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Re: Comments of the Harvard Emmett Environmental Law and Policy Clinic on behalf of Ben Goldfarb on the Proposed Rescission of the 2001 Roadless Rule (RIN 0596–AD66)

Dear Director White,

Ben Goldfarb is an independent conservation journalist and the author of *Crossings: How Road Ecology Is Shaping the Future of Our Planet*, named one of the best books of 2023 by the *New York Times* and recipient of the Rachel Carson Award for Excellence in Environmental Writing.¹ For the past decade, Goldfarb has written and reported on road ecology, the study of how transportation infrastructure, including roads on public lands, shapes our natural world. The Harvard Emmett Environmental Law and Policy Clinic submits these comments on his behalf to express strong opposition to rescission of the 2001 Roadless Rule.

Roadless Areas are a National Inheritance Worth Preserving.

From Alaska’s vast Tongass to the hemlock groves of South Carolina to the granite summits of New Hampshire’s White Mountains, our country’s national forests are an inheritance of incalculable value. America’s forests provide innumerable benefits: They furnish habitat for wildlife, including many threatened and endangered species; safeguard the water supply of farms and communities; and provide unmatched opportunities for hunters, anglers, hikers, and other recreators. The 58 million acres within inventoried roadless areas particularly preserve these many gifts and support millions of visitors each year.² These places unite all those who value the natural world, across regions, generations, beliefs, and political alignments.

¹ BEN GOLDFARB, *CROSSINGS: HOW ROAD ECOLOGY IS SHAPING THE FUTURE OF OUR PLANET* (2023).

² See, e.g., *Tongass National Forest: Epic Adventures*, U.S. FOREST SERV. (Sept. 2, 2026), <https://www.fs.usda.gov/r10/tongass/recreation/epic-adventures>.

For the last twenty-five years, inventoried roadless areas have helped the U.S. Forest Service meet its statutory mandate to “improve and protect the forest[s]” under its control.³ The Service introduced the Roadless Rule in 2001 to implement a National Forest System management approach that would allow it to consider the “whole picture” of these landscapes across the country, recognizing that a more locally-driven management plan may not adequately protect the nationally significant ecological and social values of roadless areas.⁴ The Service warned that managing inventoried roadless areas on a forest-by-forest basis could allow incremental road construction and timber harvest, gradually eroding roadless qualities nationwide while increasing the agency’s administrative, maintenance, and fiscal burdens.⁵ The Roadless Rule thus advances, among others, three essential goals of forest management: protecting wildlife, preserving clean water, and preventing wildfires.

Opening inventoried roadless areas to development risks jeopardizing our country’s natural environment without an easy means of remedying potential harms. Road construction leaves lasting scars on forest ecosystems: As the Forest Service ranger Elers Koch once put it, “Roads are such final and irretrievable facts.”⁶ When roads cause an imperiled species to disappear from an area, its kind may never return. When sediment pollutes valuable headwaters, downstream waters will long run dirty. When road-induced wildfires tear through national forests, thousand-year-old cedars and other old-growth trees can be incinerated in a near-instant. And once created, forest roads can be removed only with heavy machinery—and even then, the footprint of a decommissioned road can persist on the landscape for decades.⁷

The protections provided by the Roadless Rule are more pressing today than they were in 2001. Intensifying megafires, accelerating rates of habitat loss, and diminishing water supplies have only heightened the need for coordinated forest management across the entire national forest system and increased the value of inventoried roadless areas.⁸

Nevertheless, the Service now seeks to rescind the Roadless Rule. In the process, it overstates the rescission’s economic and wildfire-fighting benefits and ignores the substantial ecological costs of dismantling the Roadless Rule’s proven protections. Allowing roads to carve into inventoried

³ 16 U.S.C. § 475.

⁴ See Special Areas; Roadless Area Conservation, 66 Fed. Reg. 3,244, 3,252-53 (Jan. 12, 2001) [hereinafter 2001 Proposed Rule].

⁵ *Id.*

⁶ Elers Koch, *The Passing of the Lolo Trail*, 33(2) J. FORESTRY 98, 99 (1935).

⁷ See, *Guidelines for Storing and Decommissioning Roads*, U.S. DEPT. OF AGRIC. (June 2018), https://www.fs.usda.gov/t-d/pubs/pdfpubs/pdf16771804P/1677-1804P_GuideStoreDecomRoads_Sec508_07-02-18a_400dpi.pdf.

