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Advocacy Coalitions and Change in National Forest Wilderness Policies

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ABSTRACT *National forest wilderness policies have changed considerably in terms of which political institutions make key decisions and factors that help us understand why policy shifts occurred since the passage of the Wilderness Act in 1964. Despite early efforts by Forest Service officials to limit the size and number of wilderness areas within national forests, their influence was curtailed by an activist Congress that was strongly predisposed to protect roadless areas from the mid-1960s through the early 1990s. However, subsequent efforts to push state national forest wilderness bills were thwarted by a change in Congressional leadership less sensitive to environmental values and other factors. This was followed by a major venue shift involving one President's efforts to create new wilderness areas via rulemaking, and the subsequent President's attempts to reverse or limit the scope of such efforts. Over time, influence over national forest wilderness decisions is analyzed using the advocacy coalition framework to trace its evolution from an agency-based perspective to a lengthy period of Congressional dominance, and, more recently, to a process that is increasing influenced by the President.*

Introduction

The US Forest Service has faced many challenges to its traditional commodity production orientation. The development of a formal US wilderness policy and the designation of wilderness areas have posed significant threats to multiple-use management, a key dimension of the agency's historic mission. They represent policy change, since wilderness designation decisions shift political influence from 'rural to urban groups, between ideologies and agencies, and also from peripheral governmental to central governmental systems' (Gerritsen, 1990). These changes also alter socioeconomic patterns within communities in close proximity to national forests; that is, a greater number of service-related jobs are linked to outdoor recreation, shifting land-use patterns associated with the construction of tourist facilities and second homes, and sources of income that are increasingly attached to an amenity-based economy (Power, 2001). Traditional national forest management uses linked to logging, mining, or livestock grazing gradually make way for alternative activities appealing to national forest visitors seeking solitude or outdoor recreational opportunities.

The process of mobilizing support for and acquiring additional national forest lands for inclusion within the US National Wilderness Preservation System (NWPS) has

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changed over the past four decades since the enactment of the Wilderness Act by Congress in 1964. How and why did this happen? The complexity of wilderness policy issues coupled with the sizeable number of policy actors involved in this policy arena makes it difficult to utilize traditional policy-making schemes such as the subsystems or principal agent approaches (see Waterman & Meier, 1998). However, there are other frameworks better suited to this task. I considered using the punctuated equilibrium (PE) approach that focuses on *policy image* and *venue shopping* as key variables (Baumgartner & Jones, 1993). Here activities designed to alter the prevailing policy image from a positive or benign governmental programme to a more negative portrayal of programmatic worth are analyzed along with efforts by change agents to identify alternative policy-making venues such as the courts that are more favourably predisposed toward policy change. While this approach is useful in aiding our understanding of agenda change stemming from issue expansion, it says little about the role of coalitional formation or institutional adaptation.

In accounting for temporal shifts in national forest wilderness policy, I favour the advocacy coalition framework (ACF) advanced by Sabatier and Weible (2007). The ACF focuses on change occurring for a decade or more that is shaped by external pressures such as the emergence of a new governing coalition or by competition between competing advocacy groups. Wilderness policy-making offers an interesting test for an ACF-style analysis since it provides a broad historical sweep containing numerous decision points and shifts in policy direction. Thus, a historical assessment of wilderness clearly benefits from using the ACF to structure an analysis of key policy decisions. Change may also occur because of internal factors such as organizational learning within agencies responsible for managing a given programme. Finally, change can receive a boost from the active involvement of policy brokers or entrepreneurs with a strong interest in particular programmes. The ACF has been applied to a wide variety of programmes (see Sabatier & Weible, 2007). Thus far, policy applications have been largely restricted to the analysis of legislative shifts despite the emergence of a political climate characterized by policy gridlock in Congress and a tendency to seek alternative institutional venues for policy change.

This research examines change in a larger context. In one sense, change still happens within the legislative arena but it occurs less often and through the use of less conventional strategies such as policy riders or multi-programme omnibus bills. Wilderness policy advocates may also seek change through non-legislative pathways such as Presidential rule-making and the exercise of administrative discretion (Klyza & Sousa, 2008). Thus, one key alteration to the use of ACF in this paper is to broaden our interpretation of 'policy' to include administratively created programmes and rules as well as legislation. In short, my research goal is to utilize ACF variables to complement and strengthen our understanding of changes in national forest wilderness decisions over time, using a combination of documentary materials and secondary sources.

