



September 19, 2025

Re: Special Areas; Roadless Area Conservation; National Forest System Lands

90 Federal Register 42179 (August 29, 2025)

Agency/Docket Number: USFS-2025-16581

Dear Secretary Rollins:

Taxpayers for Common Sense (TCS) appreciates the opportunity to comment on the Notice of Intent to prepare an environmental impact statement published in the *Federal Register* on August 29, 2025, regarding the “Special Areas; Roadless Area Conservation; National Forest System Lands.”

TCS is a national, nonpartisan budget watchdog that has worked on behalf of taxpayers since 1995. We focus on ensuring taxpayers receive a fair return on resources extracted or developed on federal lands and waters—including oil, gas, coal, hardrock minerals, wind, solar, and timber. Revenues from resource development are an important source of federal income and must be collected, managed, and reported in a fair and accurate manner.

Repealing the 2001 Roadless Area Conservation Rule (Roadless Rule) would expose taxpayers to billions in new liabilities from subsidized roads and money-losing timber sales. The Forest Service has already cost taxpayers dearly through underpriced timber sales and wasteful road construction. Rescinding the rule would abandon the agency’s responsibility as steward of our National Forests and worsen fiscal accountability.

NOI’s Justifications for Repeal

The Notice of Intent (NOI) offers three main arguments for rescinding the Roadless Rule:

1. **Wildfire and safety** – that the rule limits the agency’s ability to respond to wildfire threats, suppress fires, and protect communities.
2. **Local flexibility** – that a “one-size-fits-all” national rule prevents local managers from tailoring decisions to on-the-ground conditions.
3. **Efficiency and deregulation** – that repeal would reduce regulatory burdens, streamline decision-making, and remove unnecessary oversight.

Each claim is incorrect. The Roadless Rule already provides clear exceptions for wildfire and safety. Shifting authority to local officials would drive up subsidies and costs by expanding money-losing timber sales and roadbuilding. And rather than streamlining management, repeal would invite duplication by forcing national forests to redo analyses already resolved through the national rule.

Background

The U.S. Forest Service (USFS), within the Department of Agriculture, manages 193 million acres of public forests and grasslands collectively known as the National Forest System.¹ The 2001 Roadless Area Conservation Rule prohibits road construction, road reconstruction, and timber harvesting in inventoried roadless areas, covering approximately 44.7 million acres of National Forest System lands.² This area includes 60 percent of Forest Service acreage in Utah, 58 percent in Montana, and 92 percent of Alaska's Tongass National Forest.³

Many of the inventoried roadless areas are undeveloped, lacking roads and large-scale logging. The Roadless Rule was issued in part to protect these areas from the high costs and negative impacts of new roads and timber harvesting, including the financial burden of maintaining an extensive forest road system.⁴ If these areas were to be developed, the costs associated with administering timber sales, subsidizing road construction, and maintaining existing roads would greatly outweigh the revenues generated by timber sales, costing federal taxpayers potentially billions of dollars.

The Roadless Rule Already Allows Wildfire and Safety Exceptions

The NOI argues that rescission is necessary to protect communities from wildfire. But the Roadless Rule already provides flexibility to do exactly that. Exemptions allow road construction to protect public health and safety in cases of imminent fire and to prevent irreparable resource damage, among other activities in the public interest. The rule also allows cutting and removing small-diameter timber to restore ecosystem structure, reduce the likelihood of uncharacteristic wildfire, or improve habitat.

These exemptions are not hypothetical. In 2023, the Forest Service reported approving all 59 proposed projects in Tongass National Forest (Tongass) inventoried roadless areas—most within one month.⁵ That record demonstrates that fire management projects are already permitted and carried out under the Roadless Rule.

Furthermore, while targeted thinning near communities can reduce fire risks, decades of experience and scientific research have found that broad-scale roadbuilding and logging in remote backcountry areas rarely translate into wildfire risk reduction or improved forest health. In fact, more roadbuilding may increase the risk of fire;⁶ studies show wildfire ignitions are lowest in

¹ Congressional Research Service (CRS), “National Forest System Management: Overview and Issues for Congress,” May 2023. <https://www.congress.gov/crs-product/R43872>

² U.S. Forest Service (USFS), “Notice of intent to prepare an environmental impact statement,” 90 FR 42179, August 2025. <https://www.federalregister.gov/documents/2025/08/29/2025-16581/special-areas-roadless-area-conservation-national-forest-system-lands>