⁸ *Wildfires and Climate Change*, NASA <https://science.nasa.gov/earth/explore/wildfires-and-climate-change/> (last visited Sept. 8, 2026); Sheng Yang & Giorgos Mountrakis, *Forest Dynamics in the U.S. Indicate Disproportionate Attrition in Western Forests, Rural Areas and Public Lands*, PLOS ONE, Feb. 22, 2017, at 12.

roadless areas is a poor wager, placed with our nation's natural and cultural inheritance as collateral. As Justice William Douglas once wrote, roads point like "dagger[s] at the heart of any wilderness."⁹ Rescinding the Roadless Rule will only fragment habitats, increase pollution, and heighten wildfire risks, putting our national inheritance in jeopardy.

Roadless Areas Protect Wildlife.

Everywhere they exist, roadless areas create havens that sustain wildlife. They foster the clear, frigid water conditions that bull trout and cutthroat trout require to thrive; preserve genetic diversity and habitat connectivity for at-risk species such as wolverines and Canada lynx; and reduce the risk of intrusion from invasive species and pests, which use roads as pathways to infiltrate ecosystems. Little wonder that roadless areas act as strongholds for endangered and threatened species, serving fifty-seven percent of America's vulnerable wildlife.¹⁰ As the Service recognized when it promulgated the Roadless Rule in 2001, the presence of roads endangers the many species that rely on roadless areas to thrive.¹¹

If there exists a poster species for the harms that roads inflict upon wildlife, it is surely the grizzly bear. *Ursus arctos horribilis* has long been threatened by human encroachment, poaching, and habitat fragmentation, a set of processes largely driven by the vast spiderweb of roads that spans national forests. Grizzly bear recovery, a longstanding goal of the states that lie within the bear's range, depends on ensuring that bears have access to expansive, connected, and relatively undisturbed habitat.¹² Yet the grizzly's once-massive territory has constricted to just six percent of its former reach in the lower forty-eight states, limiting resources and yielding more frequent and dangerous encounters with humans.¹³ Roadless areas account for twenty-five percent of all land set aside for grizzly population recovery, functioning as vital "stepping stones" that allow grizzlies to move between isolated recovery zones and exchange genetic material.¹⁴ Rolling back

⁹ WILLIAM O. DOUGLAS, A WILDERNESS BILL OF RIGHTS 23 (1965).

¹⁰ Matthew S. Dietz et al., *The Importance of U.S. National Forest Roadless Areas for Vulnerable Wildlife Species*, GLOBAL ECOLOGY & CONSERVATION, Dec. 2021, at 5; see also FOREST SERV., U.S. DEP'T OF AGRIC., 2001 ROADLESS AREA CONSERVATION RULE RESCISSION: DRAFT ENVIRONMENTAL IMPACT STATEMENT VOL. 1 133 (2026) [hereinafter DEIS] (noting that the Service's own data indicate that the rescission's "potentially affected environment of inventoried roadless areas provides habitat for more than 300 threatened, endangered, and proposed species.").

¹¹ See FOREST SERV., U.S. DEP'T OF AGRIC., FOREST SERVICE ROADLESS AREA CONSERVATION, FINAL ENVIRONMENTAL IMPACT STATEMENT VOL. 1 3-142-3-144 (2000) [hereinafter FEIS].

¹² *Species Status Assessment for the Grizzly Bear (Ursus arctos horribilis) in the Lower-48 States*, U.S. FISH & WILDLIFE SERV. 7 (Oct. 28, 2024), https://www.fws.gov/sites/default/files/documents/2025-01/usfws-2024_v2.2_ssa_for_grizzly_bear_in_the_lower-48_states.pdf.

¹³ *Id.* at 5.

¹⁴ *At-Risk Wildlife in Roadless Forests*, DEFENDERS OF WILDLIFE (Aug. 21, 2026), <https://storymaps.arcgis.com/stories/ffa45d42b3d1442d8ca9d12b712b6fed>; *Grizzly Bear (Ursus arctos horribilis)*, U.S. FISH & WILDLIFE SERV., <https://www.fws.gov/species/grizzly-bear-ursus-arctos-horribilis> (last visited Sept. 8, 2026).

the Roadless Rule would open these refuges to greater human intrusion, further fragment isolated bear populations, and almost certainly lead to more grizzly deaths, ultimately inhibiting recovery.

