



RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

September 19, 2025

Submitted electronically via: <https://www.regulations.gov>

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Acting Director, Ecosystem Management Coordination
201 14th Street SW, Mailstop 1108,
Washington, DC 20250-1124



RE: Support Rescission of 2001 Roadless Area Conservation Rule (2001 Roadless Rule) (66 FR 3244, 36 CFR Subpart B (2001))

Dear Acting Director:

The Resource Development Council for Alaska (RDC) writes in strong support of the preparation of an Environmental Impact Statement and rulemaking removing the 2001 Roadless Rule as applied to all National Forests, including the Tongass and Chugach in Alaska and excluding the National Forests in Colorado and Idaho. The U.S. Department of Agriculture's (USDA) Notice of Intent for this action was published in the Federal Register on August 29, 2025.

RDC is an Alaskan statewide, non-profit professional trade association founded in 1975. Our diverse membership is comprised of individuals and companies from Alaska's fishing, tourism, forestry, mining, and oil and gas industries and includes Alaska Native corporations, local communities, organized labor, and industry support firms. RDC's purpose is to advocate on behalf of these industries and encourage a strong, diversified private sector in Alaska and expand the state's economic base through the responsible development of our natural resources.

Rescission of the 2001 Roadless Rule aligns with President Trump's Executive Order 14192, Unleashing Prosperity Through Deregulation to get rid of overcomplicated, burdensome barriers that hamper American business and innovation. It also supports Executive Order 14153, Unleashing Alaska's Extraordinary Resource Potential which directs the Forest Service to exempt the Tongass National Forest from the 2001 Roadless Rule.

RDC has consistently supported exempting the Tongass from the Roadless Rule. We believe the economic health and longevity of Southeast Alaska would be strengthened if the Tongass were



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to be removed from the rule and managed as originally envisioned. We believe that tourism, fishing, mining, energy development, and a sustainable timber industry can coexist to the benefit of all in the region. The on-again, off-again application of the Roadless Rule to the Tongass has created uncertainty, which is preventing investment in the Tongass's vast mineral resource.

The rationale used for exempting the Tongass from the Roadless Rule years ago has not changed and remains valid today. The one-size-fits-all rule has caused extensive damage to the economic and social fabric of Southeast Alaska communities and has decimated the forest products industry. A one-size fits all rule does not account for Alaska's uniqueness, needs, and limited surface infrastructure.

Further, the 2001 Roadless Rule prohibitions are unnecessary in the Tongass which can be adequately protected through the normal national forest land management process as intended by Congress in 1976 when it enacted the National Forest Management Act (NFMA). The nationwide Roadless Rule usurped much of the land planning process mandated by the NFMA, particularly in Alaska. Exempting the Tongass from the Roadless Rule will not authorize any development activities, but it will enable the NFMA planning process to function as intended. Congress has already enacted over 6.6 million acres of Wilderness and other restrictive land use categories prior to the promulgation of the Roadless Rule on the Tongass. The remaining areas were passed over so they could support local employment, including year-around timber manufacturing jobs in a region where there are minimal state or private timberlands available to the mills.

There is broad support in Alaska for exempting the Tongass from the Roadless Rule. Six Alaska governors, both Republican and Democrat, have requested a total exemption. A robust Southeast Alaska economy cannot be achieved without removing the 2001 Roadless Rule from the Tongass. Application of the rule substantially impacts the social and economic fabric of Southeast Alaska and violates the Alaska National Interest Lands Conservation Act (ANILCA) and the Tongass Timber Reform Act (TTRA). The Tongass can be adequately protected under the Tongass Land Management Plan (TLMP) and the 2001 rule prohibitions are therefore unnecessary.

More specifically, the on-again, off-again application of the Roadless Rule to the Tongass has created uncertainty, which is preventing investment in the Tongass's vast mineral resource. Environmental groups are using USDA's ping-pong rulemaking to prevent development by



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maintaining this uncertainty – even though the current rulemaking will remove the Tongass from the Roadless Rule. For example, in a September 12, 2025 announcement inviting the public to an anti-removal Rally, the Southeast Alaska Conservation Council (SEACC) stated: “P.S. We're not disheartened knowing our show of support is unlikely to make a difference with this administration — we know we can get Roadless reinstated in the future, just like we've done in the past.” SEACC’s ability to use ping-pong rulemaking to maintain anti-investment uncertainty makes the case for permanently removing the Tongass from the Roadless Rule through legislation. RDC urges the Administration to obtain legislative relief.

