



## Chapter 2 — Management Decisions

Chapter 2 describes the management decisions for the Upper Missouri River Breaks National Monument (Monument). The management decisions replace the relevant decisions in the West HiLine Resource Management Plan (RMP) and Judith-Valley-Phillips RMP. These management decisions are presented by program area and now combine the Decisions Common to All Alternatives and the Preferred Alternative (Alternative F) from the Proposed RMP and Final Environmental Impact Statement (EIS) (BLM 2008).

For a description of the physical, biological, cultural, economic and social conditions of the Monument please refer to Proposed RMP/Final EIS (BLM 2008).

### Air Quality

*The BLM's goal is to maintain the Monument as a Class II airshed.*

Management will minimize or prevent air quality degradation. The BLM will comply with National Ambient Air Quality Standards and Montana Ambient Air Quality Standards (Appendix A). The BLM will also comply with Standard for Rangeland Health #4, which requires that air quality meets Montana state standards (Appendix B). Standard #4 means that air quality on BLM land helps meet the goals set out in the State of Montana Air Quality Implementation Plan. Efforts will be made to limit unnecessary emissions from existing and new point or non-point sources. Existing air quality will also be protected by the use of Best Management Practices (BMPs) (Appendix C).

The Monument is part of an area that is designated as a Prevention of Significant Deterioration (PSD) Class II area by the State of Montana under the 1977 Amendments to the Clean Air Act. Class II limits allow for moderate, well-controlled growth. Table 2.1 shows the allowable PSD increases for a Class II area.

	<i>Allowable Increments (micrograms per cubic meter)</i>
Particulate Matter	
Annual Arithmetic Mean	17
Maximum 24-Hour	30
Sulfur Dioxide	
Annual Arithmetic Mean	20
Maximum 24-Hour	91
Maximum 3-Hour	512
Nitrogen Dioxide	
Annual Arithmetic Mean	25

### Implementation

Federal and state regulations require air quality monitoring for activities that could degrade existing air quality. Detailed monitoring and mitigation plans will be developed when an environmental analysis is prepared for a proposed action that could degrade air quality.

All BLM actions and use authorizations will be designed with measures to protect the Class II designation in the Monument. These measures generally require actions during specific wind conditions to either disperse smoke or prevent chemical spray drift.

All prescribed burning operations conducted by the BLM are under a Montana Air Quality Open Burning permit issued from the Montana Department of Environmental Quality with support of the Montana/Idaho Airshed Group.

## ***Cultural Resources***

*The BLM's goal is to preserve historic and cultural values and sites by enhancing public awareness or protection of the resources.*

The Proclamation discusses the importance of the Monument's archaeological and historical resources. The Lewis and Clark and Nez Perce National Historic Trails, teepee rings and abandoned homesteads are also mentioned. The Proclamation states, "Remnants of this rich history are scattered throughout the Monument, and the river corridor retains many of the same qualities and much of the same appearance today as it did then." The Proclamation further states, "Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof."

Archaeological and historical sites, historic landscapes and legal traditional public uses will be preserved to the extent practical and consistent with other Monument goals.

The BLM will seek to preserve the objects of the Monument for the benefit of scientific and sociocultural use for present and future generations.

The primary objectives are to properly manage the cultural resources under BLM jurisdiction through a systematic program of identification and evaluation, and to reduce the level of conflict between cultural resources and other land and resource uses. All cultural resources within the area are segregated into management objectives. These objectives include managing for information potential, public values and conservation.

Cultural resources that contain significant information on the prehistory and history of the area will be managed for their information potential. These are cultural properties consisting of artifacts and features on the surface or buried that have the potential to yield important information.

Cultural resources that possess sociocultural, educational and recreational attributes will be managed for their public values. These include cultural resources associated with traditional American Indian cultural values, and prehistoric or historic cultural properties that exhibit interpretive and/or recreational potential. Managing cultural properties used by American Indians will focus on avoiding uses incompatible with traditional values.

Special or unique cultural resources will be managed for their public values and conservation. These include cultural properties that contain sensitive prehistoric religious features such as medicine wheels or burials; cultural properties of a nature that would not permit current archaeological technology to adequately investigate the property; and cultural properties that are rare in the area.

The BLM will authorize archaeological and historical investigations. Prehistoric sites will be evaluated and then monitored, protected or excavated based on their scientific value and what they can add to knowledge and interpretation of the Monument. Historic sites will be evaluated and then monitored or maintained based on their historic value, the attraction they have for visitors and their use as safety shelters.

## **Implementation**

Some potential cultural sites for interpretation include Decision Point; Eagle Creek; the Murray/PN dugout; Hagadone, Middleton, Ervin, Gist, Cable, and Nelson homesteads, Gilmore cabin; Nez Perce Trail; and sites associated with the Lewis and Clark Expedition. Other possible interpretive sites and topics could include prehistoric sites and the steamboat era on the Missouri River.

The BLM will evaluate all proposed actions, initiated or authorized by the BLM, for federal and nonfederal cultural resources. The BLM will determine, based on inventory and evaluation data, whether the proposed action will impact important cultural resources and, if necessary, take steps to avoid or mitigate possible impacts.



Cable Place

The BLM will consult with American Indian tribes when its actions have the potential to affect areas of concern to the practitioners of traditional religions. The activities of concern are those that might degrade the visual or aesthetic nature of an area, or cause the loss of plant species or other resources important to American Indians. The BLM is required to consult with traditional religious practitioners on policies and procedures to ensure they are considered when implementing agency actions.

Those traditional cultural properties that are at least 50 years old require consideration under the National Historic Preservation Act (NHPA). The BLM will analyze each proposed action by determining the likelihood of the presence of not only significant cultural properties, but also the potential for or the presence of traditional cultural properties. Potential impacts to traditional cultural properties subject to the NHPA and determined eligible for the National Register of Historic Places will be avoided, if possible, or mitigated.

### Use Categories

The BLM will allocate all cultural properties into defined “use categories” based on their nature and relative preservation value as discussed in BLM Manual 8110 – Identifying and Evaluating Cultural Resources. Six use categories are identified for prehistoric and historic resources. They include:

- *Scientific Use:* Sites are preserved until research potential is realized.
- *Conservation for Future Use:* Sites are preserved until conditions for use are met.
- *Traditional Use:* Long-term preservation of sites.
- *Public Use:* Long-term preservation, on-site interpretation.
- *Experimental Use:* Sites are protected until used.
- *Discharged from Management:* Sites are removed from protective measures.

Additional information on individual use categories is presented in Appendix D.

### Prehistoric Resources

For prehistoric resources the use categories will be reflected as follows:

*Scientific Use:* Prehistoric sites that exhibit high diversity and large quantity of artifacts (more than 50), high complexity (spatial patterning of artifacts/activities, presence of features, stratified or buried deposits), and relatively larger size properties will be placed into the Scientific Use category.

*Conservation Use:* Sites that are rare or exceptional examples (functionally or temporally) will be considered for Conservation Use. In the Monument this could include sites such as the multi-component White Rocks Historic and Archaeological District, or sites with complex stratigraphic sequences (Holmes Terrace).

*Traditional Use:* In consultation with American Indian groups, certain types of prehistoric sites retain particular importance and significance (Deaver 1986). These site types most commonly include: burial locations, pictograph/petroglyph sites, and vision quest locations. Medicine wheels, dance grounds and intaglios (e.g., Napi Figures) also are in this category, but none are known to occur in the Monument.

In addition, certain tipi ring sites may also fit this use category but need to be evaluated on a case-by-case basis. Collectively these sites amount to less than 1% of recorded cultural resources in the Monument.

*Public Use:* Prehistoric sites could be considered for Public Use (interpretation) in those few instances where interpretive potential is high and site integrity could be insured through protective measures. Such uses should not be attempted without full consultation with interested American Indian groups. Consequently, such prehistoric sites still require evaluation on a case-by-case basis. Current opportunities include the Nez Perce Trail and the Cow Island Crossing.

*Experimental Use or Discharge from Use:* Sites with low diversity and limited quantity of artifacts (less than 50); low or limited complexity; and small size (redundant small surface lithic scatter, information potential is exhausted with initial site recordation). Sites will be individually evaluated prior to placement into Experimental Use or Discharge from Use categories.

### ***Historic Resources***

For historic resources the use categories will be reflected as follows:

*Scientific Use:* Historic sites with archaeological and historical values and generally poor structural integrity (collapsed or deteriorated) will be placed in this category.

*Conservation Use:* Historical sites that are rare or exceptional examples that retain integrity will be considered for Conservation Use. In the Monument this includes well-preserved remnants of homesteads (e.g., Hagadone).

*Traditional Use:* Historic sites in this category potentially include any sacred areas, traditional cultural properties, or plant gathering areas that have been historically utilized by American Indian groups that have occupied the area. These sites will be determined in consultation with representatives of tribes that have demonstrated historical use in the area. To date, American Indian traditional use areas have yet to be identified.

*Public Use:* Historic sites that will be considered for Public Use include those where the interpretive potential is high and site integrity could be insured through protective measures. In addition, consideration is given for those standing structures that could be preserved and maintained for administrative or recreational uses.

*Experimental Use or Discharge from Use:* Individual sites will be evaluated on a case-by-case basis before assignment to either the Experimental Use or Discharge from Use categories. In general, properties assigned to these categories contain little or no scientific or historical value. Sites in these categories would generally include isolated trash dumps and artifact scatters, isolated features such as prospect pits or claim markers, and collapsed structural remains that no longer retain integrity of design or workmanship. Only those sites that have been formally determined to be Not Eligible for the National Register of Historic Places will be placed into either of these categories.

### ***Fish and Wildlife***

*The BLM's goal is to manage, enhance and protect the fish and wildlife habitat and habitat for special status species.*

The Proclamation discusses the importance of the Monument's wildlife and wildlife habitat. Many of the biological species described in the Lewis and Clark Journals continue to make the Monument their home. The Proclamation states, ". . . The monument boasts the most viable elk herd in Montana and one of the premier big horn sheep herds in the continental United States. It contains essential winter range for sage-grouse as well as habitat for prairie dogs. . . . The cliff faces in the monument provide perching and nesting habitat for many raptors, including the sparrow hawk, ferruginous hawk,

peregrine falcon, prairie falcon, and golden eagle. Several pairs of bald eagles nest along the River in the monument and many others visit during the late fall and early winter. Shoreline areas provide habitat for great blue heron, pelican, and a wide variety of waterfowl. The River and its tributaries in the monument host forty-eight fish species, including goldeye, drum, sauger, walleye, northern pike, channel catfish, and small mouth buffalo. The monument has one of the six remaining paddlefish populations in the United States. The River also supports the blue sucker, shovel nose sturgeon, sicklefin, sturgeon chub, and the endangered pallid sturgeon. The Bullwacker area of the monument contains some of the wildest country on all the Great Plains, as well as important wildlife habitat. During the stress-inducing winter months, mule deer and elk move up to the area from the river, and antelope and sage grouse move down to the area from the benchlands. . . .”