The Evolution of Forest Service Wilderness

Wilderness reservations within US national forests began as an administrative policy. Entrepreneurial actions taken by a pair of Forest Service officials in the 1920s resulted in the promulgation of regulations aimed at setting aside tracts of forestlands thought to possess scenic traits worthy of preservation. Key efforts by Aldo Leopold to champion the agency designation of a wilderness area in the Gila National Forest in southern New Mexico bore

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fruit while Arthur Carhart persuaded administrative superiors to offer similar protection for the Trappers Lake area within the White National Forest of Colorado (Allin, 1982).

Agency support for setting aside and managing wilderness areas was reinforced by an ongoing rivalry with the National Park Service (NPS). Forest Service officials had unsuccessfully opposed the creation of the NPS, arguing that their agency had ample professional acumen to recognize the importance of both recreational and resource extraction objectives (Twight, 1980). The development of administrative wilderness policies provided a means of demonstrating to elected officials and the public that the Forest Service was just as capable as the NPS of producing amenity-based programmes (Kunioka & Rothenberg, 1993). In 1939, additional regulations were developed that offered extra protection to wilderness areas by further restricting road construction and extractive industry access (Nie, 2004).

Recognizing the tenuous nature of administratively created wilderness, Leopold, Benton MacKay, and Robert Marshall, came together in 1936 to form an advocacy group appropriately named the Wilderness Society. The main organizational objective was to seek legislative approval for wilderness designation decisions since members were acutely aware that any actions taken administratively could easily be reversed by future public officials less supportive of preservationist values (Allin, 1982). This concern was based on research indicating that the Forest Service had occasionally changed course by allowing timber harvests to occur on some lands classified as wilderness (Klyza, 1996). However, subsequent events would offer wilderness advocates grounds for a more optimistic assessment. Trends such as the increasing demand for national forest recreation and the rise in pro-environmental group activities during the 1960s eventually provided a more hospitable political context for the enactment of a wilderness policy in Congress.

The Wilderness Act

Despite increasing concerns about the loss of decision-making autonomy among Forest Service officials, Congress and environmentalists were receptive to proposals aimed at the expansion of national forest wilderness areas. Environmentalists were particularly wary of the Forest Service because of their perception that an anti-wilderness bias existed among agency officials. Consequently, groups like the Wilderness Society and the Sierra Club formed an environmental policy (EP) coalition with members of Congress such as Senators Hubert Humphrey (D-MN) and John Saylor (R-PA) to push for a legislative solution that would not only provide greater legal protection but would also give Congress and other federal land agencies a larger role in the establishment of new wilderness areas (Clary, 1986). Their task was to overcome the political opposition of an extractive industry (EI) coalition consisting of mining, timber, energy, and ranching interests and their allies in Congress who objected to wilderness policy proposals that allegedly ‘locked up’ natural resources. After eight years of introducing legislation, the pro-wilderness coalition succeeded in ‘softening up’ the opposition and the Wilderness Act was finally enacted in 1964 (Allin, 1982).

While members of the wilderness coalition achieved their primary policy goal, it came with a political price tag; i.e. a willingness to sacrifice or compromise on a number of secondary policy objectives. For example, the new law set fairly strict eligibility requirements for wilderness designation decisions. More specifically, ‘wilderness’ was statutorily defined as:

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> an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic or historic value. (PL-88-577, 78 Stat. 890)

The statute also created the National Wilderness Preservation System (NWPS), which included protection for new areas under the control of all federal land management agencies except for the Bureau of Land Management[1] (BLM). The largest repository of new wilderness areas by far was the Forest Service. The law incorporated the 9.1 million acres that had already been set aside administratively by agency officials (Wilkinson, 1992). However, another feature of the statute would affect agency autonomy more directly. Congress was given sole authority to designate wilderness areas. The Forest Service still had an important role to play but was no longer the dominant institution within the decision-making process. Administrators would now make recommendations for the inclusion of new wilderness areas to the President who would then ask Congress for approval (Allin, 1982).

Another important feature of the Wilderness Act was the inclusion of a public notice requirement for the consideration of new wilderness proposals. This procedural step was added at the insistence of the powerful House Interior Committee Chair, Wayne Aspinall (D-CO), a key member of the EI coalition. The logic of this position was based on the assumption that pro-wilderness groups like the Sierra Club were nationally based to maximize lobbying efforts in Congress but opposition to specific wilderness proposals at the local level could more easily be mounted by mining, logging, and livestock interests (Allin, 2001). The irony of this position was noted by Culhane (1981) and Allin (2001) who concluded that groups supporting wilderness have been effective participants in public hearings.

