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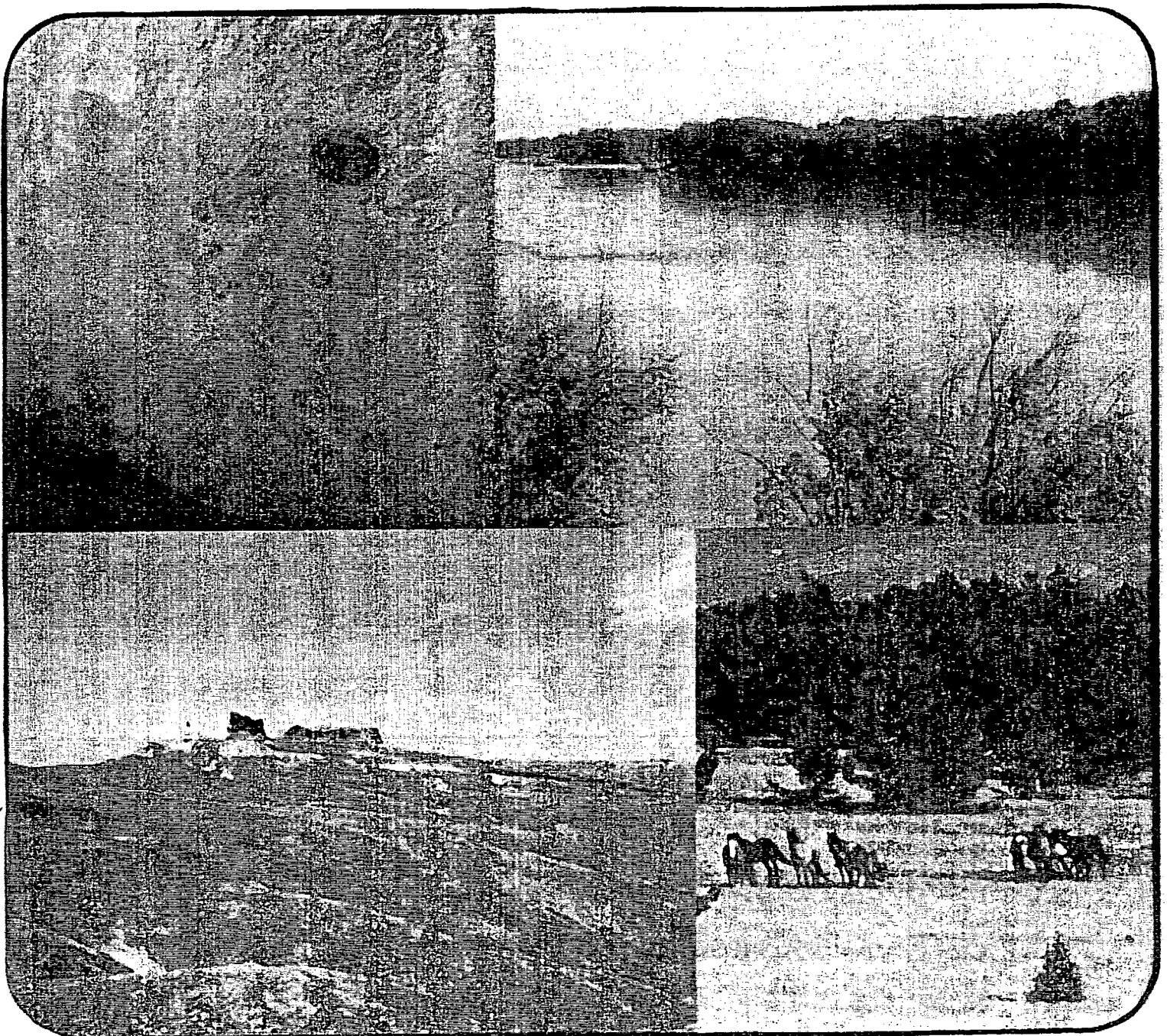
Billings Field Office  
Miles City Field Office  
South Dakota Field Office

March 1999



# AREAS OF CRITICAL ENVIRONMENTAL CONCERN

Decision Record and Approved Amendment  
of the Billings, Powder River and South Dakota  
Resource Management Plans



*Cover, clockwise from top left: Weatherman Draw ACEC, Howrey Island ACEC, East Pryor Mountains ACEC, and Finger Buttes ACEC.*



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

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Miles City, Montana 59301  
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March 10, 1999

Dear Reader:

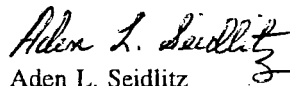
This is a copy of the Decision Record for areas of critical environmental concern (ACECs) located within southeastern Montana and Western South Dakota. The Decision Record approves BLM's decisions and designates 12 ACECs: Bridger Fossil, Castle Butte, Meeteetse Spires, Petroglyph Canyon, East Pryor Mountains, Stark Site, Weatherman Draw, Battle Butte, Finger Buttes, Howrey Island, Reynolds Battlefield, and Fossil Cycad. This document amends the South Dakota, Billings and Powder River resource management plans. The management actions within this plan will guide future use and activities within the 12 ACECs.