The Roadless Rule Should Not Be Applied To The Tongass:

By removing the Tongass from the Roadless Rule, USDA would maintain the policy determination it made (USDA) in 2003, again in 2010, and again in 2020, to wit:

“The Department has concluded that the social and economic hardships to Southeast Alaska outweigh the potential long-term ecological benefits because the Tongass Forest plan adequately provides for the ecological sustainability of the Tongass. Every facet of Southeast Alaska’s economy is important and the potential adverse impacts from application of the roadless rule are not warranted given the abundance of roadless areas and protections already afforded in the Tongass Forest Plan.”

This rationale used for exempting the Tongass from the Roadless Rule in 2003 has not changed and remains valid today. The economic health and longevity of Southeast Alaska would be strengthened if the Tongass were removed from the Rule and managed as originally envisioned. The Tongass can be adequately protected through the normal national forest land management process as intended by Congress in 1976 when it enacted the NFMA. The nationwide Roadless Rule usurped much of the land planning process mandated by the NFMA. Removing the Tongass from the Roadless Rule will not authorize any development activities, but it will enable the NFMA planning process to function as intended.

The Roadless Rule Should Never Have Been Applied To The Tongass:

The stated Purpose and Need justifying the Roadless Rule is that “[t]his final rule addresses these needs (long-term loss of roadless area values and characteristics; budget constraints prevent the agency from managing its road system to the safety and environmental standards to



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which it was built; and national concern over roadless area management) in the context of a national rulemaking.” (66 Fed. Reg. supra., at 3244).

This “national ‘whole picture’” purpose, which is the main pillar on which the 2001 Roadless Rule is based, was never applicable to the situation in Alaska. Congress had already addressed the Purpose and Need for “roadless areas” by designating over 6.6 million acres of Wilderness and other restrictive land use categories on the Tongass in ANILCA and the TTRA. (16 U.S.C. § 539d.) Because the roadless characteristics of the National Forests in Alaska had already twice been considered by our nation’s highest policymaking body prior to promulgation of the 2001 Roadless Rule – there was nothing that the Forest Service could add, or “balancing” it could do without usurping Congress’s authority.

Failure To Amend The 2016 Forest Plan Will Nullify Recission Of The Roadless Rule:

While on its face the first Trump Administration’s Removal of the Tongass from the Roadless Rule was supposed to allow roadbuilding in Inventoried Roadless Areas (IRA), it was dependent on a ministerial change in the 2016 Tongass Forest Plan – i.e., removing the 2001 Roadless Rule prohibition on roadbuilding in the IRAs. But, as admitted by USDA in the upper left column on page 66503 of the November 23, 2021, Notice of Repeal of the first Trump Administration’s Exemption of the Tongass, the ministerial change was never made. Thus: “Because the timber suitability determination in the 2016 Tongass Land Management Plan was never actually altered pursuant to the 2020 rulemaking, the proposed rule’s repeal of the of the 2020 rulemaking would leave the 2016 Forest Plan’s [timber] suitability determination undisturbed and operational going forward.” It also says: “allowing the inconsistent portion of the 2016 suitability designation to stand would effectively nullify the Department’s regulatory choice to remove the 2001 timber harvest prohibitions.”

In short, removal of the Biden Administration’s Reimposition of the Roadless Rule on the Tongass makes no change in the amount of land available for timber harvest and related road construction and the “enhancement of ecological and cultural values” rationale the Biden Administration gave for Reimposition was simply not true.

In short, Removal of the Roadless Rule will not allow roadbuilding in IRAs unless the 2016 Forest Plan is amended. RDC urges USDA to amend the 2016 Forest Plan.

Removal Of The Roadless Rule Will Remove Barriers To Mining:



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A. The Tongass should Be Considered the Premiere Mining District in Alaska:

The Tongass is a highly mineralized, 16.9-million-acre Volcanic Mass Sulfide (VMS) mining district that contains critical and rare earth minerals which are needed for national security. The Tongass occupies a premiere copper-zinc-silver-gold-barite mineral belt which includes Greens Creek Mine, Kensington Mine and the Dawson Mine. The gigantic Canadian Windy Craggy Project, just over the border in British Columbia, is part of the same trend.