Many other animals depend on the intact ecosystems that roadless areas protect. Amphibians, for example, are affected by even small, unpaved roads, which can limit their ability to disperse from their birth sites, leaving them vulnerable to population fragmentation and loss of genetic diversity.¹⁵ Frogs, salamanders, and toads often must cross roads on their annual migrations to historic breeding wetlands, a journey made treacherous by vehicles even in national forests—no small consideration, given that the relictual slender salamander, the Kern Canyon slender salamander, and the San Gabriel Mountains slender salamander, among other species, rely on inventoried roadless areas for substantial portions of their range.¹⁶

Migratory songbirds are likewise harmed by roads, in particular by vehicular noise, which, by masking natural sounds, forces birds to be more vigilant, diminishing their foraging opportunities and depleting their energy reserves.¹⁷ Other species suffer similar effects, as loud or artificial noises can hinder their ability to perform basic biological functions and leave them in a state of chronic stress, resulting in cascading adverse reproductive effects.¹⁸ For example, even ambient road noise can cause certain species of bat to reduce their foraging behavior.¹⁹ Unlike the danger posed by road infrastructure, noise, even in remote forest settings, permeates physical boundaries, expanding its harmful reach beyond the roadway's edge.

Aquatic species like sockeye salmon and bull trout face particular risks from roads. Road crossings, especially culverts, restrict fish movement, cutting off access to essential seasonal habitats such as cold-water refugia and fragmenting populations.²⁰ Surface erosion from road use and construction also degrades aquatic ecosystems by altering streamflows and adding sediment to waterways.²¹ As a result, aquatic life and biodiversity suffer, including federally threatened and endangered salmonids crucial to supporting ecosystem functions and recreational economies.

¹⁵ See Hugo Cayuela et al., *Transport Infrastructure Severely Impacts Amphibian Dispersal Regardless of Life Stage*, SCI. REPORTS, June 3, 2019, at 1; David Marsh, Graham Milam & Nicholas Gorham, *Forest Roads as Partial Barriers to Terrestrial Salamander Movement*, 19 CONSERVATION BIOLOGY 2004 (2005).

¹⁶ Matthew S. Dietz et al., *supra* note 10, at 8.

¹⁷ Heidi Ware et al., *A Phantom Road Experiment Reveals Traffic Noise Is an Invisible Source of Habitat Degradation*, 112 PROCS. OF THE NAT'L ACAD. OF SCI. USA 12105, 12108 (2019).

¹⁸ See Jesse R. Barber, Kevin R. Crooks & Kurt M. Fristrup, *The Costs of Chronic Noise Exposure for Terrestrial Organisms*, 25 TRENDS ECOLOGY & EVOLUTION 180, 180-81 (2010); Yael Lehnardt et al., *Effect Distances of Road Traffic Noise on Wildlife Behaviour: A Soundscape Mapping Approach Using Bird Habitat Selection*, 8 PEOPLE & NATURE 1141, 1142 (2026).

¹⁹ Domhnall Finch, Henry Schofield & Fiona Matthews, *Traffic Noise Playback Reduces the Activity and Feeding Behavior of Free-Living Bats*, ENV'T POLLUTION, Aug. 2020, at 6.

²⁰ Great Lakes Environmental Center, *National Level Assessment of Water Quality Impairments Related to Forest Roads and Their Prevention by Best Management Practices* 27 (2008).

²¹ *Id.* at 14.

The Service considered those harms when it promulgated the Roadless Rule, recognizing that road construction and timber harvesting fragment ecosystems and damage forest health.²² It further recognized that roadless areas “provide large, relatively undisturbed blocks of important habitat for [wildlife] . . . including hundreds of threatened, endangered, and sensitive species,” and that they are better at conserving “species richness” and “native biodiversity” than roaded landscapes.²³

Today, roadless spaces are even more essential havens for wildlife than they were twenty-five years ago. Rescinding the Roadless Rule would inevitably harm vulnerable species, including the more than 400 federally protected species that rely on inventoried roadless areas.²⁴ Moreover, given that many inhabitants of inventoried roadless areas—like grizzlies in the Rocky Mountains and salmon in Alaska’s Tongass National Forest—are wide-ranging and/or migratory, the rescission would drive biodiversity loss and ecological damage far beyond those areas’ boundaries.

Roadless Areas Preserve Clean Water.