*The Areas of Critical Environmental Concern Environmental Assessment and Proposed Amendment of the Billings, Powder River, and South Dakota Resource Management Plans* was published in September 1998. Copies of this document are available from the Billings, and Miles City, Montana, and Belle Fourche, South Dakota BLM offices.

Decisions are listed under each designated area. The reader should refer to the 1998 *Areas of Critical Environmental Concern Environmental Assessment and Proposed Amendment of the Billings, Powder River, and South Dakota Resource Management Plans* for map, glossary, and bibliography information.

We thank you for your assistance and extend our appreciation for your participation during the planning process.

Sincerely,

  
Aden L. Seidlitz  
Associate Field Manager  
Miles City Field Office

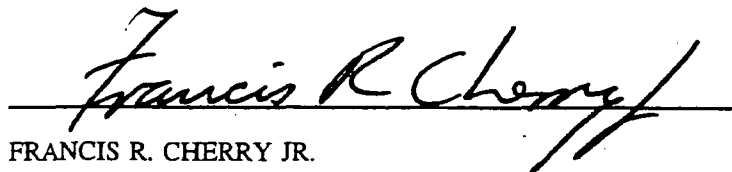
# DECISION RECORD

## AREAS OF CRITICAL ENVIRONMENTAL CONCERN

### Decision Record and Approved Amendment of the Billings, Powder River and South Dakota Resource Management Plans

Prepared by:  
Miles City Field Office  
Bureau of Land Management, Montana

DECIDING OFFICIAL:



FRANCIS R. CHERRY JR.  
Acting State Director  
Montana State Office



DATE

## INTRODUCTION

The purpose of this document is to designate and approve BLM management decisions for 12 areas of critical environmental concern (ACECs).

These decisions are supported by the Finding of No Significant Impact and Environmental Assessment found in the Areas of Critical Environmental Concern Environmental Assessment and Proposed Amendment of the Billings, Powder River, and South Dakota Resource Management Plans (ACEC EA and Proposed RMP Amendment) published in September 1998 (EA No. MT-020-98-01).

## DECISION

The decision is hereby made to approve the proposed amendment to the Billings, Powder River and South Dakota resource management plans as described in the 1998 ACEC EA and Proposed RMP Amendment. This plan was prepared under federal regulations including the Federal Land Policy and Management Act of 1976 and the National Environmental Policy Act of 1969, as amended. The preferred alternative (Alternative C) in the 1998 ACEC EA and Proposed RMP Amendment has been selected as the approved plan.

## LOCATION OF THE PLANNING AREA

The planning area encompasses BLM-administered public lands in South Dakota, Powder River and Billings RMP areas.

## THE PLANNING SYSTEM

Development of an approved resource management plan amendment occurs within the framework of the BLM planning system. The planning system is divided into three tiers: policy planning, land use planning and activity planning. The completion of this approved resource management plan amendment along with the previously completed steps in the land use planning process - the 1997 ACEC EA and Draft RMP Amendment, and the 1998 EA and Proposed RMP Amendment - satisfy the requirements for the land use planning tier of the Bureau planning system.

## PUBLIC PARTICIPATION

The ACEC EA and RMP Amendment was prepared by three interdisciplinary teams of specialists from the South Dakota, Billings, and Miles City Field offices and the Montana State Office. Reviews for adequacy and consistency were provided by staff from those offices.

Consultation, coordination and public involvement have occurred throughout the process through meetings, individual contacts, newspaper releases and *Federal Register* notices.

In 1992, during the public participation phase of the Draft Miles City District Oil and Gas RMP Amendment and EIS, the Sierra Club and The Wilderness Society proposed six areas for ACEC designation: Fossil Cycad (South Dakota RMP area), Pryor Mountains, Pompeys Pillar, Bridger Fossil-Red Dome (Billings RMP area), Finger Buttes and Deadhorse Badlands (Powder River RMP area). BLM had already proposed Meeteetse Spires and Weatherman Draw (Billings RMP area) for ACEC designation in the document.