All these mines are VMS mineral resources. Greens Creek is a producing, high grade, silver-zinc-gold-lead mine. Kensington is a producing gold mine. Windy Craggy is a 298 million metric ton copper-cobalt-gold deposit. The Bokan Mountain Project in southern Southeast is an established lithium rare earth prospect. The Dawson Mine near Hollis on Prince of Wales Island is a producing gold mine. Patricia Roppel's book "Fortunes from the Earth" describes numerous historic operating mines on the Tongass and establishes beyond doubt the value of the Tongass as mining district.

B. The Tongass Mining District Presents Tremendous Economic Opportunities for Southeast Alaska and for National Security:

Mines currently operating within the Tongass National Forest occupy a footprint of roughly 320-340 acres each. So, even if there were a dozen more mines scattered throughout the Tongass, they would only occupy 3,840 acres in the 16.9-million-acre forest. Yet the future potential for the Tongass to help power America with its mineral resource needs is huge. For example, the Bokan Mountain Project is a rare earth prospect that would produce domestically (rather than in China) minerals needed for batteries to power electric cars and high strength magnets required for essentially all electronic devices, including many medical devices.

The potential for many more high-paying mining jobs on the Tongass is enormous. A 1991 United States Geologic Survey (USGS) study estimated a value for Discovered Minerals of \$37.1 billion (expressed as 1988 dollars) and a value for Undiscovered Minerals of \$28.3 billion (expressed as 1988 dollars). (For summaries of this Report see the 1991 Forest Plan Revision Supplement to the Draft EIS and the 1997 Forest Plan Revision Final EIS (USDA Forest Service 1991, 1997a).

Obviously, the escalation in metals prices that has taken place since 1991 and 2008 has dramatically increased these mineral values. In addition, obtaining approval to disturb the



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surface for mining in IRAs has become even more expensive than mining in non-IRAs. (2008 Tongass Land and Resource Management Plan Amendment FEIS at 3-361).

The Final Environmental Impact Statement (FEIS) for the 2008 Tongass Land and Resource Management Plan pointed out that the U.S. Bureau of Mines had identified 148 locatable mineral deposits in the Tongass. Of these, 52 were ranked by these agencies as having the highest mineral potential. Seven were ranked as having the next highest potential and at least one “critical” and “strategic” mineral. (Ibid. at 3-356).

In addition to the 148 Identified Mineral Deposits the 2008 FEIS described 930 “Undiscovered Mineral Resource” tracts estimated in the 1991 USGS Report. Many of these minerals like copper, zinc, and barite are on the Strategic Minerals List.

C. Barriers to Mining Which the Proposed Removal of the Tongass from the Roadless Rule Will Reduce:

Even the Biden Administration’s November 23, 2021, Notice of Repeal of the first Trump Administration’s Tongass Exemption does not provide any substantive arguments that new mines will adversely affect Tongass ecological values. A mine’s surface footprint is small. No mine can be developed unless it: 1) meets the strict environmental requirements of 36 C.F.R. Part 228 as analyzed under the National Environmental Policy Act (NEPA) process; and 2) survives the inevitable litigation testing whether the analysis complied with NEPA.

Mines making it through this process are not going to seriously impact hunting, fishing, and tourism on the Tongass or interfere with ecological, subsistence, cultural or social values. To the contrary, field evidence from Greens Creek, Fairbanks Gold, and Red Dog show that environmental mitigation done as part of mining has improved natural local water quality such that fisheries now exist where none did prior to mine development.

While “reasonable access to mining claims under the General Mining Law is authorized by the 2001 Roadless Rule, the Preamble to the 2001 Roadless Rule is careful to point out that “[r]easonable rights of access may include, but are not limited to, road construction, reconstruction, helicopters or other nonmotorized access (FEIS Vol.1, 3-329 to 350).”