³ U.S. Department of Agriculture (USDA), “Secretary Rollins Rescinds Roadless Rule, Eliminating Impediment to Responsible Forest Management,” June 2025. <https://www.usda.gov/about-usda/news/press-releases/2025/06/23/secretary-rollins-rescinds-roadless-rule-eliminating-impediment-responsible-forest-management>

⁴ CRS, “Forest Service Inventoried Roadless Areas (IRAs),” August 2020. https://www.everycrsreport.com/files/2020-08-28_R46504_9d75076220e5be2a4cf8eb648b2ad45170701dde.pdf

⁵ USFS, “Special Areas; Roadless Area Conservation; National Forest System Lands in Alaska,” 36 CFR 294, January 2023. <https://www.federalregister.gov/documents/2023/01/27/2023-01483/special-areas-roadless-area-conservation-national-forest-system-lands-in-alaska>

⁶ Pacific Biodiversity Institute, “Roads and Wildfire,” May 2007. https://www.pacificbio.org/publications/wildfire_studies/Roads_And_Wildfires_2007.pdf

designated wilderness areas, followed by roadless areas, and highest near roads.⁷ Human activity is the primary cause of wildfire ignitions,⁸ and greater road access raises that risk. Building roads also facilitates the spread of invasive species, a problem the Forest Service itself has documented across the National Forest System.⁹

The Roadless Rule has not prevented fire prevention measures. Nearly 2 million acres of roadless areas have been treated to reduce fire risk in recent years,¹⁰ and Forest Service data show there are more fuel management activities in inventoried roadless areas per square kilometer than elsewhere in the system.¹¹ A U.S. Forest Service Rocky Mountain Research Station study found no empirical evidence supporting claims that roads are needed to prevent fire or keep forests healthy.¹² Any advantage roads might provide for firefighter access is outweighed by the higher rate of human-caused ignitions they bring and the long-term liabilities taxpayers must absorb for construction and maintenance.

Shifting to Local Control Will Drive Up Costs and Subsidies

The NOI claims a national rule is too rigid and that local officials need flexibility. In reality, the national standard is what prevents costly projects from moving forward in the first place. The Roadless Rule sets a uniform baseline: no roadbuilding in inventoried roadless areas unless a narrow exemption applies. Without it, authority would shift to dozens of local forest plans, each lacking the guardrails of a national standard. That would open the door to uneconomic projects that saddle taxpayers with more costs than revenues.

The Forest Service's own history shows how this plays out. In the Tongass, timber sales continued for decades despite persistent and well-documented losses, driven by political and institutional pressures rather than sound economics.¹³ Removing the Roadless Rule would replicate this pattern elsewhere, multiplying money-losing projects across the National Forest System.

At the same time, the agency already lacks the resources to maintain its 368,000-mile road system¹⁴ and reports a \$6 billion deferred maintenance backlog.¹⁵ Adding new roadbuilding under

⁷ The Wilderness Society, "Three-decade record of contiguous-U.S. national forest wildfires indicates increased density of ignitions near roads," 2025. <https://www.wilderness.org/sites/default/files/media/file/Summary%20NFS%20roads%20fire%20paper%20-%202025.pdf>

⁸ Balch, Bradley, Abatzoglou, Nagy, Fusco, & Mahood, "Human-started wildfires expand the fire niche across the United States," *Proceedings of the National Academy of Sciences*, February 2017, <https://doi.org/10.1073/pnas.1617394114>

⁹ Healey, Sean, "Long-term forest health implications of roadlessness," Rocky Mountain Research Station, *Environmental Research Letters*, September 2020, <https://doi.org/10.1088/1748-9326/aba031>

¹⁰ Dombeck, Bosworth, Tidwell, & Christiansen, September 2025 <https://subscriber.politicopro.com/eenews/f/eenews/?id=00000199-5913-d7f0-ab99-7ddbb30c0000>

¹¹ Healey, Sean, "Long-term forest health implications of roadlessness," Rocky Mountain Research Station, *Environmental Research Letters*, September 2020, <https://doi.org/10.1088/1748-9326/aba031>

¹² *Ibid.*

¹³ Taxpayers for Common Sense (TCS). *Cutting Our Losses: Forty Years of Money-Losing Timber Sales in the Tongass*. September 2020. PDF report. https://www.taxpayer.net/wp-content/uploads/2020/09/TCS-Cutting-Our-Losses-40-yrs.-of-Tongass-Timber-Sales_Sept.-2020.pdf.