Sagebrush Lizard in the Antelope Creek WSA

The BLM will maintain and enhance habitat for wildlife. The emphasis for habitat maintenance and development will be placed on present and potential habitat for sensitive, threatened and/or endangered species, nesting waterfowl, game birds, fisheries and mule deer and elk winter range. Montana Fish, Wildlife and Parks (MFWP) is responsible for fish and wildlife population management.

The stocking or reintroduction of any species will be coordinated with MFWP. Introduction of game species by MFWP will only occur after the appropriate environmental review and public involvement, and will only be allowed for native species or common naturalized species within Montana, such as wild turkey. Reintroduction of any threatened or endangered species will be coordinated with U.S. Fish and Wildlife Service (USFWS) and MFWP, and will only occur after the appropriate environmental review and public involvement.

The BLM will coordinate with other agencies consistent with the National Invasive Species Management Plan (NISC 2001) and the State of Montana’s Aquatic Nuisance Species (ANS) Management Plan (Montana ANS Steering Committee 2002) to control non-native species that cause or may cause significant negative impacts and do not provide an equivalent benefit to society. Aquatic nuisance species include the New Zealand mud snail, Zebra mussel, and Quagga mussel.

## Implementation

The following sections address management actions that will be implemented to meet the goal and objectives described above, specific management for greater sage-grouse habitat and black-tailed prairie dogs; and mitigation measures for several wildlife species.

### Big Game

Expansion of big game populations into existing, but previously unoccupied habitat may occur. The BLM will work with MFWP, landowners and grazing permittees to determine the most appropriate management practices if monitoring indicates a deterioration of rangeland health in big game herd expansion areas.

The BLM will use grazing methods, prescribed fire and mechanical removal of conifer encroachment to enhance bighorn sheep habitat and allow their expansion in the Missouri Breaks. Domestic sheep and goats will not be allowed on BLM land within 15 miles of areas occupied by bighorn sheep. In other areas, domestic sheep and goats may be allowed on a case-by-case basis.



Elk in the Bullwhacker Area



Mule Deer

The BLM could improve the quality and quantity of wildlife forage by using different grazing systems, changes in seasons of use, movement of livestock, and reductions in livestock numbers where needed to meet Standards for Rangeland Health. This would include improving the production and availability of palatable forbs for mule deer and antelope; maintaining and/or improving mule deer and antelope winter range (especially woody species) and fawning cover; and maintaining existing sagebrush stands at a canopy cover of 15-30% with an average height over 12 inches, or at the highest potential for existing ecological site present as determined by Natural Resources Conservation Service (NRCS) soil survey.

### **Waterfowl**

Habitat enhancements (islands, nesting platforms) may be constructed on new or existing reservoirs, ponds, potholes or river systems where feasible. Pits and reservoirs will not be constructed within natural wetlands or riparian areas that provide habitat for waterfowl and amphibians. Rights-of-way on or across BLM land for the development of private water sources will carry stipulations to enhance waterfowl habitat.

The BLM may fence specific existing and new waterfowl and fishing reservoirs to establish or protect shoreline vegetation for a minimum of 10 acres. Periodic, short-term grazing of fenced enclosures may be allowed, if necessary, to maintain or improve wetland and upland habitat within the enclosure.

### **Upland Game Birds**

The BLM will improve the quality and quantity of nesting, brood rearing and winter habitat for upland game birds. The BLM will provide residual grass and forb cover for upland bird and waterfowl nesting. Objectives for residual cover will be developed in watershed plans and measured in terms of utilization levels or visual obscurity rating. The BLM will manage for a healthy diverse vegetative community with a variety of forbs, and maintain big sagebrush and silver sage on sage-grouse wintering and nesting areas with a canopy cover of 15-30% and an average height of 12 inches. The BLM will improve or maintain woody vegetation for sharp-tailed grouse.

Construction of new water developments within 1/2 mile of a sharp-tailed grouse lek will only be allowed after careful consideration of potential impacts on woody vegetation due to possible increased livestock grazing. Land treatments will be designed to maintain sagebrush levels with the desired canopy cover range (15-30%) and to increase the amount of forbs. Controlled burning, seeding, and/or mechanical vegetation manipulation could be done on an individual basis to improve wildlife habitat.

## Raptors



Ferruginous Hawk

Raptor nest sites will be protected. No designated camping or other recreational development will occur within 1,000 feet of raptor nest sites. In order to reduce risk of raptor mortality, Avian Power Line Interaction Committee (APLIC) guidelines will be followed for all power lines and will be incorporated into all power line rights-of-way.

## Great Blue Heron and Cormorant

Identified great blue heron and cormorant rookeries on BLM land will be protected from roads, campsite developments, timber cutting and other intrusions. No disturbance will be allowed within 1,000 feet of rookeries from the start of nesting through the fledging of young birds.

## Migratory Birds

The BLM will follow the Nongame Migratory Bird Habitat Conservation Plan (BLM 1992b) for managing nongame birds that migrate to the tropics or use neotropical habitats. The overall intent is to reverse the decline in some bird populations and to implement a proactive program for other migratory species. The BLM's management actions will focus on providing a variety of habitat characteristics that support successful breeding by migratory birds. This generally requires providing properly functioning habitats with the appropriate vegetation diversity, density and structure based on ecological site potential to support nesting, security and foraging. Methods used can include mechanical vegetation manipulation, prescribed fire to maintain short/mixed grass prairie, seeding or live planting to re-establish native grasslands or wetlands, and planting woody species to return sagebrush or riparian woodland species.



Sage-grouse

## Greater Sage-Grouse

Sage-grouse management will utilize the 2005 Management Plan and Conservation Strategies for Sage-Grouse in Montana – Final for overall guidance and direction.

The BLM will consider mechanical treatment as the primary method and prescribed fire as a secondary method to remove conifers encroaching on sage-grouse habitat, except where forested habitat is limited.

Grazing permittees will avoid the placement of salt or mineral supplements near leks during the breeding season (March 1 to June 15). The placement of salt or mineral supplements by other entities will not be allowed. Supplemental winter feeding will not be allowed on sage-grouse winter habitat and around leks.

The BLM will promote sage planting, where appropriate, on project areas (such as sites where sagebrush has been removed for crested wheat grass conversions) occurring within sage-grouse habitats and will reclaim and/or reseed areas disturbed by treatments.



Concentrations of livestock near leks or winter habitat can disturb or displace sage-grouse. Therefore, concentrations of livestock on leks or other key sage-grouse habitats could be avoided by using conservative stocking levels, locating salt or other supplements away from leks or winter habitat, adjusting grazing seasons and locating water facilities where they would not jeopardize habitat.

#### **Conservative Stocking Level**

Conservative stocking level is a stocking rate that will result in a moderate utilization level (or less) by livestock at the end of the grazing period for the year. A conservative stocking level will be established based on resource management goals including maintaining healthy vegetation; acceptable livestock performance; expected normal weather; and annual plant production consistent with the Standards for Rangeland Health and Guidelines for Livestock Grazing Management.

### **Black-tailed Prairie Dogs**

Prairie dog management will utilize the Conservation Plan for Black-Tailed and White-Tailed Prairie Dogs in Montana (Montana Prairie Dog Working Group 2002) for overall guidance and direction. Regional plans (based on Montana Fish, Wildlife and Parks administrative regions) will be utilized when they are completed.

Prairie dog towns will be allowed to expand as long as they are not adversely impacting adjacent private or state land, other resources, or affecting Standards for Rangeland Health (Appendix B). Prairie dog towns would be adversely impacting other resources, and controls could be considered, if the towns are:

- The source of or an exacerbation of invasive or noxious plants;
- Substantially limiting forage and/or important habitat for wildlife species in the immediate area;
- Substantially limiting forage for livestock in the immediate area;
- Overriding the effectiveness of other management measures; or
- Posing a substantial economic hardship or risk for other landowners, resulting from the need to control populations on private or state land because of prairie dogs on adjacent BLM land.

Controls will not occur where mountain plover or burrowing owls have been documented using established habitat. Prairie dogs could be reestablished on historic towns that have been eradicated or that have died out due to sylvatic plague. Specific actions to address adverse impacts to or from prairie dogs will be addressed through the watershed planning process and/or a site-specific environmental assessment.

### **Threatened and Endangered Species**

The BLM will work with the USFWS to recover threatened and endangered species, including reintroduction efforts consistent with recovery plans and conservation strategies. This includes the Recovery Plan for the Pallid Sturgeon (USFWS 1993). In order to reduce risk to the pallid sturgeon, all rights-of-way applications for pipelines that cross the Missouri River will include a condition that the pipeline be drilled under the river bed, avoiding disturbance to the river channel.

The bald eagle was removed from the list of threatened and endangered wildlife on August 8, 2007, and is considered a designated sensitive species by the BLM. In addition, protections provided to the bald eagle under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act will

remain in place. In order to reduce risk of bald eagle mortality, APLIC guidelines will be followed for all power lines and will be incorporated into all power line rights-of-way.

Determinations concerning endangered or threatened plants and animals will be based on one or a combination of the following factors:

- The present or threatened destruction, modification or curtailment of a species' habitat or range;
- Over-utilization of a species for commercial, sporting, scientific or educational purposes;
- Disease or predation of the species;
- The inadequacy of existing regulatory mechanisms; or
- Other natural or human-caused factors affecting a species' continued existence.

No action will be initiated on BLM land that will jeopardize any federally listed threatened and endangered plant or animal. Future actions will require site-specific environmental review and, if necessary, associated biological assessments. The BLM will comply with all decisions reached during consultation with the USFWS. Prior to the initiation of any action on BLM land, its effect on other sensitive species and state-designated species of special interest will be evaluated and applicable mitigation developed.



Bald Eagle at Grand Island

No black-footed ferrets have been sighted in the Monument, but the area has not been inventoried for ferrets. The USFWS Black-footed Ferret Survey Guidelines (USFWS 1989) will be followed for all prairie dog towns, and a survey is required before any control or surface-disturbing activities can take place on towns or complexes over 80 acres. Small prairie dog towns occur throughout the Monument, but they are not suitable ferret habitat. These towns will be managed for the other sensitive species associated with prairie dog towns.

BLM land within the area was historic habitat for grey wolf and grizzly bear. This land is not within the recovery area or important habitat for either species. There is a remote possibility, in the future, of either species relocating to habitat within the area. In the unlikely event of these species establishing within the area, management would follow the guidelines from the USFWS and MFWP. Under present circumstances, wolves north of the Missouri River would be considered endangered and south of the river would be considered experimental (59 FR 60252, Nov. 22, 1994). Grizzly bear occurrence would follow the guidelines in the MFWP management strategy for northwestern Montana.

