 20, 2006

Contact:

Paul Hughes, (415) 974-4201; [paul@forestsforever.org](mailto:paul@forestsforever.org)

Marc Lecard, (415) 974-4202; [marc@forestsforever.org](mailto:marc@forestsforever.org)

## **Roadless Rule Reinstated!**

### *Federal court overturns Bush administration repeal*

**San Francisco, California** — In a stunning victory for American wilderness and wildlife, a federal judge in San Francisco has thrown out the Bush administration's repeal of the Roadless Area Conservation Rule and reinstated the Clinton-era regulation protecting 58.5 million acres of roadless federal lands.

Magistrate Judge Elizabeth LaPorte of the U.S. District Court for the Northern District of California on Sept. 19 ruled that the U.S. Forest Service had acted illegally by repealing the original roadless rule without conducting an environmental review as required by the National Environmental Policy Act (NEPA), and for failing to consult with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service, as required under the Endangered Species Act.

"The (Bush administration's) State Petitions Rule is set aside and the roadless rule, including the Tongass Amendment, is reinstated," LaPorte's opinion states

The federal agencies "are enjoined from taking any further action contrary to the roadless rule without undertaking environmental analysis consistent with this opinion."

"The court's reinstatement of the original, protective roadless rule is an exhilarating development," said Paul Hughes, executive director of Forests Forever Foundation in San Francisco. "In tossing out the Bush administration's attempt to open the national forests to logging and all kinds of development, the court is also reflecting the

— more —

***Restore • Reinhabit • Re-enchant***

opinion of the majority of Americans, who have said repeatedly, in polls and by participating in public comment on the rule in record numbers, that they want the roadless forests of this country protected.”

The original Roadless Area Conservation Rule protected 58.5 million roadless acres of national forest from roadbuilding, logging, drilling, mining, and other development.

The roadless rule was one of the most popular environmental rules ever written. More than 1.2 million Americans commented on the rule after it was first proposed in 1998, with more than 95 percent of them supporting its ban on new roadbuilding in public forests.

The 2001 Roadless Rule was formally repealed by the Bush administration in May of 2005. The new Bush rule forced state governors to petition the U.S. Department of Agriculture if they wanted to retain roadless area protections in their states. The new rule gave no assurance that the petitions would be granted, however. Many governors objected to this process as cumbersome and costly.

Gov. Arnold Schwarzenegger of California recently filed a petition under the Bush rule that would protect all 4.4 million roadless acres in the state’s national forests.

Twenty conservation groups filed a lawsuit last October, seeking to overturn the repeal. Earlier, in August 2005, the attorneys general of California and New Mexico had filed a similar lawsuit. Both suits asked the court to reinstate the original roadless rule.

The lawsuit was filed by Earthjustice on behalf of The Wilderness Society, California Wilderness Coalition, Forests Forever Foundation, Northcoast Environmental Center, Oregon Natural Resources Fund, Sitka Conservation Society, Siskiyou Regional Education Project, Biodiversity Conservation Alliance, Sierra Club, National Audubon Society, Greater Yellowstone Coalition, Center for Biological Diversity, Environmental Protection Information Center, Klamath-Siskiyou Wildlands Center, Defenders of Wildlife, Pacific Rivers Council, Idaho Conservation League, Conservation NW, and Greenpeace.

“The roadless rule is back!” Hughes said. “There is renewed hope for saving the last wild forests of this country.”

For more information on the Roadless Rule and its repeal, please visit [www.earthjustice.org/campaign/display.html?ID=4](http://www.earthjustice.org/campaign/display.html?ID=4).