



Danielle R. Bettencourt

Director

T: (303) 894-4431

dbettencourt@fwlaw.com

Danielle is an environmental, public land use, and natural resources attorney with experience throughout the Midwest including in Colorado, Utah, Montana, North Dakota and Wyoming. She works with local governments, grazing associations, ranchers, natural resource developers, and other public land users who are directly impacted by federal and state land use decisions and environmental laws.

She has over a decade of experience handling federal environmental litigation involving the National Environmental Policy Act (NEPA), the Federal Land Policy and Management Act (FLPMA), the Endangered Species Act, the Clean Water Act (CWA), the Wild Free-Roaming Horses and Burros Act, the Wilderness Act, and the Mineral Leasing Act. Danielle works with clients early on in the federal land use planning, permit, or project approval process to ensure clients are given a special seat at the table to protect their interests, are building an appropriate administrative record to preserve issues for appeal, and that they are working cooperatively with the federal and state agencies involved in the decision-making process. She works closely with her clients to find legal, political, and practical solutions. She also has experience managing Quiet Title Act litigation against the United States involving R.S. 2477 rights-of-way, County established roads, and mineral and royalty interests on and across public lands.

Danielle also works directly with grazing associations, ranchers, and range consultants to protect their livestock operations occurring on federal land across Colorado, Wyoming, North Dakota, and Utah. The federal livestock grazing permits are administered according to various rules, regulations, handbooks and manuals. Danielle ensures clients are compliant with federal grazing permits, as well as helping to acquire, renew, or transfer grazing permits and appeal any adverse decisions by the U.S. Bureau of Land Management or U.S. Forest Service that impact federal grazing permits.

Education

University of Denver Sturm College of Law, J.D., 2011

University of Northern Colorado, M.S., Sports and Exercise Science: Sports Administration, 2008

Bar Admissions

Colorado
Montana
North Dakota
Wyoming
U.S. District Court for the District of North Dakota
U.S. Court of Appeals for the Tenth Circuit

Practice Areas

Natural Resources and Environmental Law
Land Use, Zoning, and Development Entitlements
Environmental Litigation

Sectors

Energy and Natural Resources
Oil and Gas
Alternative Energy

Professional Affiliations

- Colorado Bar Association
 - Natural Resources and Energy Law Section, Executive Council At Law Member, 2021 – present
 - Environmental Law Section
 - Agricultural & Rural Law Section
- Colorado Women's Bar Association
- Denver Bar Association
- North Dakota Bar Association
- Montana Bar Association
- Wyoming Bar Association

Representative Experience

- Case brought under Administrative Procedure Act on behalf of several counties and other local governments against the U.S. Bureau of Land Management and U.S. Forest Service for violating the National Environmental Policy Act and the Federal Land Policy Management Act during 2015 sage-grouse land use plan amendments.
- Case brought under the Administrative Procedure Act and intervention into similar cases on behalf of a grazing association regarding the U.S. Bureau of Land Management failure to comply with the Wild Free-Roaming Horses and Burros Act and National Environmental Policy Act during wild horse gathers on private and public lands in Wyoming.
- Case brought under the Administrative Procedure Act against BLM for unlawfully managing public lands as de facto wilderness in contravention of the Federal Land Policy and Management Act and the Wilderness

Act.

- Represented local governments in Arizona challenging the withdrawal of more than one million acres from uranium mining.
- Administrative Procedure Act claim against the U.S. Bureau of Land Management on behalf of operator drilling ultra-deep well in crucial big game winter range and sage-grouse core habitat.
- Quiet Title Act claim against the United States claiming title to all section line rights-of-way and specific County roads located within the National Grasslands in North Dakota pursuant to R.S. 2477.
- Quiet Title Act claims against the United States claiming title to mineral and royalty interests on the National Grasslands in North Dakota.
- Administrative appeals and evidentiary hearings, primarily on livestock grazing and oil and gas issues, before the U.S. Forest Service and Bureau of Land Management.
- Advising on legislation and rulemaking for, and participating in proceedings before the Wyoming Public Service Commission.

Presentations

- "Clean Water Act Jurisdiction over 'Waters of the U.S.,'" Wyoming Land and Water Law: Ownership and Access, January, 29, 2024
- "Federal Regulatory and Policy Changes Impacting Natural Resource Development on Public Lands," Colorado Bar Association Natural Resource and Energy Law Section, January 2024