Canada Lynx and piping plover (both threatened) have been determined to be present in areas near the Monument. Lynx have no suitable habitat within the Monument and are unlikely to occur in the future. Piping plover occur downstream on the Missouri River, but annual mountain runoff causes untimely flooding of sandbars on the river, making the habitat unsuitable most years. Extensive surveys have repeatedly failed to find any piping plovers or nesting sites. If active nests are identified in the future, USFWS guidelines would be followed to protect these sites.

## Fish

Consistent with a cooperative plan between the BLM and MFWP, the MFWP will be requested to stock Butch, Sundance and Gazob reservoirs with fish. In the future, other reservoirs may be identified for fisheries management. Priority consideration will be given to reservoirs near communities with public access. Fisheries potential will be considered during the location and design phases of new reservoirs. New reservoirs will not be constructed within natural wetlands or riparian areas that provide habitat for waterfowl and amphibians.

New fisheries reservoirs will normally be fenced and a livestock watering tank provided below the reservoir. Existing fisheries reservoirs may be fenced for a minimum of 10 acres to exclude livestock, if necessary, to improve emergent vegetation, shade, protect shoreline vegetation, and/or improve the recreational experience. Periodic, short-term grazing of fenced enclosures may be allowed, if necessary, to maintain or improve wetland and upland habitat within the enclosure.

### Animal Damage Control

Animal damage control will be conducted only with the Monument Manager’s approval when the animal control measure targets the specific offending animal(s) and health and safety factors are not issues. Animal damage control activities will also adhere to off-road vehicle restrictions in that all vehicle travel is limited to designated roads, including roads available for administrative use. The Monument Manager will approve other site-specific restrictions as needed.

### Fish and Wildlife – Mitigation

The following mitigating measures will be applied to new surface-disturbing or disruptive activities for identified/important wildlife habitat in the Monument. Mitigating measures will be applied on a case-by-case basis during activity level planning after an on-site evaluation of the project area indicates the presence of a species. Exceptions to these mitigation measures may be granted by the authorized officer if an environmental review demonstrates there would be no adverse impacts, habitat for the species is not present in the area, or portions of the area can be occupied without affecting a particular species. Exceptions will also be considered for interim and final reclamation.



Prairie Rattlesnake



Young Bighorn Rams

#### Surface-Disturbing or Disruptive Activities

**Surface-Disturbing Activities:** Those activities that alter the structure and composition of vegetation and topsoil/subsoil. This includes any action created through mechanized or mechanical means that would cause soil mixing or result in alteration or removal of soil or vegetation and expose the soil to erosive processes. Some examples of surface-disturbing activities include construction of roads, well pads, trenching for pipelines, construction or reconstruction of reservoirs and pits, and facility construction. Vegetation renovation treatments that involve soil penetration and/or substantial mechanical damage to plants (plowing, chiseling, chopping, etc.) are also surface-disturbing activities.

**Disruptive Activities:** Those activities that disrupt or alter wildlife actions at key times, during important activities, or in important areas (feeding, breeding, nesting, herd movement, winter habitat). Disruptive activities are those that can result in reductions of energy reserves, health, reproductive success, or population. Some examples of disruptive activities include geophysical (seismic), well plugging or work-over operations that last 24 to 48 hours or longer, and road reclamation.

Emergency activities, rangeland monitoring, recreational activities, livestock grazing and management, and other field activities are not considered surface-disturbing or disruptive activities.

**Greater Sage-Grouse** – The BLM will not authorize new surface-disturbing or disruptive activities within 1/4 mile of active leks, nor will it allow new surface-disturbing or disruptive activities within

nesting areas (a 2-mile radius of an active lek) from March 1 to June 15. The BLM will not authorize any new surface-disturbing or disruptive activities in active sage-grouse winter habitat from December 1 to March 31.

**Black-tailed Prairie Dog** – New surface-disturbing or disruptive activities will not be authorized within 1/4 mile of prairie dog towns if such activities would adversely impact prairie dogs and/or associated species.



Bighorn Sheep

**Designated Sensitive Species** – The BLM may control or exclude any new surface-disturbing or disruptive activities within 1/4 mile of the proposed site or delay such activities for 90 days within identified habitat and within 1/4 mile of active nests. Surface-disturbing or disruptive activities may also be controlled or excluded within 1/2 mile of active ferruginous hawk nests from March 1 to August 1. This determination would be made at the time of authorization and would be based on whether the sensitive species is present in the area of disturbance.

**Bald Eagle** – New surface-disturbing or disruptive activities will not be allowed within 1/2 mile of an eagle nest that has been active in the last seven years if such activities could cause nest abandonment or failure.

**Big Game Winter Range** – New surface-disturbing or disruptive activities will not be allowed on antelope, mule deer and elk winter range from December 1 to March 31. This timeframe could be shortened depending upon weather conditions, animal health and forage availability.

**Bighorn Sheep** – New surface-disturbing or disruptive activities will not be allowed within bighorn sheep distribution areas from December 1 to March 31 or within bighorn sheep lambing areas from April 1 to June 15 if such activities would adversely impact lamb survival.

## Geology and Paleontology

*The BLM's goal is to protect the surface features in the landscape that are identified in the Proclamation.*

The Proclamation discusses the importance of the geology in the area. The Proclamation states, “The monument is covered with sedimentary rocks deposited in shallow seas that covered central and eastern Montana during the Cretaceous period. Glaciers, volcanic activity, and erosion have since folded, faulted, uplifted, and sculpted the landscape to the majestic form it takes today.”

The Proclamation reserved and appropriated all federal lands and interests in lands within the Monument and withdrew them from all forms of entry, location, selection, sale, leasing, or other disposition under the public land laws, including the mineral leasing and mining laws. No new mining claims can be located, and no new prospecting or exploration activities can be undertaken to identify locatable minerals or to establish the discovery of valuable mineral deposits. Plans of Operations for mining will not be approved unless the Department of the Interior has determined that the mining claims covered by the Plan of Operations are valid under the Surface Management Regulations at 43 CFR 3809.100.

The BLM may allow and authorize paleontological research by permit. All BLM land is closed to commercial collecting of paleontological resources under existing policy and regulation (BLM Manual 8270). Permits are issued to accredited institutions to conduct activity on BLM land to ensure that

the resource is used for public display and education purposes only. Scientific use allows for survey/reconnaissance or limited excavation work with a minimum amount of surface disturbance, as long as such work is conducted under a paleontological permit and maintains the values for which the Monument was established.

The personal collection of common invertebrate fossils and petrified wood is not allowed.

## Implementation

Potential geological interpretive sites include the stratigraphic cross section of the Missouri River from Virgelle to the James Kipp Recreation Area showing the regional dip of beds starting in Colorado Shale and ending in Bearpaw Shale; the glacial geomorphology and paleo channel of the Missouri River at Little Sandy Creek; the igneous dike known as the Grand Natural Wall from the Lewis and Clark Journal entry; Hole-in-the-Wall; the Big Sag at Judith Landing; the Sugarloaf Rock fault plane versus bedding plane at McClelland/Stafford Ferry; the diatreme at Gist Bottom; and the invertebrate paleo site at Woodhawk.



Hole-in-the-Wall

There are no active mines in the Monument for saleable (sand and gravel) or locatable minerals (precious metals or gems). The area is closed to disposal of mineral materials by regulation (43 CFR 3601.12(a)). Currently, 32 mining claims for precious gems are located in the Monument. A Plan of Operations would have to be filed with the Lewistown Field Office before any surface disturbance exceeding casual use could be conducted on these claims (43 CFR 3809.11(7)). Casual use means activities ordinarily resulting in no or negligible disturbance of the public lands or resources. The first step in responding to the Plan of Operations is a validity determination on the mining claim(s) involved. Each claim must have a discovery of a valuable mineral prior to the date of the withdrawal to be considered a valid existing right. In the event that the claims were determined to be valid, the Plan of Operations would be processed under the Surface Management Regulations at 43 CFR 3809 or 3802 (for wilderness study areas). The Proclamation does not direct the BLM to initiate validity determinations on the claims. Under existing policy for withdrawn lands, the claimant can continue to hold the claim by payment of annual fees in lieu of assessment or relinquish the claims. Unless the claimant initiates the process by either filing a Plan of Operations or an application for patent, no action will be taken by the BLM on the claims unless it is in the public interest to do so (BLM Manual 3060.12A).

## Soils

*The BLM's goal is to maintain or improve soil health and productivity to provide an ecosystem supporting plant and animal species.*

To maintain and/or improve soil productivity by increasing vegetation cover and reducing erosion, the BLM will comply with Standard for Rangeland Health #1, which requires that the uplands are in proper functioning condition, and with Standard #2, which requires that riparian and wetland areas are in proper functioning condition.

## Implementation

Prior to authorizing any surface-disturbing activity (including, but not limited to, range improvements, natural gas development or right-of-way location) the BLM will evaluate the activity and, if necessary, apply mitigating measures, deny the authorization or relocate the activity to a more suitable soil type. All surface-disturbing activities are subject to an on-site evaluation to develop mitigation to protect streambank stability; control runoff; reduce erosion, sediment yields, and soil compaction; improve soil stability; and control salinity. Mitigation measures or BMPs (Appendix C) will also prescribe revegetation programs. Surface-disturbing activities may be prohibited during muddy and/or wet soil periods.

Surface-disturbing activities should be avoided on soils with severe erosion hazard, badlands, slopes susceptible to mass failure, and other areas subject to active erosion (e.g. rock outcrop, dune lands, or blowouts) to reduce excessive erosion and/or reclamation problems or failure. If a surface-disturbing activity must occur on these types of sites, certified engineering and reclamation plans must be developed and approved by the authorized officer. These plans must demonstrate how the following will be accomplished:

- Site productivity will be restored.
- Surface runoff will be adequately controlled.
- The site and adjacent areas will be protected from accelerated erosion, such as rilling, gullyng, piping, slope failure, and mass wasting.
- Nearby watercourses will be protected from sedimentation. Water quality and quantity will be in conformance with state and federal water quality laws.

## Vegetation – Native Plants

*The BLM's goal is to manage for healthy vegetation communities that provide for a wide variety of long-term benefits such as aesthetics, wildlife, recreation, livestock grazing, etc.*

Vegetation allocation to enhance plant health and protect watersheds, wildlife habitat, and wildlife and livestock forage was established according to policies, regulations and land use plan objectives (BLM 1979, 1982a). In general, about 60% of the annual vegetation production is allocated to watershed protection, plant health and/or wildlife forage and cover, and about 40% is allocated to livestock. However, as specific management goals are refined and changes in resource conditions become apparent through monitoring, the actual percentage of vegetation allocated may change. For example, if the area grazed is very steep and far from water the actual allocation to livestock could be substantially less than 40%.

