
THE WILDERNESS SOCIETY

2001-2006 ROADLESS AREA CONSERVATION POLICY CHRONOLOGY (as of December 15, 2006)

2001

- January 5 President Clinton announces and USDA Secretary Glickman signs the final roadless policy.
- January 8 Boise Cascade et al. files suit in Idaho U.S. district court. Case is assigned to Judge Edward Lodge.
- January 9 State of Idaho files suit in Idaho U.S. district court. Case assigned to Judge Lodge.
- January 12 Roadless Area Conservation Rule published in Federal Register.**
- January 20 President Bush takes office. White House directive postpones effective date of all federal rules not yet in effect.
- January 31 State of Alaska files suit in Alaska U.S. district court.
- February 5 USDA Secretary Veneman postpones effective date of Roadless Rule until May 12, citing White House directive.
- March 15 Senators Patrick Leahy and Maria Cantwell write to Attorney General John Ashcroft urging vigorous defense of Roadless Rule litigation.
- March 21 The Bush Administration's files court brief that makes no effort to defend the Roadless Rule and suggests the court enjoin the roadless rule after May 12.
- March 30 At Idaho court hearing, the Bush Administration does not defend the Roadless Rule and asks the court to wait for the Administration to complete its review and file a status report by May 4.
- April 5 Judge Lodge issues an opinion in which he defers a decision on the PI requests until May 4, but agrees with Idaho plaintiffs that the Roadless Rule violated was adopted illegally.
- April 20 State of Utah files lawsuit in Utah U.S. district court.
- April 20 Timber industry coalition, led by American Forest and Paper Association, files lawsuit in District of Columbia U.S. district court.

May 3 States of Montana and Wyoming file friend of the court briefs in support of the State of Idaho's lawsuit.

May 4 Bush Administration files status report with Judge Lodge saying that it will implement the Roadless Rule, but will propose amendments to the rule that address the concerns of Judge Lodge and the plaintiffs.

May 8 Four counties in North Dakota file lawsuit challenging Roadless Rule.

May 10 Judge Lodge issues preliminary injunction blocking implementation of Roadless Rule; environmental intervenors appeal to Ninth Circuit Court of Appeals.

May 12 Roadless Area Conservation Rule scheduled to go into effect.

May 19 State of Wyoming files lawsuit challenging Roadless Rule.

May 31 Environmental intervenors appeal Lodge decision to Ninth Circuit.

June 6 Montana attorney general files amicus brief with Ninth Circuit in support of Roadless Rule.

June 7 Forest Service interim directive requires approval by Chief of all road building and logging projects in roadless areas until forest plans are amended.

July 10 Bush administration issues Advance Notice of Proposed Rulemaking (ANPR) with 60-day public comment period on 10 questions regarding protection of roadless areas.

September 10 End of public comment period on ANPR. More than 800,000 comments submitted.

September 10 State of North Dakota files lawsuit challenging Roadless Rule.

October 1 Judge Jackson grants federal government's motion to stay indefinitely the two Roadless Rule lawsuits filed in the District of Columbia

October 15 Ninth Circuit holds hearing on expedited appeals of Judge Lodge's preliminary injunction.

December 20 Forest Service issues interim directive on roadless area management, removing protection for contiguous unroaded areas.

2002

April 12 Representatives Jay Inslee (D-WA) and Sherwood Boehlert (R-NY) announce their intention to introduce legislation codifying the Roadless Rule.

May 10 26 Senators send a letter to President Bush asking him to uphold the Roadless Rule.

May 17 Bush administration recommends no wilderness protection for roadless areas in Tongass National Forest.

June 5 Inslee-Boehlert roadless area conservation bill introduced in House, with more than 170 original cosponsors.

July 25 Cantwell-Warner roadless area conservation bill introduced in Senate.

August 12 Bush administration files a legal brief in North Dakota cases strongly defending the legality of the Roadless Rule.

December 3 Forest Roads Working Group convenes multi-stakeholder dialogue on potential changes to Roadless Rule.

December 12 Ninth Circuit Court of Appeals, in 2-1 decision, reverses Judge Lodge's decision.

2003

March 26 Forest Roads Working Group recommends that the Forest Service implement the Roadless Rule and discontinue efforts to amend Rule.

April 4 Ninth Circuit denies Boise Cascade and State of Idaho petition for re-hearing.

June 5 Roadless Area Conservation Act reintroduced in House and Senate.

June 12 Bush Administration announces that it will propose changes to Roadless Rule to exempt Tongass and Chugach National Forests and grant waivers upon request of individual State governors.

July 14 Wyoming U.S. District Court Judge Clarence Brimmer decides that Roadless Rule violated NEPA and Wilderness Act and issues injunction. Intervenors appeal to 10th Circuit Court of Appeals.

July 15 Forest Service publishes proposed temporary rule exempting Tongass from Roadless Rule and an advance notice of proposed rulemaking to permanently exempt both the Tongass and Chugach.

September 12 Justice Department declines to appeal Brimmer decision.

November 12 Justice Department files amicus brief urging 10th Circuit Court of Appeals to deny intervenors' appeal of Brimmer decision.

November 12 Forest Service proposes logging 12,000 acres of inventoried roadless areas in Siskiyou National Forest.

December 23 Forest Service exempts Tongass National Forest from Roadless Rule.