¹⁴ USFS, "National Forest System Statistics Fiscal Year 2024," April 2025. https://www.fs.usda.gov/sites/default/files/fs_media/fs_document/FY24-forest-system-stats.pdf

¹⁵ USFS, "Fiscal Year 2025, Quarter 2 Deferred Maintenance Needs," accessed September 2025. <https://www.fs.usda.gov/sites/default/files/fy25-q2-deferred-maint-report.pdf>

locally driven decisions—without dedicated funding—would only deepen this backlog and divert resources from higher-priority needs.

USFS Roadbuilding Costs Taxpayers

Taxpayers frequently cover the costs of building and maintaining roads in the Forest Service system, as well as the long-term liabilities they create.¹⁶ Repealing the Roadless Rule would expose taxpayers to more costly road construction—federal spending that would come at the expense of higher-priority needs like wildfire risk reduction, insect and disease prevention, recreation, and other local priorities.

The Forest Service already manages more than 368,000 miles of roads across the National Forest System.¹⁷ Many of these were built to enable timber access. When taxpayers cover roadbuilding costs, it improves the economics of timber sales for logging companies but significantly increases the overall costs of the Forest Service’s timber program. In the Tongass National Forest, for example, roadbuilding and maintenance accounted for roughly 40 percent of timber-related expenses between fiscal years 2000 and 2019.¹⁸

Risks of Increasing Taxpayer Losses in the Federal Timber Program

These roadbuilding expenses compound the broader costs of preparing timber sales. The Forest Service must spend years selecting suitable stands, analyzing environmental effects, calculating financial efficiency, advertising sales, and evaluating bids. In many cases, the agency also pays to construct or reconstruct roads to reach the timber. These costs are spread across multiple budget line items—including Forest Products, Capital Improvements and Maintenance for roads, and mandatory accounts such as Knutson-Vandenberg projects, the Reforestation Trust Fund, and Salvage Sales—which makes it difficult for taxpayers to see the true bottom line. Yet these expenditures directly reduce the net return from timber sales.

The Forest Service’s own record shows these sales have long been money-losing propositions. In the Tongass National Forest, TCS’s 2020 report *Cutting Our Losses* found that from FY1980 to 2019 the Forest Service spent \$1.96 billion on its timber sale program but collected only \$227 million in receipts, resulting in a net loss of \$1.73 billion (in 2019 dollars).¹⁹ Much of the timber in other inventoried roadless areas are in remote, undeveloped landscapes, where logging would be costly and difficult—meaning sales are likely to require subsidies. Repealing the Roadless Rule would only expand this money-losing pattern across the National Forest System.

The NOI itself claims that rescission “would not compel amendment or revision of any land management plan” and “would not authorize any specific ground-disturbing activities or projects,

¹⁶ The Forest Service may require timber purchasers to perform or pay for construction of roads for the timber harvest. Source: 16 U.S.C. § 535(2)

¹⁷ USFS, “National Forest System Statistics Fiscal Year 2024,” April 2025.

https://www.fs.usda.gov/sites/default/files/fs_media/fs_document/FY24-forest-system-stats.pdf

¹⁸ TCS, “Cutting Our Losses after 40 Years of Money-Losing Timber Sales in the Tongass,” September 2020, <https://www.taxpayer.net/energy-natural-resources/cutting-our-losses-tongass-timber-2/>

¹⁹ Excluding FY1991, as budget data was not available.

nor ... propose any increase in the overall amount of timber harvested or roads constructed.”²⁰ But that framing is misleading. The Roadless Rule currently restricts timber harvesting and roadbuilding on 44.7 million acres of the National Forest System. Removing that restriction directly affects the federal timber program by opening new areas to harvest should local plans allow it. The Forest Service therefore must account for the taxpayer costs of expanded roadbuilding and timber sales, both in the Tongass and across other forests where commercially marginal timber would require heavy subsidies.

Rescission Creates Duplication, Not Efficiency

The NOI presents repeal as a deregulatory efficiency measure. But rescinding the Roadless Rule will create duplication and waste. The rule provides a clear, national baseline that avoids repetitive analysis and litigation across individual forests. Without it, every national forest would be forced to revisit roadless-area evaluations in their land management plans, a process that consumes time, money, and staff resources—duplicating work already completed at the national level.