At the agency’s founding, Congress charged the Service with “securing favorable conditions of water flows.”²⁵ Designating and protecting roadless areas aligns with that mandate by protecting essential headwaters from road pollution. Roads trigger landslides and cause chronic erosion that cloud nearby watersheds with sediment. As a result, rescission of the Roadless Rule puts water resources relied on by millions at risk.²⁶

Roads are well-documented drivers of landslides. In Idaho’s Nez Perce-Clearwater National Forest, for example, a series of intense winter storms in 1995 turned old logging roads into failure points when poorly packed, rootless soil intercepted runoff and ultimately collapsed.²⁷ That winter, nine hundred landslides roared down the Clearwater’s slopes, gashing hillsides and clogging streams with debris and sediment.²⁸ Over half of those slides were triggered by a road.²⁹ Indeed, most landslides in other regions can be linked to roads as well, and when road construction ends, landslides gradually decline despite ongoing periodic flooding.³⁰

²² FEIS, *supra* note 11, at 3-128-3-136.

²³ 2001 Proposed Rule, *supra* note 4, at 3,247.

²⁴ *Our Forests, Their Home: Replanting for Wildlife*,

NAT’L FOREST FOUND., <https://www.nationalforests.org/article/our-forests-their-home-replanting-for-wildlife/> (last visited Sept. 8, 2026).

²⁵ 16 U.S.C. § 475.

²⁶ *Water Facts*, U.S. FOREST SERV., <https://www.fs.usda.gov/managing-land/national-forests-grasslands/water-facts> (last visited Sept. 8, 2026).

²⁷ BEN GOLDFARB, *supra* note 1, at 126.

²⁸ *Id.*

²⁹ *Id.*

³⁰ Arianna Goodman et al., *Seventy Years of Watershed Response to Floods and Changing Forestry Practices in Western Oregon, USA*, 48 EARTH SURFACE PROCESSES & LANDFORMS 1103, 1107-10 (2022); see also Beverley C. Wemple, Fredrick J. Swanson & Julia A. Jones, *Forest Roads and Geomorphic Process Interactions, Cascade Range, Oregon*, 26 EARTH SURFACE PROCESSES & LANDFORMS 191, 202 (2000); Great Lakes Environmental Center, *supra* note 20, at 48.

Even in the absence of such catastrophic failures, roads impair water resources. Rainfall and snowmelt sweep sediment from erosive roads into adjacent creeks and rivers, posing a severe threat to water quality.³¹ In fact, most of the total sediment production from forestry operations comes from road construction and use rather than timber harvesting itself.³² Moreover, as the rescission’s associated Draft Environmental Impact Statement recognizes, inadequate road maintenance can further degrade water quality—a serious concern given the Service’s acknowledged funding shortfall for road maintenance.³³

Road-caused water pollution has serious costs. Protections for inventoried roadless areas safeguard watersheds that supply drinking water to approximately 25 million Americans, including communities far downstream.³⁴ Diminished water quality can force treatment plants to spend billions of dollars to remove sediment and associated contaminants.³⁵ Even worse, road-driven changes in waterflow intensity can reduce the availability of useable water to municipalities that require consistent flows.³⁶ As declining snowpack heightens stress on water supplies in regions such as the Southwest, Rocky Mountains, and California, wisely stewarding our country’s headwater streams and wetlands only becomes more vital.

Back in 2001, the Service recognized that limiting road construction in inventoried roadless areas would prevent landslides, reduce erosion, and safeguard drinking-water supplies for millions of Americans.³⁷ Rescinding the Rule and thereby allowing for the construction of more roads would only increase pollution, undermine community water security, and contravene the Service’s longstanding charge to preserve flows.

Roadless Areas Prevent Wildfires.

The Service asserts in the Proposed Rescission that removing road restrictions “would provide increased opportunities for wildfire risk mitigation, especially within higher risk fireheds.”³⁸ In

³¹ Robert K. Al-Chokhachy et al., *Linkages Between Unpaved Forest Roads and Streambed Sediment: Why Context Matters in Directing Restoration*, 24 RESTORATION ECOLOGY 589, 593 (2016).

³² Great Lakes Environmental Center, *supra* note 20, at 9.

³³ DEIS, *supra* note 10, at 108.

³⁴ Julian D. Olden et al., *Assessing the Value of the U.S. Roadless Rule for People and Nature*, PLOS WATER, July 15, 2026, at 11; *see also* 2001 Proposed Rule, *supra* note 4, at 3,246 (recognizing that millions of people rely on drinking water from roadless areas).