The legislation clearly represented an important victory for the EP coalition both substantively and procedurally. But the price of success was achieved in part by agreeing to compromises with the hard-rock mining and energy industries on secondary policy goals, thus allowing exploration for new resources to occur for a 20 year period ending on 31 December 1983. According to Leshy (2005), this gamble paid off since almost no mineral development was authorized during this time span. Other concessions were made that allowed the construction and maintenance of reservoirs for water storage purposes, and for the continuation of livestock grazing on lands subsequently designated as wilderness areas (Leshy, 2005).

The Forest Service, Congress, and Wilderness Politics: Partners or Rivals?

There was considerable political support for the creation of new wilderness areas. A bipartisan Congress took the lead in designating numerous parcels of national forestlands as wilderness with the acquiescence of every President from Johnson through Carter from the mid-1960s through 1980 (Allin, 2001). Included here were the easy-to-justify areas

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that clearly had desirable wilderness attributes without the potentially sticky presence of commercially viable deposits of energy or mineral resources. Because of efforts taken to minimize the likelihood of designating wilderness lands with higher natural resource development potential, a sizeable percentage of wilderness units were found in higher altitude 'rocks and ice' locations with lesser amounts of both biodiversity and political controversy (Leshy, 1987). Working closely with members of Congress on state bills were large environmental organizations with a historic commitment to preservationist values such as the Wilderness Society, the Sierra Club, the Isaac Walton League, and the Audubon Society while commodity-based organizations such as the American Mining Congress, the Farm Bureau, and the American Forest and Paper Association worked equally hard to limit any land use restrictions to resource development activities.

Wilderness designation decisions were influenced by organizational participation at public meetings typically held in communities located close to proposed areas. A study of Forest Service decision-making by Culhane (1981) found a strong statistical relationship between environmental group involvement and a record of success in securing greater wilderness acreage. Allin (2001) indicates that pro-wilderness decisions were well received since they provided a relatively low cost means of distributing recreational and aesthetic benefits to constituents throughout the US and Congress was often receptive to local or citizen initiatives even if these efforts were contrary to agency land use priorities. For example, a 250 000 acre Scapegoat Wilderness Area was enacted in Montana in 1972 following a strong grassroots campaign spearheaded by wilderness outfitters, the Montana Wilderness Association, and the Montana Wildlife Federation (Keiter, 2003). Several million acres of national forests were added to the NWPS during the 1970s, including a 5 million acre slice within the mammoth 56 million acre wilderness bill better known as the Alaska National Interest Lands Conservation Act of 1980.

A wilderness issue that provoked greater debate among all interested parties was deciding how to dispose of the remaining roadless lands within the national forests. Agency administrators were tasked to undertake reviews of these lands to advise Congress on the sticky question of how many should be retained within the traditional confines of multiple-use management and how many should be recommended for wilderness preservation. Both Clary (1986) and Allin (2001) argue that the Forest Service was strongly predisposed to push for pro-timber policies within a multiple-use format and that agency administrators were reluctant to view wilderness as compatible with other land use options. Similarly, the prevailing managerial focus of the agency was described by Hoberg (2001) as 'the traditional timber regime'. The agency orientation toward wilderness policy was exhibited in two ways—a narrow statutory interpretation of eligibility requirements for proposed wilderness areas (the so-called 'purity doctrine') and the development of land use studies aimed at influencing congressional decisions over the amount of acreage within national forest roadless areas that ought to be designated as wilderness.

Forest Service officials initially embraced restricted views of wilderness that excluded lands modified by human use or intrusion as well as lands in close proximity to urban areas (Robinson, 1975). The effect of a more restrictive interpretation of the wilderness law was to eliminate most forested areas in the eastern US from consideration as well as mountainous tracts near many western cities. Federal legislators representing these areas were unhappy with these administrative restrictions and enacted policies that effectively trumped agency preferences (Culhane, 1981). In 1975, Congress adopted the Eastern Wilderness Act. The new law added 16 new wilderness areas and 17 wilderness study

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areas by de-emphasizing the importance of prior human impacts and by allowing the use of eminent domain to deal with the removal of in-holdings in affected areas. And Congress further eroded Forest Service autonomy on wilderness suitability decisions by adopting the Endangered American Wilderness Act of 1978, a policy that did away with the 'sights and sounds doctrine' requiring greater distance between new wilderness areas and urban populations. Proponents of the new law applauded the addition of primitive recreational access for nearby urban residents in areas that contained desirable wilderness attributes (Hendee & Dawson, 2002).

