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## GENERAL MEMORANDUM 26-040

### Forest Service Proposes Rescission of 2001 Roadless Rule

On August 20, 2026, the U.S. Forest Service published a [proposed rule](#) that would rescind the 2001 Roadless Area Conservation Rule (“Roadless Rule”), which has provided nationwide protections for approximately 58.5 million acres of inventoried roadless areas within the National Forest System. The 2001 Roadless Rule generally prohibits road construction, road reconstruction, and timber harvesting in these areas, subject to limited exceptions.

The Forest Service states that the proposed rescission is intended to reduce regulatory burdens and give local Forest Service officials greater flexibility to manage individual national forests. According to the agency, the existing national rule can limit activities such as vegetation management, wildfire risk reduction, and access for other uses. If finalized, however, the proposal would remove the nationwide layer of protection currently provided by the Roadless Rule. Management of inventoried roadless areas would instead be governed primarily by individual forest land management plans. However, the separate roadless rules applicable to Idaho and Colorado would remain in place.

The proposed change may be particularly significant for Tribal Nations with ancestral, cultural, treaty, or subsistence interests in National Forest System lands. The Department of Agriculture has determined that rescinding the Roadless Rule could have “substantial direct effects” on Indian Tribes that warrants government-to-government consultation. Since the Forest Service began outreach in July 2025, it has received 64 requests for consultation, with 29 consultations completed as of publication of the proposed rule. Consultation will continue during the rulemaking process.

According to the Forest Service’s summary of consultation to date, the majority of Tribal governments consulted oppose rescission. Tribes have expressed concerns that removing nationwide protections would shift more responsibility to Tribes to monitor and participate in individual forest planning and project-level decisions, placing additional demands on already limited Tribal resources. Tribes have also raised concerns that increased road construction, industrial activity, mining, and recreational access could affect sacred and cultural sites, traditional gathering areas, water quality, fish and wildlife, and subsistence resources. Some Tribal representatives have instead urged the Forest Service to retain the existing Roadless Rule or consider approaches incorporating Tribal co-stewardship, Traditional Ecological Knowledge, and a greater Tribal role in decisions affecting traditional homelands.

Tribes may provide written comments on the proposed rule and associated draft environmental impact statement and may also continue to request government-to-government consultation with the Forest Service. The agency specifically states that federally recognized Tribes may request roadless management provisions through consultation, and Tribes may

petition for geographically tailored roadless protections. Comments are due September 21, 2026. Please let us know if you would like assistance in drafting written comments or preparing for a consultation session.

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