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Joshua White
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US Forest Service
201 14th Street SW, Mailstop 1108
Washington, DC 20250-1124

Submitted via Regulations.gov

RE: Docket ID No. FS-2025-0001; RIN 0596-AD66

Dear Mr. White,

On behalf of the Competitive Enterprise Institute, I appreciate this opportunity to provide comments on the Forest Service's (USFS) proposed rule, "Special Areas; Roadless Area Conservation."[1]

I support the proposed rescission. By rescinding the rule, the USFS will remove obstacles that hinder sound forest management. This will help to address important concerns related to wildfire, drought, and more.

Over the past 25 years, the 2001 Roadless Area Conservation Rule (Roadless Rule) has prohibited road construction, reconstruction, and timber harvesting on 58.5 million acres, or one-third of all National Forest System (NFS) lands.[2] These prohibitions limit access and deter active forest management. [3]

National forest management is rooted in the ideas of multiple-use and sustained-yield.[4] Our nation's forests are meant to provide timber and secure favorable conditions of water flow, among other uses.[5] The Roadless Rule fails to recognize these important points.

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[1] Forest Service, "Special Areas; Roadless Area Conservation," proposed rule, *Federal Register*, Vol. 91, No. 160 (August 20, 2026), pp. 53827-53832, https://www.federalregister.gov/documents/2026/08/20/2026-16965/special-areas-roadless-area-conservation.
[2] Forest Service, "Special Areas; Roadless Area Conservation," final rule, *Federal Register*, Vol. 66, No 9 (January 12, 2001), pp. 3244-3273, https://www.federalregister.gov/documents/2001/01/12/01-726/special-areas-roadless-area-conservation.
[3] Robert H. Nelson, "Rescind Clinton's 58.5 Million-Acre Roadless Designations," Competitive Enterprise Institute, *OnPoint*, No. 78 (April 12, 2001), https://cei.org/studies/rescind-clintons-58-5-million-acre-roadless-designations/.
[4] 16 U.S.C. § 528-531.
[5] 16 U.S.C. § 475.

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The Problems with Tree Density

The prohibition on timber harvesting and limitations on the ability to do other forms of active forest management, have likely contributed to the poor condition that many forests are in today. In fact, one study from the USFS shows that areas of high relative density stands have quintupled in the last two decades.[6]

This increase in tree density has likely been fueling the growing wildfire crisis.[7] The more trees that are in the forest, the more fuel a fire has to burn through. When fires occur today, there is often more fuel to burn through than there would have been a century ago.[8]

The increase in tree densities because of the Roadless Rule may also be contributing to drought conditions throughout the west and other parts of the US. When forests are too dense, they create a canopy that catches and holds snow that evaporates before making it to the ground and into the rivers.[9] Further, when forests are too dense, there are more roots in the ground sucking up water.

The Importance of Local Decision-Making

Rescission of the Roadless Rule should help address these density concerns by allowing place-based Forest Service employees to make management decisions and decide if activities like timber harvesting and road construction are appropriate for their specific forests.

While forest densities are a problem in much of the United States and such areas might benefit from timber harvesting or road construction, other areas might not benefit from these activities. Significant variability exists between forests. Every forest faces unique challenges and is characterized by a different ecology. As such, forest management should be tailored to the needs of the specific forest in question. Blanket rules, like the Roadless Rule, are misguided.

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[6] C. W. Woodall and A. R. Weiskittel, "Relative density of United States forests has shifted to higher levels over last two decades with important implications for future dynamics," *Scientific Reports*, Vol. 11, Issue 1 (2021), https://research.fs.usda.gov/treesearch/63114.

[7] Victoria J.W. Amato et al., "Relationships between tree stand density and burn severity as measured by the Composite Burn Index following a ponderosa pine forest wildfire in the American Southwest," *Forest Ecology and Management*, Vol. 302, pp. 71-84 (August 2015), https://www.sciencedirect.com/science/article/abs/pii/S037811271300162X; and Shawn Regan, "Losing the Forest for the Trees," *Property and Environment Research Center*, June 23, 2022, https://perc.org/2022/06/23/losing-the-forest-for-the-trees/.

[8] Malcolm P. North et al., "Operational resilience in western US frequent-fire forests," *Forest Ecology and Management*, Vol. 507, Article 120004 (March 2022), https://research.fs.usda.gov/treesearch/63734.

[9] Cassie Lumbrazo et al., "Can we maximize snow storage through fire-resilient forest treatments? Insights from experimental forest treatments in the Eastern Cascades, WA, USA," *Frontiers in Forest and Global Change*, Vol. 8 (March 2026), https://www.frontiersin.org/journals/forests-and-global-change/articles/10.3389/ffgc.2025.1707812/full.

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What the Rule Rightfully Does Not Do

While rescission of the Roadless Rule will allow timber harvest, road construction, and road reconstruction to take place on areas previously covered by the rule, rescission does not compel or require any such action.[10]

Rescission of the Roadless Rule also does not give timber companies a blank check to decimate national forests. A myriad of environmental laws exist that restrict activities on federal lands that have potential for negative environmental consequences. Examples include: the National Environmental Policy Act (NEPA) and the National Forest Management Act (NFMA).

Conclusion

Everyone wants to have healthy forests, but federal regulations often do not help achieve that goal and can even exacerbate problems. The Roadless Rule is an example of one such regulation. It has not helped to make forests healthier, and in fact, it has likely contributed to the poor conditions that many forests are in today. Rescission of the Roadless Rule will rectify these problems while also serving to ensure our forests are managed as intended by Congress. Therefore, I strongly support the proposed rule.

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Thank you for your consideration.

Sincerely,

Jacob Tomasulo

[10] Forest Service, "Special Areas; Roadless Area Conservation," proposed rule, *Federal Register*, Vol. 91, No. 160 (August 20, 2026), p. 53829, https://www.federalregister.gov/documents/2026/08/20/2026-16965/special-areas-roadless-area-conservation