The 1992 Final Oil and Gas EIS and RMP Amendment was protested by the Sierra Club. In summary, they asked that BLM assess the relevance and importance criteria for the nominated areas. The Record of Decision stated that BLM would withhold implementation of the leasing decisions in the Meeteetse Spires and Weatherman Draw areas and analyze these areas in greater detail for all resources and land uses in a separate Plan Amendment which would also analyze six other areas nominated as ACECs.

A *Federal Register* notice was published April 6, 1995 announcing the BLM's notice of intent to plan for the eight areas nominated. The public was asked to provide additional nominations, issues, concerns, or alternatives that should be addressed in the plan. Newspaper releases were issued during this period.

The following nominations were made: Pryor Mountains, Castle Butte, Stark Site, Twin Coulee Wilderness Study Area (Billings RMP area), Alzada Oaks, Battle Butte, Howrey Island, Matthews Wildlife and Recreation Area, Reynolds Battlefield, Buffalo Creek Wilderness Study Area and Zook Creek Wilderness Study Area (Powder River RMP area).

The nomination for Pompeys Pillar was already analyzed and designated in the 1996 Pompeys Pillar RMP Amendment and EA. The remaining areas nominated were considered in the ACEC EA and Draft RMP Amendment.

In December 1997, approximately 350 copies of the EA and Draft RMP Amendment were distributed for public comment at a cost of \$1,000. A *Federal Register* notice was published December 29, 1997, announcing the availability and the comment period for the EA and Draft RMP Amendment. The comment period closed March 9, 1998.

As required by Section 7 of the Endangered Species Act of 1973, on December 11, 1997, BLM initiated informal consultation with the U.S. Fish and Wildlife Service to gather their opinion on the plan's effect on threatened and

endangered species. The Fish and Wildlife Service concurred with BLM's "no effect" determination.

After considering and analyzing the comments, the ACEC EA and Proposed RMP Amendment was prepared for the public. In September 1998, 800 copies of the EA and Proposed RMP Amendment were made available to the public at a cost of \$1,600. The Director of BLM received two protests by the November 2, 1998 deadline on the following: off-road vehicle use in Meeteetse Spires, and designation of the Fossil Cycad ACEC. The protests did not result in any changes to the resource management plan amendment.

## **IMPLEMENTING AND MONITORING DECISIONS**

Decisions in this plan will be implemented over a period of years and must be tied directly to the BLM budgeting process. Funding levels can affect the timing and implementation of management actions but will not affect the decisions in the plan. An implementation plan for each area will be developed to provide for the systematic accomplishment of decisions in the approved plan.

Monitoring will be conducted to evaluate the continuing effectiveness of decisions in the plan. Monitoring will determine if the plan is meeting the stated goals and objectives including: if the management prescription is fulfilling the purpose for which it was designed; if predictions were accurate; to reveal unanticipated impacts, including those off-site; and to determine the rate and degree to which the plan is being implemented.

## **ALTERNATIVES INCLUDING THE PROPOSED ACTION**

The following three management alternatives were considered in the development of the plan. Each alternative was described and analyzed in the 1997 ACEC EA and Draft RMP Amendment and the 1998 ACEC EA and Proposed RMP Amendment.

Alternative A, the "no action" alternative would continue present management direction. No ACECs are designated.

Alternative B would designate ACECs and provide protection for relevant and important values and for renewable resource values.

Alternative C is the approved alternative. This alternative designates ACECs and restricts use that conflicts with the values that warrant protection.

## **RESOURCE MANAGEMENT PLAN**

ACEC designation for 12 areas is approved: Bridger Fossil, Castle Butte, East Pryor Mountains, Meeteetse Spires, Petroglyph Canyon, Stark Site, Weatherman Draw, Battle Butte, Finger Buttes, Howrey Island, Reynolds Battlefield, and Fossil Cycad.

The following decisions will guide the future management of land and minerals administered by BLM in the 12 ACECs. The rationale for selecting Alternative C, the preferred alternative, was based on public comments, current regulations, guidance, laws, current management policy and the analysis of each alternative.

### **Billings RMP Area**

The **Bridger Fossil** area (575 public surface acres, see map 2) will be designated an ACEC and retained in public ownership. To conserve the Bridger Fossil ACEC for future scientific study, the area will be managed according to the following management prescriptions. Livestock grazing will be allowed. Rights-of-ways, mineral material sales and permits, and oil and gas leasing will not be allowed. Underground explosives for geophysical exploration for oil and gas will not be allowed. Other geophysical exploration methods for oil and gas will be allowed if the method will not damage the paleontology resource. If monitoring indicates fossil damage as a result of a geophysical activity, it will no longer be allowed. Off-road vehicle use will be limited to designated roads and trails. Noncommercial collection of common invertebrate and plant fossils will be allowed. The area will be managed per VRM Class IV objectives.