2004

- January 14 22 Senators send letter to President Bush asking him not to change the Roadless Rule.
- June 16 House of Representatives votes 222-205 to end taxpayer subsidized road-building in the Tongass National Forest.
- July 6 Forest Service decides to approve the Three Mile Timber Sale in Tongass National Forest, with 621 acres of logging and 7.78 miles of new roads, mostly in inventoried roadless areas.
- July 8 Forest Service decides to log 8,173 acres of inventoried roadless areas in Siskiyou National Forest, despite objections from Oregon Governor Ted Kulongoski.
- July 12 USDA Secretary Veneman officially announces that Administration will propose replacing the Roadless Rule with a voluntary Governor petition process.
- July 16 Draft rule on replacing Roadless Rule published in Federal Register.
- August 19 California federal district court enforces Roadless Rule as basis for enjoining timber sale in Duncan Canyon Roadless Area.
- November 12 New Mexico Governor Bill Richardson and 8 other governors send a comment letter opposing the Administration's draft rule and supporting the Roadless Rule.
- November 15 Comment period on draft rule ends. More than 1.7 million comments oppose the Administration's proposal and support retaining the Roadless Rule.

2005

- January 24 The State of California asks the Forest Service to continue protecting roadless areas in the state.
- April 1 Oregon Governor Kulongoski asks the Forest Service to defer logging of roadless areas in the Siskiyou National Forest. The Forest Service agrees to wait until 21 days after the Administration's new roadless policy is adopted and goes into effect.
- May 4 Oral arguments held before the Tenth Circuit Court of Appeals on the Wyoming district court decision enjoining the Roadless Rule.
- May 13 Bush Administration issues final regulation repealing the Roadless Rule and replacing it with a state petition process.** Interim directive requiring Chief-level approval of roadless area projects is renewed.

July 11 Tenth Circuit Court of Appeals dismisses appeal of the Wyoming district court decision and vacates the decision, on grounds that the case has been made moot by the May 13 repeal of the Roadless Rule.

July 28 Congressmen Inslee and Boehlert reintroduce Roadless Area Conservation Act in House with 148 co-sponsors.

August 5 Ninth Circuit Court of Appeals invalidates the Tongass National Forest management plan and remands the case to the district court to determine appropriate relief.

August 28 States of California, Oregon, and New Mexico file a lawsuit challenging the Bush Administration's repeal of the Roadless Rule. The case is assigned to Magistrate Judge Elizabeth Laporte in Northern California federal district court.

October 5 Earthjustice files suit on behalf of The Wilderness Society and 19 other conservation groups, raising issues similar to the states' case. The case is also assigned to Laporte.

October 14 Oregon Governor Kulongoski petitions Bush Administration to allow states to adopt 2001 Roadless Rule. The petition is denied on October 27. Washington Governor Gregoire files a similar petition on November 2, which is also denied.

December 14 Roadless Area Conservation National Advisory Committee (RACNAC) holds its first meeting.

December 22 Virginia Governor Warner submits first state roadless petition, requesting protection for all of the state's 380,000 acres of roadless areas.

2006

January 16 Forest Service extends interim policy requiring Chief's approval of logging and roadbuilding projects in most roadless areas.

February 9 Washington Governor Gregoire announces that Washington will be joining the California, Oregon, and New Mexico lawsuit.

February 24 Montana and Maine file an amicus brief supporting the states' lawsuit challenging the repeal of the Roadless Rule.

March 2 Senator Cantwell reintroduces Roadless Area Conservation Act in the Senate with 11 cosponsors.

April 5 Nez Perce Tribe petitions for withdrawal of 2005 Roadless Repeal.

May 9 RACNAC reviews and endorses petitions from Virginia, North Carolina, and South Carolina.

May 31	New Mexico Governor Richardson submits the first western state petition, requesting protection for all of the state's inventoried roadless areas, plus the newly acquired Valle Vidal.
June 9	Forest Service auctions Mike's Gulch Timber Sale in South Kalmiopsis Roadless Area. Oregon Governor Kulongoski announces he will go to court to stop the sale.
June 21	Bush Administration accepts the Virginia, North Carolina, and South Carolina roadless area petitions, leading to state-specific rulemaking process.
July 12	California Governor Schwarzenegger petitions to protect all 4.4 million acres of the state's inventoried roadless areas.
August 1	Court hearing held in roadless cases before Judge Laporte.
August 4	Forest Service auctions Blackberry Timber Sale in North Kalmiopsis Roadless Area
August 7	Logging begins in Mike's Gulch Timber Sale – the first time a roadless area has been logged since the Roadless Rule was adopted in 2001.
August 11	State of North Dakota settles its lawsuit challenging the Roadless Rule.
September 20	Judge Laporte rules that the Administration illegally repealed the Roadless Rule, sets aside the State Petitions Rule, and reinstates the Roadless Rule nationwide except in the Tongass National Forest.
September 20	Idaho submits petition allowing road building and logging in most the state's 9.3 million acres of roadless areas.
September 21	Timber industry appeals Laporte to 9 th Circuit.
September 22	State of Wyoming asks Judge Brimmer for immediate reinstatement of his 2003 decision enjoining the Roadless Rule.
September 22	Forest Service Chief issues national directive to stop roadless area activities unless consistent with the Roadless Rule (except in Tongass).
September 29	Judge Singleton issues decision on relief in Tongass case (following 9 th Circuit reversal on August 5, 2005), enjoining eight timber sales in roadless areas until Forest Service revises Tongass forest plan.
October 4	Judge Laporte denies State of Oregon's request to enjoin nearly-completed Mike's Gulch and Blackberry timber sales.
October 4	Bush Administration re-charter RACNAC to review state petitions submitted under Administrative Procedures Act.
October 18-19	RACNAC meets and decides to continue reviewing petitions.

November 13 Colorado outgoing Governor Owens submits petition based on state task force recommendations.

November 29 Judge Laporte issues injunction barring road construction in connection with more than 300 oil and gas leases sold since January 2001.

November 29 Idaho outgoing Governor Risch tells RACNAC that his petition is intended to protect all but 500,000 acres of Idaho's IRAs consistent with the Roadless Rule.