The Standards for Rangeland Health for northcentral Montana were developed in cooperation with the Central Montana Resource Advisory Council (BLM 1997). Standards are physical or biological conditions or functions required for healthy, sustainable rangelands. All of these standards depend on healthy native vegetation. The purpose of standards is to establish minimum required conditions for BLM lands within broad geographic areas. They address watershed function; nutrient cycling and energy flow; water quality; air quality; habitat for threatened, endangered, proposed or special status species; and habitat quality for native plant and animal populations and communities.

The following five standards were established for northcentral Montana:

- |                    |   |
|--------------------|---|
| <i>Standard #1</i> | Uplands are in proper functioning condition.                    |
| <i>Standard #2</i> | Riparian and wetland areas are in proper functioning condition. |
| <i>Standard #3</i> | Water quality meets Montana state standards.                    |
| <i>Standard #4</i> | Air quality meets Montana state standards.                      |

*Standard #5* Habitats are provided to maintain healthy, productive and diverse populations of native plant and animal species, including special status species (federally threatened, endangered, candidate or Montana species of special concern as defined in BLM Manual 6840, Special Status Species Management).

For a complete description of the Standards for Rangeland Health, see Appendix B. Each of these standards has a set of indicators that provide clues to the health of the ecosystem. These indicators are compared with a set of criteria that have been recognized for a healthy and functional system. When measures of these indicators fall outside of the desired range, it may indicate that Standards for Rangeland Health are not being met.

The Monument will be managed to achieve a natural range of native plant associations, including measures to promote conservation of sensitive plant species. Management activities will not be allowed to substantially shift the makeup of native plant communities and associations or disrupt normal succession. However, there will be some circumstances where vegetation communities and associations will be shifted to meet specific management goals or objectives. These could include prescribed burns to reduce hazardous fuel circumstances, restoration of some habitat components in the interest of wildlife, treatments to control invasive species, etc.

The personal collection of plant material (e.g., vegetation, seeds and berries) is not allowed, except as provided for under the American Religious Freedom Act of 1978. Commercial collection of plant materials will not be allowed without a specific permit.

## Implementation

Standards determinations were made on an allotment basis. Once the determinations were documented, implementation was carried out in groups of allotments through watershed plans. This included changes to grazing management and construction of range improvements when necessary. Table 2.2 lists the watershed and landscape plans. The watershed planning process is described in Appendix E.

<i>Name</i>	<i>Year Completed</i>
Woodhawk Watershed Plan	1998
Two Calf Watershed Plan	1998
Armells Watershed Plan	2000
Beauchamp Watershed Plan	2001
Upper Missouri Watershed Plan	2002
Loma/Vimy Ridge Watershed Plan	2002
Arrow Creek/Upper River/Whiskey Ridge Landscape Plan	2004
Bears Paw to Breaks Implementation Plan	2004

When a grazing allotment is not meeting standards, the BLM is obligated to take action to correct the situation. Specifically, where grazing is responsible for not meeting standards, action is required in accordance with 43 CFR 4180.2(c).

The BLM will determine the priority for restoring non-native vegetation sites to a native species community. Priority sites will be areas where the natural plant community has been significantly disrupted by surface-disturbing activities and the natural resource values have been lost, or are in jeopardy of being lost, and the site could potentially be restored to a natural state. Priority ranking will be based on an emphasis to control highly invasive non-native species. The BLM will also apply reasonable discretion in establishing priority areas based on the extent and seriousness of the situation

and resources available (funding and staffing). To achieve the vegetation goals outlined during site-specific planning, livestock grazing strategies (adjusting grazing or rest seasons, adjusting stocking rates or stocking densities and the location of supplements), prescribed burning, use of herbicides, and mechanical treatments could be used to manage vegetation communities.

Surface-disturbed areas will be rehabilitated with native grasses, forbs and shrubs to minimize the potential for soil erosion and to provide forage and cover for wildlife and livestock. Non-native plants may be used under special circumstances, such as emergency soil stabilization or to establish vegetative cover as an interim step to native species.

Reclamation efforts will follow standard operating procedures and BMPs (Appendix C). In some areas, disturbed surfaces will be allowed to reclaim naturally. The intent of the reclamation standards will be to minimize erosion and establish native vegetation. If the reclamation effort would reduce the impacts created by previous developments that are non-functional and beyond repair, the BLM could remove and rehabilitate non-functioning reservoirs, pits and water developments in WSAs or in other areas where there is viewshed infringement.

The BLM fence specifications will be followed with allowances for certain classes or types of livestock (BLM Handbook H-1741-1). Four-wire fences could be authorized if the class or kind of livestock necessitate the need for a more substantial fence. For additional wildlife mitigation, the bottom wire on four wire fences will be 12 1/2 gauge barbless wire placed at least 16 inches above the ground or 18 inches from the ground if barbed. New fences will not have a top wire over 40 inches from the ground and wire stays will not be allowed. When suitable alternatives are available, fences will not be constructed along steep slopes or in dense vegetation, including timber.

The BLM could modify existing fences that are creating barriers to wildlife movement. In isolated cases, the BLM could relocate fences to better fit with topography and management needs.

Any new water developments will be considered on a site-specific basis and will consider the benefits/detriment to all resources. All tanks will have bird escape ramps installed to reduce the possibility of birds and small mammals drowning. Proposed winter water tanks will be located away from private lands to encourage elk to increase their use of BLM land which, in turn, could reduce depredation on croplands. Decisions about installing water developments will be based on grazing practices and wildlife habitat needs (big game, migratory birds, sage-grouse, amphibians, etc.) within a specific use area. A site should only be developed if the development would improve resource values. Site-specific planning will be used to make these determinations.

## ***Vegetation – Riparian***

*The BLM's goal is to achieve, or make significant progress toward, proper functioning condition in riparian and wetland areas and to sustain a diverse age-class and composition of riparian-wetland vegetation for maintenance and recovery of riparian-wetland areas.*

The BLM will maintain and/or improve the riparian-wetland areas based on proper functioning condition (PFC) and the desired plant community (Appendix B). The presence and condition of riparian vegetation will be managed to maintain riparian and wetland function. Riparian-wetland plant species, such as sedges, rushes, and cottonwood/willow on sites capable of supporting woody species, will be managed for age-class and composition diversity and high vigor considering physical site characteristics and natural disturbances history.

## **Implementation**

Activity plan updates, such as watershed plans or allotment management plans, will emphasize riparian habitat restoration and protection. In areas that have potential to support riparian vegetation BLM may restore or establish native riparian vegetation.





Riparian Area at McGarry Bar

The BLM will initially accomplish riparian-wetland objectives through livestock grazing methods at current stocking levels. If grazing methods are not successful in meeting management objectives, the BLM will take the necessary actions to achieve those objectives. To accomplish the riparian-wetland objectives, the BLM will consider the importance of the intermingled private lands, including valuable riparian-wetland areas that could be adversely impacted as a result of management changes on BLM land.

Standards for Rangeland Health and Guidelines for Livestock Grazing have been implemented. The eight completed watershed plans (Table 2.2) contain management actions and livestock grazing guidelines for meeting Standards. As these actions are implemented, conditions are expected to improve. Management actions and associated changes in livestock management will continue through the watershed planning process.

Riparian-wetland objectives will continue to be developed and implemented through the watershed planning process or as a result of monitoring data. Exclosures, change in season of use, refined grazing prescriptions, riparian pastures, etc. could be used to achieve PFC and/or the desired plant community. Grazing systems could be changed to achieve other resource objectives or values such as forage or fish and wildlife habitat.

The BLM will control or eradicate, if possible, invasive, woody species such as Russian olive and salt cedar in riparian areas. The highest priority treatment for Russian olive and salt cedar will be preventing their spread into areas currently free of invasive, woody species and eradication in areas where the invasion is still within management capability.



Exclosure

The BLM will coordinate with the U.S. Army Corps of Engineers, U.S. Bureau of Reclamation, and county/city/private organizations to secure the release of water from dams upstream from the Monument. High water events would help to establish deciduous forest and woody riparian seedlings, create water flows favoring wildlife habitat and native fishes and promote endangered species recovery.

Proposed projects within riparian-wetland areas, including but not limited to pipelines, road construction, or water developments will have BMPs (Appendix E) and adequate mitigation measures applied to protect water quality, riparian-wetland vegetation, and riparian-wetland characteristics. The BLM will follow all state and federal permitting regulations for ephemeral, intermittent, and perennial streams, and riparian-wetland areas.

## ***Vegetation – Noxious and Invasive Plants***

*The BLM's goal is to control, contain and, if possible, eradicate invasive plants.*

The management of noxious and invasive plants will continue as prescribed in the Upper Missouri River Breaks National Monument: Guidelines for Integrated Weed Management (BLM 2001b) and subsequent updates. This weed management plan was developed to conform to the Montana Weed Management Plan (Montana Weed Management Plan 2001, 2005, 2008), and provides guidelines for the prevention, containment and eradication of invasive and noxious plants, and for the coordination of BLM, state, county and private weed management efforts. The Integrated Weed Management plan will be updated on a periodic basis as a result of monitoring data or when new national or state plans are developed.

The BLM will coordinate with other agencies consistent with the National Invasive Species Management Plan (NISC 2001), the State of Montana's Aquatic Nuisance Species (ANS) Management Plan (Montana ANS Steering Committee 2002), and the Montana Weed Management Plan to control non-native species that cause or may cause significant negative impacts and do not provide an equivalent benefit to society.

The use of certified noxious weed seed-free forage on public land administered by BLM in Montana is required under a supplementary rule (62 FR 54123, Oct. 17, 1997). This rule affects public land users who use hay or other forage products on BLM land such as recreationists using pack and saddle stock, ranchers with grazing permits, outfitters, and contractors who use straw or other mulch for reclamation purposes.

## Implementation

The BLM will designate the Monument as a weed management area to facilitate cooperation among landowners and various federal, state, and county agencies, and to secure funding to implement integrated weed management control measures.

The BLM will identify weed prevention areas and emphasize activities to keep weed seed and regenerative plant parts from being introduced into weed free areas. Implementation of an early detection and rapid response program would ensure new infestations are identified early and aggressively managed to protect and maintain uninfested areas.

The BLM will increase public awareness of invasive plant and weed species and develop treatment and prevention strategies to control noxious weeds in and around developed and primitive recreation use areas.

The BLM will develop treatment strategies to contain and/or eradicate weed infestations throughout the Monument using integrated weed management methods.

The BLM will cooperate with other federal, state, and county agencies in developing awareness and prevention programs for aquatic nuisance species such as Hydrilla, Eurasian watermilfoil, and pondweed.

## Visual Resources

*The BLM's goal is to protect the cultural landscape (viewshed) and the visual features in the landscape that are identified in the Proclamation.*

The visual resource management (VRM) classes are based on a process that considers scenic quality, sensitivity to changes in the landscape and distance zone. The four VRM classes are numbered I to IV; the lower the number, the more sensitive and scenic the area. Each class has a management objective that prescribes the level of acceptable change in the landscape. The objectives are guidelines that will be used with the visual resource contrast rating system during new project-level planning. The management objectives will not preclude the maintenance of existing structures and range improvements.