The Forest Service also sought to influence wilderness decisions by combining research and policy advice. While numerous study areas were established between 1964 and 1973, the Forest Service failed to recommend any new wilderness units. Agency officials wanted to continue an ambitious timber management programme but were frustrated by the seemingly incompatible task of maintaining wilderness study areas (that were off limits for logging purposes) within otherwise productive forestlands (Clary, 1986). Forest Service Chief Edward Cliff decided to resolve this impasse by undertaking an inventory of wilderness study areas (WSAs) and recommending to Congress the amount of acreage to be added from these to the NWPS, a process referred to as the roadless area review evaluation, or RARE.

But the impasse was not resolved. When the results of RARE were presented to Congress, the reaction from the environmental coalition was overwhelmingly hostile. Of the 56 million acres of roadless forests under review, only 12 million, or 19%, were recommended for wilderness designation. After RARE was challenged in the federal courts by a Sierra Club lawsuit, the Forest Service agreed to comply with the environmental impact processes mandated by the National Environmental Protection Act (NEPA). In 1977, the Carter Administration ordered the Service to undertake a second review of roadless national forests (RARE II). Three thousand potential wilderness areas in 38 states were examined and public hearings were held to gauge local sentiment in nearby communities. While the amount of proposed wilderness acreage from RARE II (16 million out of 56 million acres evaluated) was greater than the amount recommended under RARE, the Forest Service also called for substantial acreage within non-recommended WSAs (36 million) to be available for other uses. Once again, the study was roundly criticized by environmentalists as inadequate and Congress declined to take action on the entire package.

In short, decisions about wilderness policy-making within the Forest Service were generally compatible with actions taken by the EI coalition. This included testimony by agency officials expressing opposition to the need for an organic act, advisory efforts aimed at limiting the acreage of national forestlands to wilderness in relation to lands deemed appropriate for multiple-use management, and the use of discretionary authority to narrowly interpret the suitability criteria for forested areas under consideration for wilderness designation in the eastern US or in close proximity to urban areas in the western states. Decisions contributed to agency desires to maintain autonomy over forest policy generally; however, the loss of potentially productive timberlands to wilderness also meant less revenue from timber sales for other projects (Hoberg, 2001).

The Increasing Complexity of Wilderness Policy-Making

The ability of the EP coalition to preserve additional national forest lands within the NWPS became increasingly complex after 1980. The political landscape changed in

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several ways. First, the assumption that American Presidents would automatically support the advancement of wilderness bills in Congress or initiate new proposals no longer held true following the election of Ronald Reagan as President and his subsequent efforts to not only expand the productive uses of public lands but to alter or defund conservationist policies (Vig, 2006). John Crowell, Reagan's appointee to oversee the Forest Service as the Assistant Secretary of Agriculture, was a staunch advocate of accelerated timber harvests within the national forests, a position that placed Administration officials at odds with prospective laws or rules designed to carve out more wilderness from national forest roadless areas (Wilkinson & Anderson, 1987).

Second, the process of pushing new wilderness proposals was complicated by the recognition of opportunity costs and the need to make tradeoffs among a more diverse set of policy participants. Congress was forced to confront a greater number of land use conflicts pitting environmentalists against commodity groups, property rights advocates, and outdoor recreational vehicle enthusiasts. Joining the EP coalition were groups such as Wilderness Watch and Forest Guardians that placed more emphasis on narrower policy goals and utilized a greater array of different political tactics or institutional venues like the courts. Wilderness opponents kept pace, enlisting the aid of umbrella organizations like Wise Use or the Public Lands Council to resist preservationist actions. New wilderness proposals were often accompanied by management issues that needed to be resolved in order to reach a compromise (Allin, 2001).

A particularly important issue in wilderness policy revolved around the question of sufficiency-release language. This was a technical term that addressed whether roadless national forestlands not recommended for wilderness under RARE II would be released for non-wilderness uses (Cubbage *et al.*, 1993). EI groups clearly favoured this approach but worried about the political clout of preservationist groups within the Carter Administration. The EP coalition was understandably concerned about the alternative possibility that lands potentially deserving of wilderness designation would be forever lost if they failed to 'make the cut' within the initial list of areas recommended by the Forest Service. When the authors of RARE II proposed that 36 million acres of roadless national forests be reclassified from WSA status to multiple-use, wilderness proponents turned to the federal courts. Their efforts were focused on California, a state that stood to lose a large amount of wilderness under this proposal. Overall, 48 roadless areas in this state were placed in the category of developable forestlands (Wellman & Propst, 2004).

