



STATE OF WASHINGTON

DEPARTMENT OF HEALTH

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September 21, 2026

Joshua White
Acting Director, Ecosystem Management Coordination
U.S. Forest Service
U.S. Department of Agriculture
201 14th Street SW, Mailstop 1108
Washington, DC 20250-1124

RE: Docket No. FS-2025-0001; RIN 0596-AD66; Special Areas; Roadless Area Conservation, 91 Fed. Reg. 53827 (Aug. 20, 2026)¹

Dear Acting Director Joshua White:

Introduction and Position

The Washington State Department of Health (DOH) strongly opposes the proposed rescission of the 2001 Roadless Area Conservation Rule. The proposal would remove and reserve 36 C.F.R. part 294, subpart B, eliminating the prohibitions on road construction, road reconstruction, and timber harvest that have applied to inventoried roadless areas for twenty-five years.

DOH does not manage forests and takes no position on timber supply as such. We comment because the U.S. Department of Agriculture (USDA) has offered wildfire risk reduction as the central justification for this action, and wildfire is a public health matter in Washington.

In DOH's experience, wildfire smoke is the air quality hazard that reaches most Washington residents in a typical year. DOH issues health guidance during smoke episodes and supports local health jurisdictions and health care facilities through them. It also regulates the drinking water systems whose source watersheds lie in these forests. The published record on where fires start in national forests points in the opposite direction from the rationale offered for this rule. Ignition densities alongside roads run roughly four times those in inventoried roadless areas, and the proposal would open millions of acres to new roads. The draft environmental impact

¹Special Areas; Roadless Area Conservation, 91 Fed. Reg. 53827 (proposed Aug. 20, 2026) (to be codified at 36 C.F.R. pt. 294), <https://www.federalregister.gov/documents/2026/08/20/2026-16965/special-areas-roadless-area-conservation>

statement prices timber revenue and recreation losses but assigns no value to the health consequences of additional ignitions.

Washington's Stake

Washington has approximately 2.015 million acres of inventoried roadless area, roughly 22 percent of the state's National Forest System land.² Those acres are distributed across the Olympic, Mount Baker-Snoqualmie, Gifford Pinchot, Okanogan-Wenatchee, Colville, and Umatilla National Forests. More than 400,000 acres lie in the Mount Baker-Snoqualmie National Forest alone, directly upslope of the state's largest population center.³

The proposal does not state how much of Washington's acreage would become available for roads or harvest. Applying USDA's own national proportions to Washington's total: at 45.5 percent of inventoried roadless acres where forest plans would allow new road construction, roughly 917,000 Washington acres; at 16 percent operable forested land available for timber management, roughly 322,000 acres. That arithmetic is based on USDA's published percentages.

DOH's interest follows from its statutory responsibilities. DOH's Office of Drinking Water regulates the public water systems that serve more than 6.2 million Washington residents, about 85 percent of the state's population, under state law and a primacy agreement with the U.S. Environmental Protection Agency (EPA). Surface water systems drawing from national forest watersheds depend on the stability of those watersheds for source quality. DOH also leads the state's public health response when smoke settles over Washington communities for days at a time, working alongside emergency management partners and the local health jurisdictions that carry the response on the ground.

The Wildfire Rationale Is Contradicted by the Evidence on Where Fires Start

USDA has justified this action on wildfire grounds, stating that outdated restrictions have kept forested acres off-limits to treatments that reduce wildfire risk, and that more than 40 percent of inventoried roadless areas carry high or very high wildfire hazard potential.⁴ Hazard potential describes what would burn if a fire started. It does not describe where fires start, and the two are different questions.