The WSAs, portions of the wild segments of the UMNWSR, and the Bodmer landscapes will be designated as VRM Class I. The remaining portions of the Monument will be designated as VRM Class II, III, or IV as shown on Map A and in Table 2.3. The WSAs will be classified as VRM Class I and managed according to VRM Class I management objectives until such time as Congress decides to designate the area as wilderness or release it for other uses (WO IM No. 2000-096). If the WSAs are determined by Congress as not eligible, they would be managed consistent with adjacent BLM land.

<i>VRM Class</i>	<i>Acres</i>
Class I	111,480
Class II	161,560
Class III	24,770
Class IV	77,190

The VRM class objectives are defined as follows:

*Class I* – The objective of this class is to preserve the existing character of the landscape. This class provides for natural ecological changes; however, it does not preclude limited management activity. The level of change to the characteristic landscape should be very low and must not attract attention.

*Class II* – The objective of this class is to retain the existing character of the landscape. The level of change to the characteristic landscape should be low. Management activities may be seen, but should not attract the attention of the casual observer. Any changes must repeat the basic elements of form, line, color and texture found in the predominant natural features of the characteristic landscape.

*Class III* – The objective of this class is to partially retain the existing character of the landscape. The level of change to the characteristic landscape could be moderate. Management activities may attract attention, but should not dominate the view of the casual observer. Changes should repeat the basic elements found in the predominant natural features of the characteristic landscape.

*Class IV* – The objective of this class is to provide for management activities that require major modification of the existing character of the landscape. The level of change to the characteristic landscape can be high. These management activities may dominate the view and be the major focus of viewer attention. However, every attempt should be made to minimize the impact of these activities through careful location, minimal disturbance and repeating the basic elements.

Surface-disturbing activities and/or developments will be designed or mitigated to complement and harmonize with the natural features and the VRM class objectives. Any projects must have a visual contrast rating worksheet completed as a part of the environmental analysis.

## **Implementation**

The visual resource contrast rating system will be used during project level planning to determine whether or not proposed activities will meet VRM objectives. The contrast rating system provides a systematic means to evaluate proposed projects and determine whether these projects conform with the approved VRM objectives. The degree to which a management activity affects the visual quality depends on the visual contrast created between the project and the existing landscape. The contrast is measured by comparing elements of form, line, color, and texture to describe the visual contrast created by a project. Mitigation measures will then be identified to reduce visual contrasts, including the use of BMPs (Appendix C).

In VRM Class I areas, the BLM may, if necessary, prohibit new surface-disturbing activities if such activities are not designed to meet the intent of the visual quality objectives. Maintenance of existing range improvements and other structures in VRM Class I areas will be allowed.

In the WSAs, the VRM Class I designation will not prevent the construction of structures or maintenance of existing structures that are allowed in the WSAs under the Interim Management Policy. The VRM objectives are designed to support the IMP guidelines to not impair the natural character of the existing landscape.

For new projects in VRM Class II, Class III and Class IV areas the BLM will reduce the visual contrast on BLM land in the existing landscape by utilizing proper site selection; reducing soil and vegetative disturbance; choice of color; and over time, returning the disturbed area to a seamless, natural landscape. Maintenance of existing range improvements and other structures will be allowed.

## *Livestock Grazing*

*The BLM's goal is to permit livestock grazing consistent with maintaining healthy vegetation communities.*

Under the Proclamation, the “[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument.” Livestock grazing will continue to be governed by a number of laws and regulations that apply to grazing on all public land administered by the BLM. In addition, the BLM developed Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Montana, North Dakota, and South Dakota which was approved by the Secretary of the Interior in August 1997. To protect the objects for which the Monument was designated livestock grazing will continue to be managed under the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997). Livestock grazing on allotments in the Monument will continue to be allocated about 38,000 animal unit months (AUMs) of forage on an annual basis (Appendix F). Grazing applications will continue to be processed consistent with existing regulations (43 CFR 4100).

The allocation of forage for livestock grazing was established following the Taylor Grazing Act of 1934. Since that time, several laws, regulations and changes have revised livestock grazing on BLM land. The most recent change concerning livestock grazing was the establishment of Standards for Rangeland Health in 1997. Continued livestock grazing is permitted pursuant to the terms and conditions of permits and leases. Livestock grazing will be managed through implementation of Standards for Rangeland Health and Guidelines for Livestock Grazing Management (Appendix B). Grazing guidelines were established in 43 CFR 4180(f)(2), and regionally refined guidelines were established in the Montana/Dakotas Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997). Through the watershed and/or activity plan process, assessments of standards were prepared. If existing grazing management is responsible for not meeting standards, modifications to the grazing authorization are implemented to ensure standards will be met. These can include changes to allocated use, seasons of use, grazing rotations or other grazing management practices. Continued monitoring as it relates to Standards for Rangeland Health will be the basis of making adjustments to livestock grazing.



Livestock

Terms and conditions, beyond basic guidelines for livestock grazing, may be developed in the watershed planning process or as monitoring indicates a need for change to meet specific goals and objectives in the watershed or allotment.

Guidelines for Livestock Grazing Management practices will be followed to protect the objects of the Monument and rangeland resources and, where necessary, to mitigate conflicts with other Monument uses and values. Administrative actions will be implemented under existing regulations to ensure compliance with existing permit/lease requirements. These actions include monitoring and supervision of grazing use and enforcement in response to unauthorized use. NEPA compliance will be completed before renewal of grazing permits. This documentation

will include a review of new monitoring and resource data, and may include a reassessment or evaluation. The normal term of a grazing permit is 10 years, but they may be issued for a shorter period if resource concerns or administrative reasons merit.

If the opportunity is available (through the cancellation or relinquishment of a grazing permit or acquisition of additional land) the BLM could establish reserve common grazing allotments. These allotments would be available to offset the impacts of drought or to implement a project such as a prescribed fire that could create a temporary loss of AUMs. The Hay Coulee allotment will be a reserve common allotment. The grazing regulations also allow for adjusting grazing allotments to incorporate the area in neighboring allotments, accepting of new grazing applications from qualified applicants, reallocation of forage to existing grazing permittees, or temporarily not allocating grazing. In each instance, alternatives would be developed and analyzed in an environmental assessment and followed with decisions in accordance the grazing regulations (43 CFR 4100).

## Implementation

The BLM will continue to implement the completed watershed plans (Table 2.2) including the associated range improvement projects to meet Standards for Rangeland Health. The watershed planning process is described in Appendix E. These watershed plans or other grazing activity plans will be updated as necessary during the renewal of 10-year grazing permits.

Maintenance of existing range improvement projects (fences, reservoirs, and other water developments) will occur in the same general manner and degree as in the past. Maintenance of water facilities may include routine maintenance or involve reconstruction. Routine maintenance is normally carried out under an existing cooperative agreement or permit and does not result in a change in the design or capacity of the facility.

Reconstruction normally involves a new design with a change in capacity and new surface disturbance outside the original footprint of the facility. Table 2.4 provides a general description of maintenance and reconstruction activities.

Livestock grazing will continue to be managed through development and monitoring of grazing activity plans and supervision of grazing use. Plans and grazing prescriptions will be developed with multiple use objectives to enhance vegetation production and diversity; maintain and enhance wildlife habitat; protect watersheds; reduce bare ground; and minimize livestock/recreation conflicts. If improved grazing management alone does not meet management objectives, vegetation treatments will be considered.

All allotments have been assigned to a management category depending on the resources and problems contained in the allotment. The three categories of Improve (I), Maintain (M) and Custodial (C) reflect resource conditions, resource potential and economic considerations for each allotment. The terms improve, maintain and custodial relate to resource objectives for the allotment, i.e. whether conditions need to be improved or maintained, or if custodial management is appropriate because of relatively limited resources and resource problems. The BLM's allotment categorization system will continue to determine priorities for processing grazing authorizations, implementing grazing activity plans, spending range improvement funds and monitoring. Allotments will be subject to recategorization based on changes in resource conditions as determined through monitoring and land health evaluations consistent with BLM policy.

New range improvements (primarily reservoirs, other water facilities, fences and land treatments) could be built to support activity plans, enhance Monument resources, or meet overall management goals. Fences will be designed to allow easy passage of wildlife. Vegetative manipulations could be planned, developed and implemented to ensure that negative impacts to resources (primarily wildlife, soils, range, and watersheds) are identified and mitigated. Treatments may be applied if maintenance or improvement cannot be achieved with grazing management practices. Watershed parameters, topography, soil type, infiltration and soil loss potential will also be considered and mitigated, as necessary, in vegetation manipulation projects.

<b>Table 2.4 Water Facility Maintenance and Reconstruction Activities</b>	
<i>Maintenance</i>	<i>Reconstruction</i>
<p>Work is normally performed in accordance with a cooperative agreement or range improvement permit.</p> <p>The original design and capacity of the facility is maintained. No survey, design, or engineering are required.</p> <p>Surface disturbance occurs within the area of previous disturbance (“footprint”). This includes the route to access the site with equipment needed for maintenance.</p> <p>Maintenance work includes rip-rapping with native rock on active and localized erosion points.</p>	<p>Work is normally performed by BLM, a contractor, or someone who is authorized by the BLM.</p> <p>The original design and capacity of the facility is updated. Survey, design, and engineering are required. This may include:</p> <ul style="list-style-type: none"> <li>• Increase or decrease in capacity</li> <li>• Change in height or profile of structure</li> <li>• Change in height, location or capacity of spillways</li> <li>• Installation of a pit within the structure</li> <li>• Installation or removal of trickle tubes</li> <li>• Breaching or otherwise removing the existing structure</li> </ul> <p>Surface disturbance occurs outside the area of previous disturbance (“footprint”). This may sometimes include access to the worksite.</p> <p>Reconstruction involves rip-rapping with other than native rock and/or for more than just localized active points of erosion.</p>

All vegetation increases will be allocated to watershed until soils and vegetation are stabilized to a satisfactory condition as determined by an interdisciplinary team prior to increasing livestock or wildlife allocations.

Some unallocated parcels will remain available for livestock grazing. These are generally isolated small tracts. An environmental assessment will be prepared for areas not previously grazed by livestock. When the opportunity becomes available to create reserve common allotments, these allotments would technically not be allocated in the sense of adjudication of grazing preference attached to base property; however, they would be available for grazing under guidelines established for use of the reserve common allotment.

Livestock forage allocations on newly acquired land will be based on management needs and objectives of the acquisition. The allocation may range from zero to full capacity and could be adjusted if monitoring indicates a need to make changes to meet management objectives.

Temporary decreases in livestock forage allocations will be implemented in the event of a temporary loss of forage such as in severe drought, fire, or insect or weed infestations. Temporary increases in livestock forage allocations will be made on a temporary nonrenewable basis, where such increases are within the available carrying capacity and are consistent with multiple use objectives as determined by an interdisciplinary review.