State officials filed suit to overturn Forest Service plans to release these areas for non-wilderness management purposes. In *California vs. Block*, 690 F. 2d (1982), the Ninth Circuit Court of Appeals agreed with state officials in ruling that RARE II wilderness recommendations for the national forest system within California was in violation of the National Environmental Policy Act (Cubbage *et al.*, 1993). The immediate effects of the edict were twofold. First, there would be no large scale, multistate designation decision; i.e. subsequent bills would adopt a single state approach. Second, an existing US district court injunction against agency efforts to alter existing land use priorities was kept in place (Hendee & Dawson, 2002). The EP coalition prevailed in this skirmish, but both sides were uneasy because of uncertainty about the consequences of adopting a specific state approach versus one based on Forest Service recommendations.

This sense of unease led to a compromise that became known as the 'soft release' approach. Policy-makers agreed that roadless areas not receiving wilderness designation under RARE II would remain undeveloped during the initial set of national forest plans

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mandated by the National Forest Management Act (NFMA) of 1976 but could be released for non-wilderness (i.e. multiple-use) purposes when forest plans were up for revision (typically 10–15 years). Congress subsequently applied this approach to state wilderness bills in Colorado, New Mexico, Indiana, Missouri, and West Virginia from 1980 to 1983. In 1982, NFMA rules were adopted allowing national forest planners to recommend additional wilderness from remaining roadless areas (Wilkinson & Anderson, 1987).

A consequence of these changes was a substantial increase in state-specific wilderness laws sponsored by members of Congress. In 1984, 20 states enacted national forest wilderness bills, adding 6.8 million acres to the NWPS (Keiter, 2003). A smaller number of eastern and mid-western states added new areas from the mid to late 1980s. A brief surge of legislative activity from 1989 through 1993 resulted in the enactment of new laws containing a significant amount of national forest wilderness acreage in four western states—Nevada in 1989 (720 000 acres), Alaska in 1990 (300 000 acres), California in 1992 (400 000 acres), and Colorado in 1993 (600 000 acres). In all cases, legislation involved members of Congress from both political parties and the Governor working with local officials and affected constituency groups to fashion a workable compromise. While the Forest Service played a smaller role in the enactment of state wilderness bills, it gained a significant new set of management responsibilities since more than three quarters of all wilderness areas within the lower 48 states were located within national forests by the early 1990s (Cubbage *et al.*, 1993).

Things changed after 1992 thanks to the emergence of new and competing governing coalitions. The first affected the role of the Presidency when a conservationist candidate, Bill Clinton, was elected. The second occurred in 1994 when partisan control of Congress shifted from the Democrats to the Republicans who remained in charge until the autumn 2006 elections (except for a brief stint of Democratic control in the US Senate from 2000–2). While Clinton was favourably predisposed to the expansion of the NWPS, he had to confront a new set of challenges to the normally bipartisan process of enacting wilderness policy after the mid-term congressional elections. Like Reagan, the newer cohort of incoming Republican leaders viewed environmental policy more skeptically than their predecessors and favoured a greater emphasis on local control, restraints on regulatory growth, and increased protection for property rights (Klyza & Sousa, 2008). Not surprisingly, wilderness bills were not a high priority for Congress within this period of change and turmoil. And within the public lands policy arena, leaders such as Representative Richard Pombo (R-CA) tended to perceive wilderness proposals as incompatible with property rights or with traditional preferences for multiple-use management. The legislative agenda was increasingly focused on issues such as wildfire, energy resources, or efforts to reform the Endangered Species Act (Leshy, 2005). Consequently, the number of national forest wilderness bills slowed considerably.

But partisan shifts were not the only reason for the slowdown in national forest wilderness legislation. Some argued that a decline was inevitable since the national forests had already accumulated a sizeable inventory of wilderness areas and there was less consensus that remaining roadless areas were equally worthy of designation. Second, members of the EP coalition spent more time exploring opportunities for the expansion of wilderness in lands managed by other federal agencies like the Bureau of Land Management and, to a lesser extent, the National Park Service (Keiter, 2003). A third source of concern for western legislators revolved around the question of how state water rights would be affected by wilderness designation (Allin, 2001). Thus, wilderness policy gridlock

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was reinforced by policy problems that were increasingly complex and less amenable to compromise as well as an increasingly sharp partisan divide affecting both Presidents and members of Congress.