The additional workload created by rescinding the Roadless Rule would magnify existing weaknesses with U.S. Forest Service management and oversight. For example, the Government Accountability Office (GAO) recently reported that the Forest Service lacks clear plans, milestones, and tracking systems to oversee its prescribed fire program effectively.²¹ If dozens of individual forests are each required to conduct their own analyses, develop unique rules, and defend them in court, the agency will incur significant new costs without any centralized system to monitor or control them.

Rather than eliminating bureaucracy, rescission would generate parallel processes across the country, increase litigation risk, and drain staff capacity away from higher-priority work like hazardous fuels reduction and maintenance of the existing road system. For taxpayers, this means more costs, not less — with no measurable benefit to forest health or community safety.

Opportunities to Improve National Forest System Lands

There are many improvements that could be made to systems and management of our national forests that would help cut taxpayer losses. It is in the interest of taxpayers to address existing backlogs, eliminate timber road subsidies, only offer strategic sales, and reform the Forest Service budget process before pursuing a partial or full exemption to the existing Roadless Rule.

- **Address Existing Backlogs:** TCS has long advocated for addressing the billion-dollar road building and road maintenance backlog. In our 2004 report *Road Wrecked*, TCS called for a “fix it first” strategy and a detailed evaluation of the national forest road program.²²

²⁰ USFS, “Notice of intent to prepare an environmental impact statement,” 90 FR 42179, August 2025.

<https://www.federalregister.gov/documents/2025/08/29/2025-16581/special-areas-roadless-area-conservation-national-forest-system-lands>

²¹ U.S. Government Accountability Office, *Forest Service: Fully Following Leading Practices for Agency Reforms Would Strengthen Prescribed Fire Program*, GAO-24-106239 (Washington, DC: Government Accountability Office, June 2024), <https://www.gao.gov/products/gao-24-106239>.

²² TCS, “Road Wrecked: Why the \$10 Billion Forest Service Road Maintenance Backlog Is Bad for Taxpayers,” March 2004. https://www.taxpayer.net/wp-content/uploads/ported/user_uploads/file/roadwrecked.pdf

- **Eliminate federal subsidies for timber road construction:** Require timber companies to pay for design, construction, and maintenance of roads to access timber stands.
- **Strategic Timber Sales:** Acknowledge that certain stands of federal timber are too expensive to access and/or not commercially viable, making them unlikely to generate enough revenue to break even.
- **Reform The Forest Service Budget Process:** Reevaluate USFS trust funds that are funded by timber sales receipts or tariffs on imported wood products, which puts them outside of congressional oversight and creates a perverse incentive to expand logging operations.
- **Increase Fiscal Transparency:** Require USFS to publicly report full costs and revenues of timber sales and roadbuilding, consistent with GAO recommendations.

Conclusion

If the Forest Service moves forward with rescission, taxpayers will shoulder billions more in subsidies for road construction and timber sales. They will be on the hook not only for construction but also for decades of maintenance and eventual cleanup when roads fail.

The NOI's justifications do not withstand scrutiny. The Roadless Rule already allows exceptions for wildfire and safety. Shifting to local control would not enhance flexibility but instead multiply subsidies and deepen the existing maintenance backlog. And repeal would not streamline management but force every forest to duplicate analyses already settled at the national level, wasting time and taxpayer dollars.

The record is clear. Timber sales in roadless areas—especially in the Tongass—have consistently lost money. Repealing the Roadless Rule would replicate this pattern nationwide, draining resources from urgent needs like wildfire risk reduction in the wildland-urban interface, invasive species control, and maintenance of existing infrastructure.

At a time when the nation faces \$37 trillion in debt, fiscal responsibility demands that taxpayers receive full value for the resources they own—not be saddled with subsidies and liabilities for uneconomic development. The prudent course is to maintain and improve existing infrastructure before authorizing new, money-losing roads that deliver little benefit.

TCS supports the analysis and eventual selection of a “no action” alternative that would retain the 2001 Roadless Rule. If the agency identifies legitimate concerns with the current rule, we urge it to consider additional alternatives—not just full repeal and no action—developed through an open and collaborative process that balances forest management needs with fiscal accountability.

Thank you for your attention to this matter. We look forward to continued engagement on this important issue.

Signed,
Taxpayers for Common Sense