Grazing permittees (permit/lease) have an opportunity to apply each year for changes in grazing use within their permitted use level. These changes may include adjustments in season of use, livestock numbers or class of livestock. Applications for major changes in livestock use will be considered through environmental analyses.

Livestock forage allocation and rangeland health will be monitored on a continuing basis for actual use, utilization and trends, and to ensure compliance with the terms and conditions of grazing permits and leases. The monitoring data will be analyzed to determine if grazing management is achieving land use or activity plan objectives; to allow temporary increases or decreases in AUMs; and to revise

grazing activity plans. Monitoring intensity will be based on meeting Standards for Rangeland Health. Violations of permits will be pursued in accordance with the grazing regulations.

Developed recreation sites will be excluded from livestock grazing, except where grazing is needed to maintain the desired plant community. Goats and/or sheep could be used under strict prescriptions to control weeds in special circumstances. Grazing by horses and other livestock used by recreationists in developed recreation sites will be managed through specific activity plans.

The BLM will maintain or enhance bighorn sheep habitat. A change in class of livestock from cows to domestic sheep will not be allowed within 15 miles of areas occupied by bighorn sheep. In other areas, domestic sheep may be allowed on a case-by-case basis to control noxious weeds.

Existing grazing activity plans will be revised to incorporate grazing management practices to improve riparian community conditions. The management emphasis will discourage or prevent livestock congregation along the bottoms to maintain or enhance riparian vegetation.

The Ervin Ridge Wild Horse Herd Area, identified under the Wild Horse and Burro Act, will remain free of wild horses (BLM 1985b).

## **Water Quality**

*The BLM's goal is to maintain and/or improve the existing hydrologic systems in the Monument.*

The BLM is committed to the objectives of the Federal Clean Water Act to restore and maintain the chemical, physical, and biological integrity of the nation's waters. Furthermore, BLM will manage federal lands with reasonable land, soil, and water conservation practices in order to protect water bodies that currently meet State Water Quality Standards and to improve water quality where designated beneficial uses are not fully supported. Riparian-wetland vegetation provides an important role in maintaining or restoring water quality in the Monument. The BLM will manage for adequate vegetative cover to protect banks and dissipate energy during high flows. Healthy riparian-wetland vegetation filters sediment, aids groundwater recharge, maintains channel characteristics, and decreases pollutants such as fecal coliform and nitrates entering the water body.

Surface and ground water quality will be maintained to meet or exceed federal and state water quality standards, including Standard for Rangeland Health #3, which requires that water quality meets Montana state standards.

The BLM will improve or maintain vegetative cover on uplands and riparian-wetland areas to reduce runoff and sedimentation.

## **Implementation**

The Environmental Protection Agency, in administering the Clean Water Act, requires all states to identify rivers, streams, lakes, and wetlands where beneficial uses are impaired or threatened by human activity, and to schedule those waters for development of water quality restoration plans. This is known as the Total Maximum Daily Load (TMDL) process. The BLM will continue to comply with the TMDL process by addressing listed streams in the watershed planning process.

Through BLM's watershed planning process, BLM grazing allotments are assessed for rangeland health and compliance with Standards for Rangeland Health, including Standard #2: Riparian and wetland areas are in proper functioning condition; and Standard #3: Water quality meets Montana State standards. When an allotment is not meeting standards, and current livestock management is considered a factor, corrective adjustments are required. Through an existing memorandum of understanding with the Montana Department of Environmental Quality (DEQ), the BLM agrees that it will participate in the development, implementation, and monitoring of water quality restoration plans and TMDLs in watershed planning areas in which BLM is a significant land manager or water user.

All surface-disturbing activities are subject to an on-site evaluation to mitigate impacts to water quality and quantity. No activities should alter stream courses. BMPs will be implemented to protect watershed values and maintain or improve water quality (Appendix C). Most water quality impacts in the Monument are or would be the result of non-point source pollution. BMPs are the primary mechanism for controlling non-point source pollution. Site-specific BMPs will be implemented for all surface-disturbing activities to minimize, to the extent possible, impacts to water quality and quantity. The effectiveness of these measures would be dependent on local site characteristics such as landform, soils, climate, natural disturbances, and other physical processes.

## ***Water Developments and Water Rights***

*The BLM's goal is to maintain and/or improve the existing hydrologic systems in the Monument.*

Approximately 337 reservoirs or pit dams, 7 developed springs, 14 water savers, 15 wells, and 32 stock tanks exist in the Monument area for use by livestock and wildlife. The BLM will continue obtaining water rights, including joint ownership with private landowners, for all projects on BLM land and will comply with state and federal water laws.

Several shortfalls exist in the physical demand for surface water in the Monument. Suitable reservoir sites are scarce due to high siltation rates, erodibility of fill material, potential for saline seeps and lack of access for heavy equipment. Water savers are an alternative for reservoirs.

Ground water in much of the area is too deep for drilling to be cost effective, although wells with pipelines supplying many tanks may solve localized water shortages. Where ground water is available, lack of power precludes many well sites from being developed. Solar or gas-powered pumps may provide stock water in some locations.

### **Implementation**

The BLM must consider downstream senior water rights claims before developing surface water sources. Specific management for water developments is addressed previously in this chapter under Vegetation – Native Plants.

## ***Reserved Water Rights***

*The BLM's goal is to maintain and/or improve the existing hydrologic systems in the Monument.*

The Proclamation reserves “subject to valid existing rights, a quantity of water in the Judith River and Arrow Creek sufficient to fulfill the purposes for which this monument is established. Nothing in this reservation shall be construed as a relinquishment or reduction of any water use or rights reserved or appropriated by the United States on or before the date of this proclamation.”

Federal reserved water rights may be created when federal lands are withdrawn from the public domain (e.g., national parks, wildlife refuges, national forests). Federal reserved water rights are different from state appropriated water rights. They may apply to both instream and out-of-stream water uses; may be created without actual diversion or beneficial use (as defined by state law); are not lost by non-use; have priority dates established as of the date the land was withdrawn; and are for the minimum amount of water reasonably necessary to satisfy both existing and foreseeable future uses of water for the primary purposes for which the land is withdrawn (Alaska Department of Natural Resources 2000).

The BLM land needs to be managed in a manner that preserves and protects the integrity of these watershed systems. These protections must provide the opportunity for flows to support the health and regeneration of cottonwood galleries that provide a seed source for the downstream cottonwood galleries. The flows in Arrow Creek and the Judith River, including spring pulses, should provide adequate water, lateral channel movement, and sediment yield at the appropriate time to support the water-dependent biological resources and cottonwood gallery forests within the Monument.



The BLM is currently collecting hydrologic data from both the Judith River and Arrow Creek. The BLM needs to know the magnitude, timing, and frequency of flows necessary to support the outstanding water-dependent biological resources and cottonwood galleries that were the basis for the reserved water rights. Once this data collection is complete, the BLM will begin negotiations with the Reserved Water Right Compact Commission to quantify its claimed reserved right. After June 30, 2009, unless extended or reauthorized by the State Legislature, the Reserved Water Right Compact Commission no longer has authority to negotiate reserved water rights. The process of quantifying this reserved right then must be adjudicated through the state court system.

## **Implementation**

The BLM will not pursue the acquisition of water rights from private landowners unless approached by a landowner or their representative. The acquisition of water rights from willing sellers will be considered to maintain and/or improve the hydrologic conditions and restore instream flows on tributaries to Arrow Creek and the Judith River.

The BLM will continue its efforts to determine the extent and importance of the water rights reserved by the Proclamation. This will include a study to quantify the base flow and flood flows for the Judith River and the flood flows for Arrow Creek.

These water rights, if asserted, would carry a priority date of January 17, 2001, and would be junior to all water rights that existed at that time. Because these water rights are very junior in this area (the majority of water rights in these basins stem from the 1880s through the mid-1900s), they may have a very limited ability to affect or protect the streamflows in the Judith River and Arrow Creek.

Montana law provides for the Montana Reserved Water Rights Compact Commission, a state-appointed body, to negotiate with the various federal agencies and tribal governments that claim reserved water rights. This process provides for public input throughout the negotiation process and requires that the Montana legislature, Governor of Montana and Secretary of the Interior approve any settlement proposal. The BLM has not requested a negotiation at this time and cannot reach a recommendation on the assertion of the federal reserved right without further information on base and flood flows along with public input.

## ***Forest Products***

*The BLM's goal is to provide a healthy ecosystem that achieves a sustainable natural variation of vegetation communities.*

Where forest/woodland health is in jeopardy, minimal impact harvesting techniques that are appropriate for soil and topographical conditions may be pursued.

The Monument Manager could designate personal use areas for cutting Christmas trees and firewood. Under a permit, individuals could be allowed to utilize incidental material. The permit would address the specific type of material and conditions under which removal would occur.

## ***Lands and Realty***

*The BLM's goal is to provide reasonable access for the public and for private landowners, as well as for the administrative needs and authorized uses of industry and government agencies.*

Under the Proclamation, all federal lands and interests in lands are “hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws . . . and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument. The establishment of this monument is subject to valid existing rights. . . . Lands and interests in lands within the proposed monument not owned by the United States shall be reserved as a part of the monument upon acquisition of title thereto by the United States.”

In addition to the seven utility and transportation corridors that cross the Missouri River, the Klabzuba pipeline on the south side of the river will also be a designated corridor (Table 2.5). The corridor for the Klabzuba pipeline will only be on the south side of the river. The pipeline follows the McClelland/Stafford Ferry corridor on the north side of the river.