³⁵ Dominick A. DellaSala, James R. Karr & David M. Olson, *Roadless Areas and Clean Water*, 66 J. SOIL & WATER CONSERVATION 78A, 79A (2011).

³⁶ *Id.* at 81A.

³⁷ 2001 Proposed Rule, *supra* note 4, at 3,245-47.

³⁸ DEIS, *supra* note 10, at 101; *see also* Special Areas; Roadless Area Conservation, 91 Fed. Reg. 53,827, 53,829 (2026) [hereinafter Proposed Rescission] (“[r]escinding the 2001 Roadless Rule would increase opportunities for hazardous fuel treatments in the wildland-urban interface . . . and, where justified, would allow strategically placed roads that can improve suppression effectiveness near communities and critical infrastructure.”).

fact, the opposite is true. Roads have limited utility in suppressing wildfires, and, if anything, make them more likely to ignite.

The Service has recognized time and time again that roads increase the chance of wildfires,³⁹ and in the decades since the Rule's adoption, the relationship between roads and such fires has only become clearer.⁴⁰ For instance, in 2016 a car driving on an "unimproved, rough dirt road" through Sequoia National Forest struck a tree.⁴¹ Its hot muffler and catalytic converter ignited the surrounding dead grass, sparking the Cedar Fire, which burned nearly 29,332 acres of national forestland and destroyed at least six residences.⁴² Most wildfires are human-caused,⁴³ and many are directly tied to vehicular ignitions such as dragging metal, worn brakes, and off-pressure tires.⁴⁴ More commonly, roads invite humans into forested areas, and people, intentionally or accidentally, start fires, through untended campfires, firearms, or other ignition sources.

A recent study evaluating the density of wildfire ignitions within national forests has shown that fires are *most* likely to ignite on lands within fifty meters of roads, and *least* likely to ignite in wilderness and inventoried roadless areas.⁴⁵ Other studies confirm that the closer plants grow to roads, the more likely they are to burn.⁴⁶ Areas approximately 2000 meters from roads have ignition rates that are three times lower than those within 250 meters.⁴⁷ Moreover, particularly flammable vegetation often colonizes the disturbed edges around forest roads,⁴⁸ so even natural lightning fires become more frequent with road density.⁴⁹

Furthermore, although the Service now asserts otherwise, fire suppression has long been achievable in roadless areas. For one, the Rule allows the construction of roads when necessary to protect public health and safety in the event of a fire, flood, or other catastrophic event.⁵⁰ When

³⁹ 2001 Proposed Rule, *supra* note 4, at 3,253.

⁴⁰ Gregory Aplet, Phil Hartger & Matthew Dietz, *Three-Decade Record of Contiguous-U.S. National Forest Wildfires Indicates Increased Density of Ignitions Near Roads*, FIRE ECOLOGY, Jan. 29, 2026, at 6.

⁴¹ *Suspect Sentenced for Starting Cedar Fire in Sequoia National Forest*, U.S. ATT'Y'S OFF., E.D. CAL., (Sept. 29, 2016), <https://www.justice.gov/usao-edca/pr/suspect-sentenced-starting-cedar-fire-sequoia-national-forest>.

⁴² *Id.*

⁴³ *Wildland Fire Summary and Statistics Annual Report*, NAT'L INTERAGENCY COORDINATION CTR. 15 (2025), https://www.nifc.gov/sites/default/files/NICC/2-Predictive%20Services/Intelligence/Annual%20Reports/2025/annual_report_2025_0.pdf.

⁴⁴ Kathy Cline, *Preventing Vehicle-Caused Wildfire is Everyone's Responsibility*, ARIZ. DEP'T OF TRANSP. (May 21, 2020), <https://azdot.gov/adot-blog/preventing-vehicle-caused-wildfires-everyones-responsibility>; *Vehicles Can Cause Wildfires; Make Sure Yours Doesn't in Hot, Windy, Dry Conditions*, OR. DEP'T OF TRANSP. (Sept. 8, 2022), <https://content.govdelivery.com/accounts/ORDOT/bulletins/32be0a1>.

⁴⁵ Gregory Aplet, Phil Hartger & Matthew Dietz., *supra* note 40, at 4.