The Roadless Rule and the Creation of 'Ad Hoc' Wilderness

In his second term, Bill Clinton decided to make the preservation of scenic or culturally important public lands a defining characteristic of his Presidency. A cadre of like minded officials within his Administration, such as Interior Secretary Bruce Babbitt and Jim Lyons, the Assistant Secretary of Agriculture for Natural Resources and Environment within the US Agriculture Department, worked hard to adopt administrative policies to effectively institutionalize 'ecosystems management' within national forests and other Interior Department agencies as well as executive actions designed to protect existing lands. A well-publicized example was President Clinton's decision to issue an executive order under the authority of the Antiquities Act of 1906 to create 19 new national monuments. But an especially bold move, taken in conjunction with Assistant Secretary Lyons and Forest Service Chief Michael Dombeck, was his use of the regulatory process to fundamentally reshape the management of national forest roadless areas from a commodity production perspective to one with a decidedly preservationist slant (Klyza & Sousa, 2008).

Administration officials recognized that wilderness policy goals would be advanced through rule-making actions on two fronts—the transportation system and remaining roadless areas within national forests. Ample justification for these pending moves came from the Forest Service's decision in the early 1990s to undertake a major managerial shift from multiple-use to 'ecosystems management' (Hoberg, 2001). Thus, a rule eliminating most commodity development activities in roadless areas would contribute to key agency goals such as conserving biological diversity, watershed protection, and the preservation of scenic viewscapes with semi-primitive recreational opportunities. Conversely, agency officials also recognized that the failure to adequately maintain existing roads would lead to adverse environmental impacts, notably an increase in soil erosion and declining water quality in nearby streams. The latter point was particularly worrisome since, as Chief Dombeck recognized, there was already a multi-billion dollar backlog within the national forests on funding for road maintenance needs (Croley, 2008).

In 1998, Chief Dombeck announced that a temporary moratorium would be placed upon new road construction within roadless areas until Congress decided upon the appropriate course of action. This was followed by the promulgation of a regulation in February, 1999 that formalized the 18 month suspension of road building into inventoried roadless areas (except for lands covered within recently revised national forest plans mandated by NFMA) and by a permanent rule in early 2000. The new rule gave greater priority to the maintenance and decommissioning of existing roads than to the construction of new roads (Baldwin, 2006). While this policy was predictably praised by environmentalists and condemned by commodity interests, it effectively delinked the national forest transportation issues from related efforts to consider the merits of roadless area protection issues.

Meanwhile, Administration officials were already busy crafting a new policy for the management of national forest roadless areas. On 13 October 1999, President Clinton issued the 'roadless rule', an attempt to significantly expand 'de facto' wilderness by

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excluding most developmental activities on 58 million acres of national forests. This was undertaken to essentially end or seriously curtail timber harvesting and other forms of commodity development in the 155 national forests. Recognizing that such actions were likely to create controversy, the Forest Service attempted to politically immunize the new rule by expanding public participation in a big way. Altogether, over 600 public hearings were held in 1999 and 2000, and more than 1.6 million comments were received. The overwhelming majority of comments expressed support for the roadless rule. The final version of this rule was published in January 2001 (36 CFR Parts 219 and 294) and contained most of the key provisions of the draft regulation with one major exception. While the initial document had exempted the massive Tongass National Forest in Alaska from the aforementioned developmental restrictions, the final rule did not (Baldwin, 2006).

Congressional Republicans and other EI members were stunned by the geographic scope of the new rule and were clearly unhappy with Clinton's decision to bypass Congress on a major policy shift with an administrative end run. Administration officials argued that the regulation did not violate key provisions of the Wilderness Act requiring all designation decisions to be made by Congress since it was authorized by NFMA, a statute that confers some discretion to the executive branch. But critics in Congress and elsewhere felt this was a political ruse. In their view, a policy that looked, acted and felt like a wilderness policy should be subjected to the procedural requirements of the Wilderness Act (Nie, 2004). At any rate, a major policy change had occurred, not within the hallways of Congress but through an executive policy-making venue (Klyza & Sousa, 2008).

Reformulating the Roadless Rule

The emergence of a new governing coalition with the election of George W. Bush in 2000 brought forward a set of expectations among EI members that changes in policy direction were forthcoming. This was clearly true for the 'roadless rule'. At the onset of the new Administration, President Bush's Chief of Staff, Andrew Card, placed a 60 day moratorium on carryover rules promulgated at the tail end of the Clinton Administration to allow department and agency heads ample time to determine whether these rules should be retained, altered, or dropped. The roadless rule was held up for review by USDA Secretary Ann Veneman, the departmental overseer for the Forest Service, and she ultimately decided that it should be retained but modified. After seeking and obtaining public input on a number of questions, Forest Service officials proposed a new regulation in July 2004 (36 CFR Parts 219 and 294).