**Castle Butte** will be designated an ACEC (185 public surface acres, see map 2) and retained in public ownership. To conserve the exceptional rock art for future generations to study and enjoy, the area will be managed according to the following management prescriptions. Livestock grazing and range improvements will be allowed. Fire will be managed with conditional fire suppression. Wood product sales will not be allowed. Geophysical exploration for oil and gas will not be allowed on the significant cultural resource sites. Geophysical exploration will be allowed (surface methods and vibroseis) in the remainder of the area. Rights-of-way will be allowed when they avoid the significant cultural resource sites. Off-road vehicle use will be limited to designated roads and trails. The area will be managed per VRM Class III objectives.

The **East Pryor Mountains** will be designated an ACEC (29,500 public surface acres, see map 1) and retained in public ownership. To conserve the area for wild horse and

paleontological values, provide recreational use and enhance fish and wildlife habitat, the East Pryor Mountains will be managed according to the following management prescriptions. Fire will be managed with conditional fire suppression. Wood product sales, rights-of-way, livestock grazing and geophysical exploration for oil and gas will not be allowed. Off-road vehicle use will be limited to the designated vehicle ways. Locatable minerals will be withdrawn from entry. Mineral material sales and permits, and oil and gas leasing will not be allowed. Noncommercial collection of common invertebrate and plant fossils will be allowed. The area will be managed per VRM Class II objectives.

**Meeteetse Spires** will be designated an ACEC (960 public surface acres, see map 3) and the area retained in public ownership. To protect and enhance the rare plant, *Shoshonea pulvinata*, and conserve this scenic area for recreational use, the area will be managed according to the following management prescriptions. An easement across state land (T. 8 S., R. 20 E., Section 36) will be obtained. Fire will be managed with conditional fire suppression. Selected timber harvests may be periodically necessary to protect the area's overall resource value. Livestock grazing, except for sheep, will be allowed. Wood product sales, rights-of-way, oil and gas leasing, and mineral material sales and permits will not be allowed. Locatable minerals will be withdrawn from entry.

In the sensitive plant area, geophysical exploration for oil and gas will not be allowed by any method. On the remaining area, geophysical exploration will be accessed by air only. Exploration will be shot holes and above-ground shots. Vibroseis will not be allowed.

Off-road vehicle use will be limited to designated roads and trails, yearlong, in the entire area. The area will be managed per VRM Class II objectives.

**Petroglyph Canyon** will be designated an ACEC (240 public surface acres, see map 2) and retained in public ownership. To conserve this area for future generations to study and enjoy, the area will be managed according to the following management prescriptions. Wood product sales, rights-of-way, oil and gas leasing and geophysical exploration for oil and gas will not be allowed. Livestock grazing and range improvements will be allowed. Locatable minerals will be withdrawn from entry. Off-road vehicle use will be closed. The area will be managed per VRM Class IV objectives.

The **Stark Site** will be designated an ACEC (800 public surface acres, see map 2) and retained in public ownership. To conserve this area for future generations to study and enjoy, the area will be managed according to the following

management prescriptions. Livestock grazing and range improvements will be allowed. Fire will be managed with conditional fire suppression. Wood product sales, rights-of-way, and mineral material sales and permits will not be allowed. Oil and gas leasing will be allowed with a No Surface Occupancy stipulation. Geophysical exploration for oil and gas will not be allowed on the significant cultural resource sites and will be allowed (surface methods and vibroseis) in the remainder of the ACEC. Off-road vehicle use will be limited to designated roads and trails. The area will be managed per VRM Class III objectives.

**Weatherman Draw** will be designated an ACEC (4,268 public surface acres, see map 2) and retained in public ownership. To conserve this area for future generations to study and enjoy, the area will be managed according to the following management prescriptions. Livestock grazing will be allowed. Fire will be managed with conditional fire suppression. Rights-of-way associated with valid existing oil or gas lease rights will be allowed with restrictions. Other rights-of-way will not be allowed. Range improvements will be allowed when they do not conflict with the ACEC values. Locatable minerals will be withdrawn from entry. Wood product sales, and mineral material sales and permits will not be allowed. Oil and gas leasing will be allowed with a No Surface Occupancy stipulation with no waiver, exception or modification provisions. The area will be closed to geophysical exploration for oil and gas. Off-road vehicle use will be limited to authorized use. The area will be managed per VRM Class II objectives.

