



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

February 8, 2008

Ref: EPR-N

Kathy Kurtz
Colorado Roadless Interdisciplinary Team Leader
P.O. Box 162909
Sacramento, CA 95816-2909

Re: Roadless Area Conservation; National
Forest System Lands in Colorado
Scoping comments

Dear Ms. Kurtz:

The U.S. Environmental Protection Agency (EPA) Region 8 has reviewed the *Notice of Intent (NOI) to Prepare an Environmental Impact Statement (EIS)* for the Roadless Area Conservation: National Forest System Lands in Colorado. With this proposal, the U.S. Forest Service (USFS) is initiating a public rulemaking process to address the management of roadless areas on National Forest System lands within the State of Colorado. The State is requesting specific regulatory protections with certain management flexibility for the approximately four million acres of affected lands. We provide these comments in anticipation of our review of the Draft EIS (DEIS) and in accordance with our authorities and responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act.

The proposed rulemaking, using input from the 2007 Petition with input from the Roadless Area Conservation National Advisory Committee, would designate Colorado Roadless Areas which would supersede previous roadless inventories conducted under the Roadless Area Review Evaluation and the 2001 Roadless Rule (Rule). Colorado Roadless Areas would be identified using the 2001 Roadless Area Conservation Rule inventoried roadless areas (IRA) as a basis, incorporating any revisions to IRAs through revised Forest Plans.

The NOI indicates that possible alternatives to be analyzed in the Draft EIS include roadless management direction as set forth in the 2001 Roadless Rule and in current Land and Resource Management Plans. EPA recommends that the DEIS include a table that quantifies and compares impacts to IRAs under each alternative, including:

- Number of acres that maintain their natural processes and roadless characteristics
- Number of acres that will allow cutting, selling or removal of timber
- Number of acres that will be made available for mining, and oil and gas exploration and development
- Number of unleased acres that may be opened for development of locatable minerals
- Number of miles of new road construction/reconstruction possible for reasonable access
- Number of acres of watersheds that would be impacted by new road construction, oil and gas exploration and/or mining

The NOI states that the 2007 Petition provides that no new roads would be constructed in Colorado Roadless Areas for exploration, development or transportation purposes relating to oil and gas leases issued after the date of implementation of the Rule. The DEIS should clarify how the proposed rulemaking will apply to projects such as the Northern San Juan Basin Coal Bed Methane Project, Bull Mountain Natural Gas pipeline, and other proposed oil and gas leasing in IRAs. The DEIS should also address whether any future leases on IRAs would have no surface occupancy stipulations, or other protections consistent with revised forest and land management plans.

EPA is concerned with the considerable breadth of exceptions to the prohibition of cutting, selling or removing timber from a Colorado Roadless Area. The NOI lists five exceptions from the prohibition that capture the universe of what EPA sees as the purpose and need for logging projects on national forests. While commercial logging operations are clearly prohibited, the NOI indicates that timber operations for many other reasons can be justified. Logging and associated road building can increase erosion and sedimentation, polluting water ways and damaging fish habitat, while also fragmenting wildlife habitat. EPA is concerned about impacts to ecological resources from those exceptions. The DEIS should include clear guidelines and commitments for how impacts from exemptions will be avoided, minimized and mitigated on IRAs.

Thank you for your willingness to consider our comments at this stage of your planning process. These comments are intended to ensure a comprehensive assessment of the project's environmental impacts, adequate public disclosure and an informed decision-making process for alternative selection. If you have any questions or would like to discuss our comments, please contact me at 303-312-6004 or Jody Ostendorf (303-312-7814) of my staff.

Sincerely,

Larry Svoboda
Director, NEPA Program
Office of Ecosystems Protection and Remediation