While the Bush Administration was considering its regulatory options, several state officials and timber industry representatives in the West made a concerted effort to overturn the Clinton era roadless rule in the federal courts. Their main argument centred upon the Presidential use of rule-making as a legal sleight of hand to create 'de facto' wilderness in national forests. This allegedly violated provisions of the Wilderness Act that gave Congress the sole legal authority to make designation decisions. US District Judge Clarence Brimmer in Wyoming agreed in a 2003 ruling. The decision was appealed to the 10th Circuit Court of Appeals, but it was rendered moot since the Bush Administration formulated an alternative rule in 2004 that eliminated aspects of the original regulation to which industry officials had objected (Nie, 2004).

The roadless rule proposed by the Bush Administration differed greatly from the previous version both philosophically and procedurally. The most fundamental point of

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departure was reconsidering the assumption that roadless areas should be considered from a national perspective; i.e. the belief that larger concerns linked to environmental sustainability should guide the management of federal forests in general. In this sense, the roadless rule was closely intertwined with the Clinton-based planning rule that attempted to alter national forest planning to put more emphasis on land uses that contributed to the preservation and maintenance of forest ecosystems. However, the Bush Administration's alteration of both rules was designed to recapture the prior emphasis on multiple-use management favoured by extractive user groups seeking greater access to timber, mineral, and rangeland resources. Perhaps the one change that illustrated this point most clearly was the decision to remove the roadless area protections granted to Alaska's Tongass National Forest under the original regulation (Croley, 2008).

A key component of the new rule was the creation of a new review process to aid USDA in determining which roadless areas should continue to be effectively managed as wilderness and which areas should be placed under multiple-use management. The focus of decision shifted, in part, to the states. A new petition process called for the governor to solicit input from state groups to determine appropriate management goals for nation forests located within state borders. Governors in some states like Colorado opted for a major effort to tap public sentiment in a series of hearings held throughout the state, while others tended to rely on the advice of staff or agency officials to determine what the state's position should be. Gubernatorial recommendations would then be reviewed by a federal technical advisory group (TAC) that was established to advise USDA officials. A decision would then be made to accept the Governor's recommendations or to pursue a different managerial path. The final rule retained the same changes as the proposed regulation and was published in the Federal Register in May 2005 (Baldwin, 2006).

EI proponents of the new rule, such as timber and energy industry officials, argued that it represented a corrective step by placing more emphasis upon the inclusion of state-related management concerns instead of a national 'one size fits all' approach. Governors were given a stronger advisory role in terms of procedural input. They also attempted to reframe the public participation rationale by pointing out that the voluminous outpouring of support for the Clinton rule was misleading and was in fact the result of a carefully orchestrated postcard campaign rather than any attempt to spend more time conversing with local constituencies about their policy concerns (Walker, 2004).

Critics of the reformulated regulation were quick to point out that it failed to contain an environmental impact statement assessing the likely consequences of the procedural shift. The new rule was viewed as a means of signaling greater access to land use decisions for extractive user groups who were largely shut out from the previous iteration of the roadless rule. The rule was also depicted as overly complex procedurally since governors were asked to put forward forest management recommendations with no guarantee that the TAC committee advising USDA officials would accept them. Finally, critics read the public input differently, arguing that the previous regulation was clearly a mandate for change since well over 90% of the 1.6 million comments received expressed support (Croley, 2008).

Implementation of the new rule was supposed to begin shortly after the November 2006 deadline for gubernatorial petitions to the TAC. But very little has been done in terms of petitioning efforts and the rule has been in limbo because of federal court challenges from the EP coalition and a number of (mostly Democratic) state officials wishing to preserve the roadless area characteristics of national forests within their borders. A lawsuit against

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the roadless rule was filed by 20 environmental groups and the attorneys general from California, New Mexico, Oregon, and Washington in 2005. At issue was the failure of the Bush Administration to conduct an EIS for the repeal of the Clinton era rule. And in September 2006, US District Judge Elizabeth Laporte in San Francisco ruled that failure of the Bush Administration to conduct an EIS on the rule violated both NEPA and the ESA and ordered that the Clinton rule should be reinstated (Berman, 2006). The Bush Administration responded with a tactical shift. USDA Undersecretary Mark Rey announced that the roadless rule would be administered on a state by state basis using the Administrative Procedure Act.