⁴⁶ See, e.g., Alexandra A. Syphard & Jon E. Keeley, *Location, Timing, and Extent of Wildfire Vary by Cause of Ignition*, 24 INT'L J. WILDLAND FIRE 37, 42 (2015); Gregory Aplet, Phil Hartger & Matthew Dietz., *supra* note 40, at 6.

⁴⁷ Gregory Aplet, Phil Hartger & Matthew Dietz., *supra* note 40, at 4.

⁴⁸ *Id.* at 6.

⁴⁹ *Id.* at 4.

⁵⁰ 2001 Proposed Rule, *supra* note 4, at 3,272.

the Roadless Rule was adopted, the Service reported that firefighters were extraordinarily successful at stopping fires within roadless areas before they spread, suppressing ninety-eight percent of wildland fire starts.⁵¹ That reality remains true today, as the Forest Service itself has acknowledged.⁵² Bill Avey, who spent four decades managing national forests in Montana in capacities such as District Ranger and Supervisor, recently observed that the Roadless Rule did not prevent him from cutting firebreaks, thinning forests to reduce fuels, or taking other management actions, and argued on behalf of the Rule’s retention. As Avey put it: “[T]rust the people who actually know these lands.”⁵³

Ongoing cuts to the Service’s workforce will further undermine efforts to stop megafires and to meet the other firefighting goals that the Proposed Rule purports to serve. In 2025, thousands of Service employees were laid off,⁵⁴ including 700 “red-card-carrying” staffers trained to provide logistical support for firefighting crews and assist with controlled fires.⁵⁵ Then, in March 2026, U.S. Department of Agriculture (USDA) announced a “sweeping restructuring” that will shutter nearly sixty of its seventy-seven research stations, including crucial wildfire and forest management research facilities.⁵⁶ Further, the USDA’s proposed budget for 2027 represents a nineteen percent decrease from the 2026 enacted level.⁵⁷ Rescinding the Roadless Rule, in other words, will exacerbate wildfire risk at the very moment the Service is diminishing its capacity to respond to blazes.

These notable reductions in workforce and budget also belie the Service’s claim that the Proposed Rescission would facilitate effective forest management—including wildfire response plans—at the local level.⁵⁸ The rescission would shift primary responsibility for managing inventoried roadless areas to the forest-unit-specific planning process required by the National Forest

⁵¹ *Id.* at 3,253.

⁵² DEIS, *supra* note 10, at 96 (citing Sean P. Healey, *Long-Term Forest Health Implications of Roadlessness*, 15 ENV’T RSRCH. LETTERS 104023, at 4 (2020)).

⁵³ Bill Avey, *The Roadless Rule Doesn’t Stop Firefighting — Here’s Proof from the Field*, MSU EXPONENT (Apr. 2, 2026), <https://www.msuexponent.com/the-roadless-rule-doesnt-stop-firefighting-heres-proof-from-the-field-bill-avey/>.

⁵⁴ Melanie Antonitis, *Forest Service Provides Statement on DOGE Workforce Cut*, WSPD LOCAL 6 (Mar. 3, 2025), https://www.wpsdlocal6.com/news/forest-services-provides-statement-on-doge-workforce-cuts/article_f466cda4-f884-11ef-8e05-d3857b637868.html.

⁵⁵ Mark Olade, *Trump Said Cuts Wouldn’t Affect Public Safety. Then He Fired Hundreds of Workers who Help Fight Wildfires*, PROPUBLICA (Apr. 7, 2025), <https://www.propublica.org/article/trump-doge-cuts-forest-service-firefighting>.

⁵⁶ Press Release: *USDA Prioritizing Common Sense Forest Management, Moves Forest Service Headquarters to Salt Lake City*, U.S. DEPT. OF AGRIC. (Mar. 31, 2026), <https://www.usda.gov/about-usda/news/press-releases/2026/03/31/usda-prioritizing-common-sense-forest-management-moves-forest-service-headquarters-salt-lake-city>; see Eric Niiler, *Forest Service Will Close Research Stations that Study Wildfire Risk*, THE NEW YORK TIMES (Apr. 3, 2026), <https://www.nytimes.com/2026/04/03/climate/forest-service-research-stations.html>.

⁵⁷ OFFICE OF MGMT. & BUDGET, BUDGET OF THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2027 3 (2026), https://www.whitehouse.gov/wp-content/uploads/2026/04/budget_fy2027.pdf.