<b>Table 2.5</b>	
<b>Utility and Transportation Corridors in the Monument</b>	
<i>River Mile</i>	<i>Utility and Transportation Corridor</i>
River Mile 0 to 1	<b>Highway 80</b> - State Highway 80 from Fort Benton to Stanford crosses the UMNWSR at Fort Benton. The road is located entirely on private land. At this location the Monument extends only from bank to bank along the UMNWSR.
River Mile 20 to 21	<b>Loma</b> - A buried telephone line (M59069) parallels the county road (M78762) that connects Loma with Geraldine. The telephone and road cross a small portion of BLM land in Section 18, T25N R10E. At this location the Monument extends only from bank to bank along the UMNWSR.
River Mile 38.5 to 39.5	<b>Virgelle Ferry</b> - A power line is located where the Ferry crosses the UMNWSR at Virgelle and does not encumber BLM land. At this location the Monument extends only from bank to bank along the UMNWSR.
River Mile 88 to 89	<b>Secondary Highway 236</b> - Secondary Highway 236 extends southeast from Big Sandy and across the PN Bridge to Winifred. A power line (M59070) and an underground telephone line (M39347A) are located along this road and cross several miles of BLM land on the south side of the Missouri River. The defined corridor extends one-half mile either side of the road centerline on BLM land north of the River. On the south side of the River, the corridor encompasses both the original county road along the Judith River and the new county road on Claggett Hill for a width of about 2 miles where they cross BLM land. Where the two roads converge at the top of Reed Hill, the corridor width is reduced to one-half mile either side of the road centerline on BLM land.
River Mile 101 to 102	<b>McClelland/Stafford Ferry</b> - The McClelland (Lloyd)/Stafford Ferry road that connects Chinook with Winifred crosses BLM land both north and south of the Missouri River. A power line (M24219) that provides power to the Ferry runs parallel to the road on BLM land on the south side of the Monument. The corridor extends one-half mile either side of the road centerline on BLM land north and south of the River.
River Mile 103.5 to 104.5	<b>Klabzuba</b> - The Klabzuba natural gas pipeline M41268 follows the McClelland (Lloyd)/Stafford Ferry road north of the Missouri River. The corridor will include BLM land south of the Missouri River. The corridor extends one-half mile either side of the pipeline.
River Mile 131.5 to 132.5	<b>DY Trail/Power Plant</b> - The DY Trail crosses BLM land and accesses the south bank of the Missouri River in Fergus County across from the old Power Plant Ferry location. The Bull Creek/Power Plant Ferry road crosses BLM land in Phillips County and leads south to the abandoned ferry location on the north bank of the Missouri River. No utilities are located along these roads. The corridor extends one-half mile either side of the road centerline on BLM land north and south of the River.
River Mile 148.5 to 149.5	<b>Highway 191</b> - U.S. Highway 191 (M013368) extends from Malta to Grass Range crossing the Monument near its eastern boundary. A power line (M052239) and a buried telephone line (M049342) parallel the highway; both are located on about a mile of COE land that is leased by the BLM, east of the highway in this area.

Four of the utility and transportation corridors will have defined boundaries through the Monument. The corridors will be 1 mile wide and on BLM land will have defined boundaries within 1/2 mile of the centerline of the following roads and pipeline: the McClelland (Lloyd)/Stafford Ferry road; DY Trail/Power Plant Ferry road; and the Klabzuba pipeline.

The corridor for State Secondary Highway 236 will be about 2 miles wide on the south side of the Missouri River, which includes the original road along the Judith River and the new route on Claggett Hill. However, the width of this corridor will be reduced to 1 mile when the two roads converge at the top of Reed Hill.

The corridors at Fort Benton, Loma, Virgelle and Highway 191 will retain their current status (1 mile wide). These four corridors extend from bank to bank where they cross the UMNWSR and do not involve any BLM land.

The eight corridors are shown on Map 1.

The corridors will be available to all uses (pipelines, transmission/power lines, roads, etc.) with the appropriate mitigation. If feasible, future utilities will be located adjacent to existing roads within the designated corridors or restricted to the least intrusive disturbance.

Within the DY Trail/Power Plant corridor, pipelines will be bored under the Missouri River to avoid river channel disturbance. Boring will not be allowed during the spawning season from March 30 to July 15. Overhead power and/or telephone lines will be allowed to cross the Missouri River to avoid disturbance to spawning sensitive species (sauger, paddlefish, and sturgeon).

Avoidance areas for ROWs include the scenic sections of the UMNWSR, the Bodmer Landscapes, the Cow Creek ACEC, cultural/historic sites, riparian and wetland areas, areas containing unique geologic formations, areas considered unsuitable due to erosion and slope, and sage-grouse seasonal habitat where impacts could not be mitigated or effectively controlled.

Exclusion areas include the wild sections of the UMNWSR and the six WSAs, pending determinations by Congress. If the WSAs are not designated by Congress as wilderness and are released from WSA status, they would be managed as avoidance areas.

## **Implementation**

### **Rights-of-Way**

Applications for rights-of-way will be considered pursuant to existing policies and practices, identified transportation and utility corridors, identified avoidance and exclusion areas, valid existing rights, and as necessary for adequate and reasonable access to state or private land as well as access for utility or transportation services.

Applications for rights-of-way will also be considered for necessary and adequate access across BLM land to private and state minerals for exploration, development, and production (e.g., access roads and pipelines).

Applications for rights-of-way must be in conformance with the Wild and Scenic Rivers Act and provide for mitigation necessary to protect Monument resources. The BLM has discretion to evaluate such things as construction methods, alternate routes or type of access (including only aerial access) and to establish reasonable terms and conditions necessary to protect the public interest. All power line rights-of-way must comply with APLIC guidelines to protect or reduce impacts to raptors and bald eagles. All pipeline rights-of-way that cross the Missouri River will require that pipelines be drilled under the river bed, avoiding disturbance to the river channel and potential impacts to the pallid sturgeon.

Applications for commercial wind energy systems, solar energy systems and communication sites will not be considered.

## Leases and Permits

Except for the issuance of film permits, new land use authorizations for uses such as farming leases or permits under 43 CFR 2920 and Recreation and Public Purposes (R&PP) leases under 43 CFR 2912 will not be allowed. Applications for film permits using the uplands that may cause impacts requiring mitigation will require a Notice of Realty Action in the Federal Register, a 30-day public comment period, environmental analysis, and may require bonding and liability insurance. Film permits confined to the Missouri River and/or access roads in the Monument will be treated as minimum impact permits as defined at 43 CFR 2920.2-2. Permits are not required for casual use filming activities that normally involve non-commercial still photography or recreational videotaping.

## Land Ownership Adjustment

The BLM will not pursue the acquisition of private land or interests in land unless approached by a landowner or their representative. Conservation easements or fee acquisition (i.e., campsite) opportunities that are brought forward by private landowners will be considered if they enhance the values of the Monument and are within the BLM's staff and budgetary constraints. Land and Water Conservation Funds may be used for land acquisitions (either fee or conservation easement).

BLM land will not be disposed of other than by exchange, and only when necessary to further the protective purposes of the Monument, block up BLM land within the Monument and enhance the values for which the Monument was designated.

Disposal of BLM land will be limited to parcels meeting these criteria:

- The parcel is located at the edge of the Monument and disposal would not create an inholding;
- The parcel contains minimal Breaks topography; and
- The parcel contains minimal objects for which the Monument was designated.

The BLM will explore the feasibility of a land exchange program with the Montana Department of Natural Resources and Conservation. Such exchanges would focus on state lands that would contribute to the objects for which the Monument was designated.

Lands acquired by the BLM will be managed consistent with adjacent BLM land. Upon acquisition of title, acquired lands will become part of the Monument and are withdrawn accordingly.

The following BLM land is identified for disposal by exchange and meets the criteria discussed above: T22N R16E, E2NE4 of Section 15 (80 acres). The parcel is on the edge of the Monument, contains minimal Breaks topography, and contains no objects for which the Monument was designated. The BLM land will be exchanged for private land identified as T22N R15E, Section 3, Lot 5 (24.60 acres) and Section 4, Lot 8 (46.52 acres). This land exchange proposal was initiated by the private landowner in March 2002.

## Revised Statute 2477

Revised Statute 2477, which provided that “[t]he right of way for the construction of highways over public lands, not reserved for public uses, is hereby granted,” was repealed on October 21, 1976, by the Federal Land Policy and Management Act (FLPMA). The FLPMA did not terminate valid rights-of-way established under Revised Statute 2477 prior to its repeal. Since 1993, the BLM deferred any processing of Revised Statute 2477 assertions except in cases where there was a demonstrated, compelling, and immediate need to make such determinations.

Current guidance is contained in Washington Office Instruction Memorandum 2006-159: Non-Binding Determinations of R.S. 2477 Right-of-Way Claims. Briefly, this guidance states that the BLM does not have the authority to make binding determinations on the validity of R.S. 2477 right-of-way claims.

The BLM may, however, make informal, non-binding determinations for its own land use planning and management purposes. A non-binding determination that the right-of-way exists is required before completing consultation with states or counties on any proposed improvements to a claimed R.S. 2477 right-of-way, i.e., any work beyond routine maintenance. A non-binding determination may also be appropriate before taking action to close or otherwise restrict the use of a claimed R.S. 2477 right-of-way. Such determinations must be based on the particular laws of each state in which a claimed right-of-way is situated. No determinations will be made through this resource management plan since there are no R.S. 2477 right-of-way claims.

## ***Fire Management***

*The BLM's goal is to manage wildland fire safely, efficiently and with minimal impact to resource values while minimizing the risk of catastrophic fire within the Monument and communities adjacent to the Monument. This includes maintaining or reestablishing the natural influence of fire on vegetation communities and associations.*

Fire will be used to manage fuels and minimize the risk to those biological, geological and historical objects of interest for which the Monument was established. Fire could be a positive influence in much of this area, and restoration of natural fire regimes will be encouraged where practical. However, each occurrence will require special consideration. Obvious concerns focus around structures, croplands, livestock and livestock forage needs, the reduction of big game thermal and hiding cover, and reduced canopy coverage in sagebrush habitats. Social and political considerations will help determine how each fire occurrence will be managed.

Appropriate management response based on current fire danger, resource availability and predicted weather will be used to ensure safety of fire suppression personnel, reduce cost of fire suppression and to return fire to a more natural ecological role. An appropriate management response may also include limiting fires ignited by lightning to pre-planned barriers and natural fuel breaks. Appropriate management response criteria will be based on risks to firefighters, public health and safety; land and resource management objectives; weather; fuel conditions; threats, values to be protected; and cost efficiencies.



Armells Prescribed Fire

The Montana DEQ has the primary responsibility for attaining and maintaining air quality standards through coordination with the Environmental Protection Agency (EPA). The EPA through the document, Interim Air Quality on Wildland and Prescribed Fires, supports increasing the reintroduction of fire into federal land management programs to allow fire to play its natural role and provide resource benefits consistent with public health and environmental quality considerations. All prescribed burning planned in the Monument will comply with the certified Smoke Management Program. This program is administered by the Montana DEQ with support of the Montana/Idaho State Airshed Group.

The Monument includes four fire management units: Wild and Scenic River, Wilderness Study Areas, North Monument and South Monument (Map B). Fire management alternatives for these fire management units (FMU) will be based on the options listed in Table 2.6 for wildland fire suppression and prescribed fire.

<b>Table 2.6 Options for Wildland Fire Suppression and Prescribed Fire</b>	
<i>Option</i>	<i>Description of Fire Suppression Option</i>
Aggressive	All fires would be suppressed aggressively using all available methods based on firefighter and public safety. The focus of this strategy would be to limit acres burned. Cost would not be a consideration in most cases.
Appropriate	Appropriate management response would be based on firefighter and public safety considering the natural role of fire (fire regime and condition class (FRCC)). Fires could be managed using less than full suppression in most cases and allowed to burn to natural barriers or roads. Cost of the suppression activity would also be considered.
Wildland Fire Use	A wildland fire use plan would be developed. Areas could be identified where prescribed fire would be used based on firefighter and public safety along with FRCC and the goal to return fire to a natural role on the Monument landscape.
<i>Option</i>	<i>Description of Prescribed Fire Option</i>
None	No prescribed fire use would be allowed.
Safety and Habitat	Prescribed fire could be used based on public safety (fuel hazard reduction) and resource issues (range improvement, wildlife habitat).
Natural Role of Fire	Prescribed fire would be used based on FRCC and the goal to return fire to a natural role on the Monument landscape with very few constraints.