Conclusions

The push for wilderness has resulted in considerable growth of protected areas within the 155 national forests—from the 9.1 million acres of administratively created wilderness in the first half of the 20th century to approximately 36 million acres today (US Forest Service, 2008). The initial set of agency-created wilderness received statutory protection following the enactment of the Wilderness Act in 1964. And despite a sense of initial unease from Forest Service officials wishing to preserve greater discretionary authority to pursue multiple-use management within the national forests, Congress, with a sizeable political boost from the EP coalition, found it easy to get caught up in the spirit of the 'environmental decade' and acted accordingly. From the mid-1960s to 1980, a substantial amount of national forest roadless acreage was added to the NWPS, culminating in the massive 56 million acre Alaska Lands Act in the final year of the Carter Presidency.

The politics of wilderness shifted after 1980 to include policy proposals that were more complex and subject to land use disagreements. In addition, the election of Ronald Reagan produced a new wrinkle affecting the operations of Presidential governing coalitions. Republican Presidents would henceforth exhibit greater skepticism about the relative merits of adding national forest wilderness acreage than their Democratic counterparts. In addition, new bills continued to be enacted only after legal conditions were met concerning the status of land use activities within existing wilderness areas (such as water rights) as well as determining whether remaining roadless areas would be released for multiple-use management or held in abeyance until decisions about wilderness designation had been made. Advocacy coalitions supporting or opposing wilderness also became more varied, pushing an array of issues ranging from the protection of biodiversity to property rights concerns under an ever-increasing policy umbrella.

Following the 1994 midterm elections in Congress that shifted political control from the Democrats to the Republicans, the bipartisan consensus that had sustained the enactment of numerous state wilderness bills began to unravel. A key factor lay in the increasing overlap between newly-elected (and increasingly conservative) Republicans in Congress and the EI coalition on the importance of other public land use policies in competition with wilderness. Other factors also contributed. But President Clinton attempted to shift the primary venue for wilderness policy-making from Congress to the executive branch with his promulgation of the roadless rule; since that time, wilderness politics has largely been mired in the dueling efforts of President George W. Bush to reformulate the rule in an effort to accommodate the policy concerns of the EI coalition and those of EP members, including many Democratic leaders, to restore the preservationist emphasis contained in the original rule. From the ACF perspective, two conclusions can be drawn.

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First, while new governing coalitions have long been important as a stimulus for policy change, their explanatory importance in advancing or slowing wilderness policy proposals has increased thanks to the growing partisan divide on environmental issues. Second, the role of the President has become more critical in terms of whether wilderness policy proposals will achieve agenda status as well as executive level support. In a related vein, Presidential rule-making has become an important feature of the wilderness policy landscape.

What are the implications of this analysis for the future of national forest wilderness politics and policy? On one level, a certain amount of wilderness designation activity will continue in Congress, depending on which party controls the Presidency or Congress. During President Bush's tenure in office, a number of smaller (under 100 000 acres) national forest wilderness bills were enacted. Many of these consisted of carefully crafted add-ons to existing wilderness areas (Scott, 2004). Success was largely dependent upon the willingness of the EP coalition to sign off on a process of developing bipartisan bills that was thoroughly vetted with local officials and affected constituencies and that displayed greater flexibility in making trade-offs; e.g. land swaps or allowing ORV access on adjacent non-wilderness parcels (Eilperin, 2006).

The election of Democrat Barack Obama as President in 2008 augurs well for the expansion of national forest wilderness. No action has yet been taken on the status of the roadless rule. One possibility is that Administration officials will allow the ongoing rule-based litigation in the federal courts to be played out. EP coalition members and, perhaps, President Obama would be satisfied with the legal restoration of the Clinton rule offering greater wilderness type protection to the 58 million acres of remaining roadless areas. The likelihood is that even if the Bush Administration interpretation of the roadless rule prevails, a substantial number of governors will recommend that all or most of the affected forestlands be folded into a protected state. It is equally plausible that the Obama Administration may choose to begin a new rule-making process affecting national forest roadless areas.

However, now that unified partisan control has been established, it is reasonable to expect that Congress will seek to regain greater influence over the amount and type of wilderness legislation put forward. Indeed, recent efforts from the EP coalition have already borne legislative fruit. In March 2009, President Obama signed the Omnibus Public Lands Management Act into law, a bill containing more than 2 million acres of wilderness located within national forests and other land management agencies (Phillips, 2009). I conclude by suggesting that policy change affecting wilderness, like other programmes, is affected by an array of variables contained within the ACF framework. However, the most dominant factor contributing to major policy shifts is the emergence of a new governing coalition.

Note

1. The BLM received statutory authority to recommend wilderness for lands under agency jurisdiction in 1976, following the enactment of the Federal Land Policy and Management Act.

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