On where fires start, the record is consistent. A three-decade analysis of wildfire ignitions across all eight contiguous Forest Service regions, covering 1992 through 2024, found highest wildfire-ignition density within 50 meters of roads with 7.99 fires per 1,000 hectares, compared with 3.50 on other national forest lands, 1.97 in inventoried roadless areas, and 1.75 in designated

²Eli Francovich, *Feds Plan to Rescind 2001 Roadless Rule Protecting 45 Million Acres of National Forest*, The Spokesman-Review (Aug. 18, 2026), <https://www.spokesman.com/stories/2026/aug/18/feds-plan-to-rescind-2001-roadless-rule-protecting/>

³Federal Government Works to Finalize Roadless Rule Repeal, *Cascadia Daily News* (Aug. 20, 2026), <https://www.cascadiadaily.com/2026/aug/20/federal-government-works-to-finalize-roadless-rule-repeal/>

⁴U.S. Dep't of Agric., *USDA Acts to Remove Roadless Rule Restrictions That Exacerbate Rising Wildfire Risk* (Aug. 18, 2026), <https://www.usda.gov/about-usda/news/press-releases/2026/08/18/usda-acts-remove-roadless-rule-restrictions-exacerbate-rising-wildfire-risk>

wilderness.⁵ The gradient holds with distance: roughly six ignitions per 1,000 hectares within 250 meters of a road, and fewer than two beyond 2,000 meters.⁶

The same analysis found that fires near roads are smaller on average than fires in roadless areas. We note that finding rather than leaving it out. It does not rescue the proposal. Mean fire size near roads partly reflects the fact that crews can reach those fires, which is a statement about suppression cost, not about whether the fire should have started. And ignition frequency is not offset by a smaller average fire when the health exposure at issue is cumulative smoke across a season rather than any single perimeter.

The proposal also does not identify a specific fuels treatment that the 2001 rule prevented and that would have changed a wildfire outcome in Washington. DOH requests that the final environmental impact statement identify such treatments by forest, with the acreage involved and the projected effect on burned area, so that the claimed fire benefit can be weighed against the ignition risk the record documents.

The economic analysis compounds the problem. The proposal estimates annual timber revenue of \$5.2 to \$11.4 million to the Treasury and \$4.6 to \$10.6 million to industry, against recreation losses of \$6.1 million annually, and acknowledges that total impacts could exceed \$100 million.⁷ Nowhere in that accounting is the cost of smoke-related illness. A rule justified on fire grounds should carry a fire-related health accounting.

Additional Ignitions Produce Measured Health Burdens in Washington

Wildfire smoke is not a nuisance exposure. EPA attributes asthma exacerbation, reduced lung function, airway inflammation, heart failure exacerbation, increased emergency department visits, premature mortality, and initial evidence of preterm birth.⁸ These are the outcomes DOH tracks each summer.

Washington has the data. A time-stratified case-crossover study of emergency department visits statewide found increased odds of asthma visits immediately after smoke exposure and on each of the five days following, with an odds ratio of 1.13 on the day of exposure, together with elevated respiratory visits across the same window and cardiovascular effects emerging several days out.⁹ The Office of Financial Management's Health Care Research Center examined medical claims for the 2014 through 2018 fire seasons and found that moderate smoke was associated with a 9 percent increase in asthma-related medical services and a 4 percent increase in emergency department visits, rising to 24 percent and 12 percent when air quality reached

⁵Gregory H. Aplet, Phil Hartger & Matthew S. Dietz, Three-Decade Record of Contiguous-U.S. National Forest Wildfires Indicates Increased Density of Ignitions Near Roads, 22 Fire Ecology art. 8 (2026), <https://doi.org/10.1186/s42408-026-00450-2>

⁶Aplet et al., supra note 8.

⁷91 Fed. Reg. at 53830–53831.

⁸U.S. Env'tl. Prot. Agency, Health Effects Attributed to Wildfire Smoke (last updated Oct. 14, 2025), <https://www.epa.gov/wildfire-smoke-course/health-effects-attributed-wildfire-smoke-0>

⁹Annie Doubleday, Lianne Sheppard, Elena Austin & Tania Busch Isaksen, Wildfire Smoke Exposure and Emergency Department Visits in Washington State, Env'tl. Rsch.: Health (2023), <https://doi.org/10.1088/2752-5309/acd3a1>

unhealthy levels.¹⁰ Across those five seasons the analysis counted 7,262 excess medical service visits and 609 excess emergency department visits for asthma, at a cost of \$4.5 million, and stated that these figures understate the full burden.

That is the measured cost of asthma alone, for five fire seasons, from one state. It is the category of evidence USDA asked commenters to supply, and it belongs in the final regulatory analysis. If rescission produces additional ignitions at anything approaching the densities the published record associates with roaded terrain, the health costs will fall on Washington residents and on Washington's health care system, while the timber revenue accrues to the federal Treasury.