### **Powder River RMP Area**

**Battle Butte** will be designated an ACEC and retained in public ownership (120 public surface acres, see map 4). To help protect the Battle Butte ACEC, the area will be managed according to the following management prescriptions. Fire will be managed with conditional fire suppression. Rights-of-way will not be allowed. Livestock grazing and range improvements will be allowed. Coal leasing will not be allowed. Mineral material sales and permits will not be allowed. Oil and gas leasing will be allowed with a No Surface Occupancy stipulation. Geophysical exploration for oil and gas will be allowed on designated roads and trails with restrictions. Off-road vehicle use will be limited to designated roads and trails. Vehicle travel off designated roads and trails will be allowed only for authorized or permitted uses. These uses include medical or other emergencies and livestock management practices. The area will be managed per VRM Class III objectives.

**Finger Buttes** will be designated an ACEC (1,520 public surface acres, see map 5) and retained in public ownership.

To protect and enhance the area's scenic values, Finger Buttes ACEC will be managed according to the following management prescriptions. Fire will be managed with conditional fire suppression. Rights-of-way will avoid the area. Livestock grazing and range improvements will be allowed. Mineral material sales and permits and nonenergy leasable mineral leasing will not be allowed. Oil and gas leasing will be allowed with a No Surface Occupancy stipulation. Geophysical exploration for oil and gas will be allowed on designated roads and trails with restrictions. Off-road vehicle use will be limited to designated roads and trails. Vehicle travel off designated roads and trails will be allowed only for authorized or permitted uses. These uses include medical or other emergencies and livestock management practices. The area will be managed per VRM Class II objectives.

**Howrey Island** will be designated an ACEC and retained in public ownership (321 public surface acres, see map 6). To protect and enhance the area's special wildlife habitat, Howrey Island will be managed according to the following management prescriptions. Fire will be managed with conditional fire suppression. Wood product sales will be allowed with restrictions. Rights-of-way will not be allowed. Livestock grazing will be allowed. Improvements for range, wildlife and recreation will be allowed to facilitate resource management. Mitigating measures will be used to ensure improvement projects do not degrade the values of the ACEC. Off-road vehicle use will be limited to the BLM road, except from February 15 to June 1. During that time, no vehicles will be allowed, including on the BLM road, in order to keep motorized vehicles off of ice jams and protect eagle nesting habitat. When flooding creates potentially hazardous driving conditions, the BLM road will be closed until the hazard is mitigated. Timing of maintenance will depend on the budget and priorities of the field office. The area will be managed per VRM Class II objectives.

**Reynolds Battlefield** will be designated an ACEC and retained in public ownership (336 public surface acres, see

map 4). To help protect the Reynolds Battlefield ACEC, the area will be managed according to the following management prescriptions. Fire will be managed with conditional fire suppression. Wood product sales and timber sales will be allowed with restrictions, such as timber sales will not be allowed east of the county road. Rights-of-way will avoid the area. Livestock grazing and range improvements will be allowed. Coal leasing and mineral material sales and permits will not be allowed. Oil and gas leasing will be allowed with a No Surface Occupancy stipulation. Geophysical exploration for oil and gas will be allowed on designated roads and trails with restrictions. Off-road vehicle use will be limited to designated roads and trails. Vehicle travel off designated roads and trails will be allowed only for authorized or permitted uses. These uses include medical or other emergencies and livestock management practices. The area will be managed per VRM Class II objectives.

### **South Dakota RMP Area**

The **Fossil Cycad** area will be designated an ACEC and retained in public ownership (320 public surface acres, see map 7). The public minerals will be retained in public ownership. To help conserve the geologic and paleontologic values for future generations to study and enjoy, the Fossil Cycad ACEC will be managed according to the following management prescriptions. The area will be closed to oil and gas leasing. Fire will be managed with conditional fire suppression. Timber sales and wood product sales will not be allowed. Rights-of-way will not be allowed. Livestock grazing will be allowed. Locatable minerals will be withdrawn from entry. Geophysical exploration for oil and gas will not be allowed. Off-road vehicle use will be limited to designated roads and trails. Vehicle travel off designated roads and trails will be allowed only for authorized or permitted uses, such as medical or other emergencies and livestock management practices. Noncommercial collection of common invertebrate and plant fossils will not be allowed. The area will be managed per VRM Class IV objectives.