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## **Supreme Court Upholds Roadless Rule**

*The U.S. Supreme Court rejected an appeal to challenge the legality of the national Roadless Area Conservation Rule*

Washington D.C. - Yesterday, the U.S. Supreme Court declined to hear an appeal that challenged the legality of the national Roadless Area Conservation Rule. This action, by the highest court in the land, effectively ends a legal battle that began in 2001, and upholds the national Roadless Area Conservation Rule.

"This decision marks the end of a decade-long legal fight over the fate of more than 50 million of acres of Roadless areas across the country," said Tom Uniack, Conservation Director for Washington Wild. "For Washington, this means the permanent protection for our 2 million-plus acres of roadless National Forests, which provide clean water, essential habitat for fish and wildlife, and scenic areas for recreation."

After both the 9th and 10th Circuit Court of Appeals upheld the Roadless Rule in separate decisions, the State of Wyoming and the Colorado Mining Association appealed the 10th Circuit's decision to the U.S. Supreme Court, in a last chance legal effort to strike down the protections.

In 2004, and again in 2006, Washington Wild led the charge in Washington State to oppose efforts by the Bush Administration, which proposed to weaken the national Roadless Area Conservation Rule.

While this ruling essentially establishes the Roadless Rule as the "law of the land", there are still threats facing our national roadless areas. For example, The Wilderness and Roadless Area Release Act (H.R. 1581 and S. 1087), sponsored by Representative McCarthy, would legislatively repeal roadless protections nationwide, including the two million acres of roadless areas found in Washington State. This legislation is currently in committee in both the House and Senate.

### **Background:**

On Oct. 21, 2011, the 10th Circuit Court of Appeals upheld the Roadless Rule in a unanimous ruling, which followed a similar decision by the 9th Circuit Court in 2009. These decisions effectively cleared all legal questions and upheld the 2001 Roadless Rule as the "law of the land" for the first time in a decade. The U.S. Supreme Court's decision not to hear the appeal yesterday guarantees the continued use of the rule to protect our national Roadless areas.

The Roadless Area Conservation Rule is a popular and balanced policy that protects nearly 60 million acres of undeveloped national forests from road-building and other industrial activity. It was issued by the Clinton Administration in early 2001 after the most extensive public involvement process in the history of federal rulemaking, and enjoys the support of hundreds of local elected officials, conservation and recreation groups, religious leaders, and local businesses throughout Washington State. With more than one-half of America's national forests already open to logging, mining, and drilling, the rule was intended to preserve at least a third of undeveloped forests as a home for fish and wildlife, a haven for recreation, and a heritage for future generations.

Roadless areas are important because:

- Sixty million Americans rely on clean and safe drinking water from National Forests. Roadless areas provide the purest source of that water due to their pristine and road-free condition. In the Northwest Forest Service Region, which includes Washington and Oregon, drinking water on National Forest land is worth approximately \$941 million annually, which is more than any other region or state in the country except California.
- Outdoor recreation has become more and more popular over time as Americans participate in everything from hiking and camping, to hunting and fishing in Roadless areas. Approximately 2.5 million Washington residents took part in hunting, fishing, and wildlife-watching in 2001, contributing \$2.4 billion to the state economy.
- A majority of the unspoiled habitat for hundreds of threatened, endangered, and declining species is found in Roadless areas. In Washington, 25 at-risk species, including bald eagles, steelhead and bull trout, and Chinook salmon are found in National Forests and could be harmed by the building of new roads and the ensuing destruction of Roadless areas.
- Roadless protections also make good economic sense by saving taxpayers the cost of adding subsidized logging roads to the existing network of nearly 400,000 miles of national forest roads, which have an unfunded maintenance backlog of nearly \$10 billion.