The Burden Will Not Fall Evenly

The people most affected by additional smoke are identifiable in advance. EPA identifies adults 65 and older, children, people with asthma and other lung disease, and outdoor workers as at heightened risk, with risk compounded when smoke and heat occur together.¹¹ In Washington, that description maps onto the agricultural and outdoor workforce of the Yakima Valley and the Columbia Basin, and onto rural communities in Okanogan, Ferry, Stevens, Chelan, and Klickitat Counties. Those counties sit closest to the affected forests, and they have the fewest clean-air shelters and the longest travel times to emergency care. Households that rent, that lack central air conditioning, or that cannot afford portable filtration carry more of this exposure than their neighbors, and they carry it in the same counties where the roads would be built.

Drinking water follows the same pattern. A 2026 analysis in PLOS Water estimates that watersheds influenced by inventoried roadless areas supply public drinking water to about 25 million people nationally.¹² Road construction and harvest in headwaters increase sediment delivery and turbidity, which raises treatment burden for surface water systems. Washington's small and rural systems have the thinnest margins for absorbing that burden, and the DOH is the agency that must respond when a system cannot meet treatment standards.

Finally, the proposal's own record shows that consultation is incomplete. USDA reports 64 requests for government-to-government consultation, 34 scheduled, and 29 completed at publication, and states that the majority sentiment among Tribal governments consulted is opposition to the rescission, described as a threat to inherent rights, sovereignty, cultural survival, and the ecological health of ancestral homelands.¹³ Washington's Tribes hold treaty-reserved rights in these forests. A final rule issued while more than half of requested consultations remain uncompleted would not reflect a complete record.

Recommendations

¹⁰Wash. State Office of Fin. Mgmt., Health Care Rsch. Ctr., Increased Medical and Emergency Department Claims for Asthma After Wildfire Smoke Exposure in Washington, 2014–2018 (Aug. 2022), https://ofm.wa.gov/sites/default/files/public/dataresearch/healthcare/pdf/smoke_exposure_extract.pdf

¹¹U.S. Env'tl. Prot. Agency, *supra* note 11.

¹²Julian D. Olden et al., Assessing the Value of the U.S. Roadless Rule for People and Nature, PLOS Water e0000538 (2026), <https://doi.org/10.1371/journal.pwat.0000538>

¹³91 Fed. Reg. at 53831.

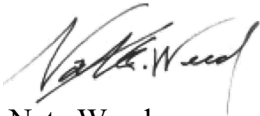
1. Withdraw the proposed rescission of 36 C.F.R. part 294, subpart B.
2. If USDA proceeds, quantify smoke-related health costs in the final environmental impact statement and regulatory analysis. Use the ignition-density evidence in the published literature and state health data of the kind supplied in these comments, and carry those costs through to the benefit-cost comparison.
3. Publish state-level acreage figures showing, for each state, how many inventoried roadless acres would become available for road construction and for timber harvest. States cannot evaluate a national percentage.
4. Complete all 64 requested government-to-government consultations, and address the recorded Tribal opposition and the co-stewardship alternatives raised, before taking final action.
5. Extend the comment period. Thirty days is not adequate for public review of a rescission of this scope accompanied by a three-volume draft environmental impact statement, and the compressed schedule limits the technical comment USDA has asked for.
6. If USDA concludes that specific inventoried roadless areas warrant different management, pursue those changes through forest-plan revision on the affected units, with state and Tribal coordination, rather than through blanket national rescission.

G. Conclusion

USDA has proposed to remove protections from 58.5 million acres on the stated ground that doing so will reduce wildfire risk. The evidence assembled over three decades of national forest fire records does not support that proposition, and the analysis accompanying the proposal does not attempt to account for the health consequences that additional ignitions would produce. In Washington, those consequences are measurable, they recur every summer, and they fall hardest on older adults, children, people with asthma, outdoor workers, and rural communities.

The Department of Health urges USDA to withdraw the proposed rescission. Thank you for the opportunity to comment.

Sincerely,



Nate Weed
Chief of Resiliency
Washington State Department of Health