What is “reasonable” is up to the Forest Supervisor, but there are no guidelines for determining what is “reasonable.” So, whether road access will be allowed is subjective and highly



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dependent on which Administration is in office. For example, in 1977, during the Carter Administration, the Forest Service denied a Special Use Permit to U.S. Borax to construct a road for a bulk sample of 5,000 tons of ore at the Quartz Hill Project, requiring access to be by helicopter. *SEACC v. Watson*, 697 F.2d 1305 (9th Cir. 1983). As the opinion shows, six years later Borax still did not have a permit to build the road needed to move that volume of ore. It is just not ‘reasonable’ to expect millions of tons of earthen materials to be moved without the use of wheeled vehicles.

The cutting of trees at mining claims and exploration is another barrier that will be removed by Recission of the Roadless Rule. The necessary level of exploration to develop a mine on the Tongass National Forest requires the cutting and removal of trees. Mine development would typically require even more cutting and removal of trees. While “reasonable access” is technically permitted in IRAs, cutting and removal of trees associated with mining exploration and development does not appear to be allowed. 36 C.F.R. § 294.13(b)(2) authorizes the cutting or removal of trees “incidental to implementation of a management activity not otherwise prohibited by this subpart.” Moreover, there is no mention of mining in the examples provided in the 2001 Rule of what this section authorizes. Moreover, in describing this section the 2001 Rule states: “Such management activities are expected to be rare and to focus on small diameter trees.”

In short, recission of the Roadless Rule will enhance access to mining claims, exploration, and development by removing barriers to road access. Because the Tongass is the premiere mining district in Alaska this will improve the economy of Southeast Alaska and Alaska and assist national security. For these reasons alone, the Roadless Rule should be removed from the Tongass.

Removal Of The Roadless Rule Will Remove Barriers To Hydropower And Geothermal Development:

Hydropower has been used successfully within the Tongass for 120 years, avoiding tremendous amounts of fossil fuel consumption and associated emissions. Removal of the 2001 Roadless Rule will remove uncertainty about road access to future hydro projects and power distribution line corridors and allow road access to geothermal projects.

The 2001 Roadless Rule and current Forest Plan are fatally flawed, because neither includes a commercially reasonable or realistic renewable energy resource plan and neither recognizes



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pre-existing power site classifications and other potential renewable energy resources on the Tongass such as hydropower, geothermal, wind or other renewable energy sites. Removal of the Roadless Rule will provide predictable processes and timelines and thereby produce a commercially reasonable investment environment.

In addition, hydropower projects are major construction projects that require heavy machinery and equipment. Roads are needed to move such equipment from tidewater to the hydropower site in a safe and commercially-reasonable manner. Periodically, heavy equipment must be replaced and upgraded. Under the Roadless Rule when IRAs exist between tidewater and a hydro power site such facilities are more costly to build and maintain. These additional costs are passed on to Southeast Alaska ratepayers. Rescission of the Roadless Rule will remove these extra costs.

Given the fact that there are 9.4 million acres of IRAs in the Tongass and 5.7 million acres of Wilderness and other Congressional set asides (90% of the Tongass), it is highly probable that a new hydropower project needed to provide lower cost power to remote businesses and rural communities throughout Southeast Alaska and other markets will be prohibited, or made more difficult to access and develop if the 2001 Roadless Rule remains in place. Further complicating the development is the fact that the power lines needed to distribute that power may need to cross such areas.

In addition, transmission line maintenance costs are significantly greater without road access. The rights-of way (ROW) for such lines must be maintained and brushed continually. The structures must be inspected periodically. With road access, this work can be done by a crew in a truck. Without road access, this work must be helicopter-supported, which is very expensive – again, adversely affecting Southeast Alaska ratepayers. Helicopter-supported work is also much more dangerous for crews and may be impossible during the types of windstorms that are common in southeast Alaska. For these reasons alone, the Roadless Rule should be removed from the Tongass.

Thank you for the opportunity to comment on this vital issue important to Alaska's economic future.

Sincerely,



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Growing Alaska Through Responsible Resource Development

Leila Kimbrell

Executive Director

Resource Development Council for Alaska

Celebrating 50 Years of Responsible Resource Development in Alaska

CC: The Hon. Lisa Murkowski (R-AK)

The Hon. Dan Sullivan (R-AK)

The Hon. Nick Begich (R-AK)



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