⁵⁸ DEIS, *supra* note 10, at 10; see also Proposed Rescission, *supra* note 38, at 53,828.

Management Act of 1976 (NFMA) and related regulations.⁵⁹ NFMA only requires plan revisions once every fifteen years,⁶⁰ and these updates have historically fallen behind schedule because of staffing and budget constraints.⁶¹ Given recent cuts, the Service plainly lacks the personnel and funding to implement bespoke adaptive NFMA plans and realize any increased responsiveness provided by local management.

Rescinding the Roadless Rule would not strengthen wildfire response as the Service contends. It would inject new ignition sources into previously protected areas, increase fire risk, and strip away landscape-scale fire management techniques that prevent megafires and conserve scarce firefighting resources.

Roadless areas do not hinder economic prosperity—they enhance it.

Roads damage the natural world—harming wildlife, impairing water resources, and sparking megafires—while demanding costly, ongoing maintenance. The Service, which is responsible for a 370,000-mile system that is the single largest road network on Earth, is already struggling to maintain the existing infrastructure under its purview, facing a maintenance backlog of over \$8.6 billion.⁶²

Despite these high maintenance costs and capacity constraints, the Service still casts the Proposed Rule as a potential economic boon. But deregulation would produce, at most, marginal and short-term gains from logging in roadless areas. When the Service first implemented the Roadless Rule, it found that “minor” economic effects on the national timber industry failed to justify the significant costs of removing roadless-area protections.⁶³ The dynamics of that tradeoff remain the same today. The Proposed Rule concedes that even full logging of all potentially harvestable areas—a scenario it deems unlikely “due to budgets, unforeseen limits on operability, and market conditions”—would generate only modest returns.⁶⁴ An example from Alaska illustrates this point: after spending over \$4.5 million to build logging roads through the Tongass’s old-growth forests, the Service received “no bids on [its] money-losing sale” after trying to sell the newly-accessible timber twice.⁶⁵

⁵⁹ National Forest Management Act of 1976, 16 U.S.C. §§ 1600–1614; *see also* DEIS, *supra* note 10, at 11.

⁶⁰ 16 U.S.C. § 1604(f)(5)(A).

⁶¹ Kristen Hite, *National Forest System Planning: Legal Considerations*, CONG. RSCH. SERV. IF12004 (Dec. 20, 2021), <https://www.congress.gov/crs-product/IF12004>.

⁶² *Maintaining Infrastructure*, U.S. FOREST SERV. <https://www.fs.usda.gov/science-technology/infrastructure/maintaining> (last visited Sept. 8, 2026).

⁶³ 2001 Proposed Rule, *supra* note 4, at 3,261.

⁶⁴ Proposed Rescission, *supra* note 38, at 53,829.

⁶⁵ Buck Lindekugel, *Taxpayer Dollars Wasted Trying to Sell Tongass Old Growth – The North Kuiu Timber Sale*, SOUTHEAST ALASKA CONSERVATION COUNCIL (June 13, 2018), <https://seacc.org/taxpayer-dollars-wasted-trying-to-sell-tongass-old-growth-the-north-kuiu-timber-sale/>.

By contrast, the contribution of roadless areas to recreational economies is immense. Roadless areas support disproportionately high-quality opportunities for hunting, angling, hiking, climbing, kayaking, skiing, and other outdoor experiences.⁶⁶ A 2017 analysis estimated the value of recreation within inventoried roadless areas at \$500 million annually, a figure that has surely grown in the years since.⁶⁷ And no economic analysis can properly judge the worth of harvesting an elk, catching a brook trout, climbing a snow-dusted mountain, paddling a pristine river, or otherwise communing with the natural world in a setting unsullied by visible human infrastructure.

In sum, the Service should not trade certain enduring damage to our nation's forests for the speculative and unlikely benefits heralded in the Proposed Rescission. The Roadless Rule needs to be preserved. Our national outdoor heritage, imperiled wildlife, and vital water resources deserve the essential protections that the Rule has provided for the last quarter-century.

Respectfully submitted,

Ben Goldfarb

⁶⁶ Julian D. Olden et al., *supra* note 34, at 12.

⁶⁷ Evan Hjerpe & Gwendolyn A. Aldrich, *Economic Values and Contributions of Roadless Areas*, CONSERVATION ECONS. INST. 6 (2018), https://www.researchgate.net/publication/336444790_Economic_Values_and_Contributions_of_Roadless_Areas.