



Key Elements of the Colorado Roadless Rule

Summary of Proposed Colorado Roadless Rule:

The proposed rule provides for management of 4.19 million acres of National Forest System (NFS) land within the Colorado Roadless Areas. The rule prohibits tree cutting, road construction and reconstruction, and the use of linear construction zones within roadless areas, with some exceptions to the prohibitions. These exceptions address limited state-specific situations. Within a subset of the roadless acres, called the upper tier, fewer exceptions apply.

Tree Cutting Direction

The proposed rule prohibits tree cutting unless the proposal meets one of the following conditions:

- Tree cutting is incidental to another use permitted in roadless areas.
- Tree cutting is needed for personal or administrative use.
- Tree cutting is needed to improve habitat for threatened, endangered, proposed, and sensitive species. This exception does not apply on upper tier roadless acres.
- Tree cutting is needed to maintain or restore the characteristics of ecosystem composition, structure, and processes. This exception does not apply on upper tier roadless acres.
- Subject to Regional Forester approval, tree cutting in a community protection zone (CPZ) within one-half mile of a community that is at risk from wildfire, and where cutting of trees is needed to reduce that risk. The CPZ can be extended to a mile and a half if the community has a Community Wildfire Protection Plan in place and the area meets the wildland-urban interface requirements in the Healthy Forest Restoration Act. This exception does not apply on upper tier roadless acres.
- Subject to Regional Forester approval, tree cutting may be extended beyond the CPZ where there is a significant risk to a municipal water supply system. This exception does not apply in upper tier roadless acres.

In addition to meeting one of the above exceptions, any proposed project that will involve tree cutting must be consistent with the forest plan and except for the first two exceptions above, maintain or improve one or more of the roadless characteristics over the long term.

Road Management Direction

The proposed rule prohibits new road construction and reconstruction unless the proposal meets one of the following conditions:

- Roads are needed for reserved or outstanding rights, statutes, or treaties (including CERCLA and Federal Highways). This is the only road construction exception that may be used in upper tier acres.
- Road realignment is needed to prevent resource damage.
- Road reconstruction is needed to implement a road safety improvement project.
- Subject to Regional Forester approval, roads are needed for authorized water conveyance structures with a preexisting water court decree.
- Temporary roads are needed to protect public health and safety in case of catastrophic events.
- Subject to Regional Forester approval, temporary roads are needed for fuel treatment projects within one-half mile of an at-risk community.

- Subject to Regional Forester approval, temporary roads are needed for tree cutting to maintain or restore the characteristics of ecosystem composition, structure, and processes within one-half mile of an at-risk community.
- Temporary roads are needed for existing oil and gas leases.
- Temporary roads are needed for existing coal leases, and new leases only in the 20,000 acre North Fork coal mining area.

In addition to meeting one of the above exceptions, the following determinations are required for road construction to be permitted: that motorized access is not technically feasible without a road; that when proposing a forest road, a temporary road would not provide reasonable access; and that road construction would not diminish native cutthroat trout habitat over the long term.

The rule adds these road management requirements within all roadless areas:

- Road construction would minimize impacts to surface resources.
- Roads would be decommissioned after use.
- New roads would not be open to public use.

Linear Construction Zone (LCZ) Direction

A linear construction zone (LCZ) is a temporary linear area of surface disturbance over 50-inches wide that is used for motorized transport by vehicles or construction equipment to install a linear facility. It is not used as a motor vehicle route and is not engineered to road specifications. Pipelines, electrical power lines, telecommunications lines, ditches and canals can often be constructed using an LCZ without roads.

The rule prohibits the use of linear construction zones unless, subject to Regional Forester approval, the proposal meets one of the following:

- An LCZ is needed for authorized water conveyance structures based on a preexisting water court decree.
- An LCZ is needed for construction, reconstruction, or maintenance of existing or future authorized electrical power lines or telecommunication lines, where there is no opportunity for the line to be located outside of a roadless area without greater environmental damage.
- An LCZ is needed for pipelines within roadless areas where an existing lease allows surface use.
- An LCZ is needed for pipelines associated with an oil and gas lease outside a roadless area when connecting to existing infrastructure within the roadless area would cause substantially less environmental damage.

In addition to meeting one of the above exceptions, the following determinations are required in order for an LCZ to be permitted:

- Motorized access without an LCZ is not technically feasible.
- Proposal is consistent with the forest plan.
- An LCZ would not diminish native cutthroat trout habitat over the long term.

Additional Information:

- Roads for new oil and gas leases are not allowed.
- The Responsible Official must consider eight listed items during the review of a surface use plan of operations for all oil and gas leases, including existing leases.
- Decisions on livestock grazing and the use of motorized and non-motorized trails are outside of the scope of the roadless rule.
- Any forest plan requirements that are more protective than the rule are to be followed.
- Alternative 2 upper tier acres do not overlap any existing oil or gas leases. Alternative 4 upper tier acres do contain existing oil and gas leases. Temporary roads could be constructed on these acres where allowed by their lease.
- The North Fork coal mining area is not within upper tier acres in either alternative 2 or 4.