



Colorado Roadless Rule: Another Draft, More Public Input

By: [Bill Sparks](#)

On August 3, 2009, the Colorado Department of Natural Resources (Colorado DNR) released proposed revisions to the Draft Colorado Roadless Rule. The Colorado DNR issued its initial draft in July 2008. The Colorado DNR released this proposed revised rule just prior to the recent ruling by U.S. Court of Appeals for the Ninth Circuit which invalidated the State Petitions Roadless Rule which authorizes the State of Colorado to draft its own roadless rule.

This proposed revised rule adds approximately 160,000 acres of roadless areas and attempts to limit an exception for oil and gas pipelines by prohibiting new pipelines in roadless areas if the oil or natural gas is produced exclusively outside of a roadless area. In addition, the proposed rule would prohibit the U.S. Forest Service from exempting a no surface occupancy lease stipulation included to protect roadless areas attached to certain oil and gas leases issued after 2001.

After this round of additional public input, the Colorado DNR will make any necessary revisions to the proposed rule and plans to submit their final recommendation to the U.S. Department of Agriculture this fall.

The Colorado DNR will accept comments on the proposed rule until October 3, 2009. The full text of the revised draft rule can be found at <http://www.dnr.state.co.us/roadlessrule>. Comments may be submitted electronically to Roadless.Comments@state.co.us or may be mailed to:

Roadless Rule Comments
Colorado Department of Natural Resources
Room 718
1313 Sherman
Denver, CO 80203

Beatty & Wozniak is developing comments for a group of companies. If you are interested in joining this group, please contact Bill Sparks at wsparks@bwenergylaw.com or (303) 407-4437.