The BLM’s response will be based on a wide range of fire management tools available and management flexibility to respond to changing conditions. The wildland fire suppression options and prescribed fire options for the FMUs are shown in Table 2.7.

<b>Table 2.7 Wildland and Prescribed Fire Options</b>		
<i>Fire Management Unit</i>	<i>Wildland Fire Suppression Strategy</i>	<i>Prescribed Fire Use Based On</i>
Wild and Scenic River	Appropriate	Safety and Habitat
Wilderness Study Areas	Appropriate	Natural Role of Fire
North Monument	Appropriate	Natural Role of Fire
South Monument	Appropriate	Natural Role of Fire

The appropriate management response to all wildland fires will be based on firefighter and public safety and resource values on BLM, state, and private land while considering the natural role of fire. Fires could be managed with less than full suppression efforts and, in most cases, allowed to burn to natural barriers or roads. The cost of suppression will also be considered. Resource values, such as sage-grouse habitat, will be protected during wildland fire suppression through the knowledge of resource advisors assigned to wildland fire incidents and/or information on the location of critical resource areas available to incident commanders; however, protection for resource values will be secondary to life safety and property values.

Prescribed fires could be used in three of the FMUs (Wilderness Study Areas, North Monument and South Monument) based on the flexibility to respond to changing conditions and the goal of returning fire to a more natural role on the Monument landscape. Prescribed fire in the Wild and Scenic River FMU will be based on public safety and resource issues.

## **Implementation**

### **Wildland Fire Suppression and Rehabilitation**

The BLM will suppress fires at minimum cost, based on fire fighter and public safety, and the benefits and values to be protected consistent with resource objectives. Where an identified risk to private croplands exists, all wildland fires will be suppressed during the hot or dry season. The BLM works in an interagency fashion with rural fire departments and other federal and state fire agencies. The closest available fire suppression resources respond to a fire for initial attack, irrespective of land ownership. The BLM Lewistown Fire Dispatch Center provides interagency wildland fire dispatching for much of central Montana.

The appropriate management response to wildland fire in the Monument, including wilderness study areas (WSAs), will involve traditional fire line tactics, including the use of natural barriers and hand-constructed fire lines. The use of heavy equipment will be allowed through authorization of the Field Manager, Monument Manager or the appropriate agency administrator. Careful consideration will be given to how and where heavy equipment would be used to minimize erosion. Staging areas will be placed outside the Monument whenever possible. The application of fire retardant is prohibited within the White Cliffs section of the Monument, and is also prohibited within 300 feet of any perennial water body.

Rehabilitation will be based on careful consideration of resource objectives, area concerns and constraints. Certified weed-free seed and seeding with appropriate native species is required.

### **Prescribed Fire and Other Fuels Management**

Prescribed burns will be used in the Monument to protect infrastructure or wildlife habitat that would be permanently lost in the event of a catastrophic fire, to achieve desired plant communities, and to reduce hazardous fuel loads. Livestock grazing could be considered as a vegetation management tool to reduce hazardous fuel loads. The BLM will coordinate fuel management with private landowners, affected interests and other agencies. Land uses are to be monitored and adjusted as necessary after a fire to sustain soils and vegetation.

### **Wildland Fire – Wilderness Study Areas**

The BLM will protect the wilderness characteristics of land within the National Wilderness Preservation System and in WSAs. Fire management-related activities should preserve the natural character of wilderness areas and avoid unnecessary impairment of a WSA's suitability for preservation as wilderness. The use of heavy equipment during wildland fire suppression and rehabilitation in WSAs should be avoided to protect wilderness characteristics. Fire camps should be located outside WSAs. Using motorized vehicles and mechanical equipment during mop-up should be minimized. A fire plan developed for any WSA should specify fire management objectives, historic fire occurrence, acceptable suppression techniques, buffer zones, smoke management concerns, and anticipated impacts on private or other agency inholdings and on adjacent landowners. Suppression methods may include use of power tools, aircraft, motorboats and motorized fire-fighting equipment while applying appropriate techniques. A wildland fire situation analysis will be completed by appropriate fire managers and resource staff for any fire that escapes initial attack or has the potential to remain in the extended attack mode for more than 48 hours.

## Prescribed Fire – Wilderness Study Areas

The use of heavy equipment will be avoided to protect wilderness characteristics. Staging areas and fire camps will be located outside of WSAs unless safety or overriding logistical concerns dictate otherwise. A prescribed burn plan will specify fire management objectives, historic fire occurrence, the natural role of fire, expected fire behavior, smoke management, and impacts on private or other agency inholdings and on adjacent landowners. The use of power tools and motorized equipment will be limited.

## Recreation

*The BLM's goal is to manage for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes.*

The BLM will maintain and/or enhance the recreational quality of BLM land and resources to ensure enjoyable recreational experiences. Specific management for recreation is addressed below.

The BLM's Priorities for Recreation and Visitor Services Workplan 2003-2007 (as extended by the Unified Strategy, WO IM No. 2007-043), Recreation 2000 guidance and the Tri-State Recreation Plan incorporate the following provisions:

- Improve access to appropriate recreation opportunities on DOI managed or partnered lands and waters;
- Ensure a quality experience and enjoyment of natural and cultural resources on DOI managed or partnered lands and waters;
- Provide for and receive fair value in recreation;
- Manage visitor services including a permit system, interpretive programs, visitor contact and efforts to improve the BLM's image with public land users;
- Maintain all facilities where the public comes in contact with BLM roads, trails, signs, recreation sites and buildings;
- Develop partnerships among other agencies, organizations and private citizens; and
- Enhance budget/marketing techniques that showcase the BLM's land management.

The recreation emphasis will be to develop and maintain opportunities for dispersed recreational activities such as hunting, hiking, scenic and wildlife viewing and driving for pleasure, consistent with current policies and practices and the Proclamation. Methods to achieve these opportunities include emphasizing public access and the Watchable Wildlife and Back Country Byways programs. The BLM will provide dispersed recreation opportunities to support local, regional and national needs.

The BLM will increase coordination with the Montana tourism industry to market BLM recreational opportunities, particularly with the Charlie Russell and Missouri River Tourism Regions for the State of Montana.

The BLM will emphasize a pack in/pack out garbage policy.

The BLM will emphasize dispersed recreation opportunities including hiking and development of non-motorized hiking trails.

The BLM will provide law enforcement patrols of the Monument. The law enforcement program will stress public compliance through education and outreach to develop a sense of public ownership of



the Monument. The BLM will respond to resource violations consistent with current law enforcement responsibilities within the Lewistown Field Office. The Blaine, Chouteau, Fergus and Phillips County Sheriff Departments conduct emergency services in the Monument. The BLM assists as requested with available resources. Emergency services are guided by BLM policy and administrative action.

Geocaching is an appropriate, casual use of BLM land, and a Special Recreation Permit (SRP) is not required if the activity is casual use and inflicts no damage on the resources (no surface disturbance). However, if the activity becomes too large and begins to conflict with other authorized uses or affects the resources of the Monument, appropriate steps will be taken to manage the activity. This would include preparation of an environmental assessment or other appropriate NEPA document; issuance of letters of agreement or SRPs with special stipulations to mitigate concerns; and requirements for the registration of geocaching sites and removal of those geocaches if authorization is not given.

The BLM will continue to work with and support the Undaunted Stewardship program. The program is directed jointly by federal, state and private entities, with guidance from statewide historic, conservation and agricultural groups, funded by the public and private sectors. This is a cooperative and multi-faceted program that seeks to ensure the long-term maintenance of the environmental quality and economic productivity of privately-owned, agricultural landscapes – especially areas rich in history along the Lewis and Clark National Historic Trail in Montana.

Four Undaunted Stewardship interpretive projects are located on private property intermingled with the Monument along the UMNWSR. This is a collaborative partnership program that involves private landowners (ranchers), Montana Stockgrowers Association, Montana State University and the BLM. The objective is to preserve both Lewis and Clark and Montana frontier history. The four sites are the ABN Ranch east of Virgelle, the Lanning/Terry Ranch south of Big Sandy, the Crawford Farm & Ranch north of Geraldine, and the Wortman Ranch near the PN Bridge (Judith Landing) north of Winifred.

**Recreation Management Areas** – The Monument will be included in two special recreation management areas: Upper Missouri River SRMA and Uplands SRMA (Map C). The Upper Missouri River SRMA includes BLM land from Fort Benton downstream to Arrow Creek and the entire UMNWSR. The Uplands SRMA includes BLM land both north and south of the UMNWSR downstream from Arrow Creek to the James Kipp Recreation Area.

The following sections on fees; gateway communities; research, collection and special events; recreation in sensitive wildlife habitat; and interpretive sites applies to both SRMAs.

**Fees** – The BLM will implement an expanded amenity fee for overnight camping in Level 1 sites and an individual special recreation permit for boating the Missouri River. After the RMP is completed the BLM will develop a business plan to determine the actual fee amounts charged for new sites. Development of the business plan will involve the Central Montana RAC and include an opportunity for public involvement. Fees will not be charged until completion of the business plan, except for the fee system for the James Kipp Recreation Area.

Level 1 recreation sites that charge a fee will provide at least a majority of the following: tent or trailer spaces, picnic tables, drinking water, access roads, collection by an employee or agent, reasonable visitor protection, refuse containers, toilet facilities and simple devices for containing a fire. Such Level 1 sites currently include Wood Bottom, Coal Banks Landing, Judith Landing, Lower Woodhawk and the James Kipp Recreation Area. An expanded amenity fee will be charged at any additional Level 1 sites that may be constructed. In addition, the BLM may charge fees for use of some existing structures in the Monument, including cabins and corrals, consistent with FLREA.

A permit, referred to as a Special Area Permit, and associated fee will be required to boat on the UMNWSR. BLM regulations (43 CFR 2930) specify permits may be required for individual recreational use of special areas. Special areas include rivers in the National Wild and Scenic Rivers System. The cost of the permit will be established through a business plan based on the cost of

operating the permit system, special costs related to management of the area, comparability with other agencies and similar special areas, and fairness and equity among all users. Camping overnight at Level 1 expanded amenity fee sites will be included with the special area permit fee. This permit is a separate permit from a commercial activity permit.

Expanded amenity fees collected for camping will be returned to the Lewistown Field Office and used at Level 1 sites for expenditure on site maintenance and visitor services as established in FLREA.

Fees associated with the Special Area Permit to boat the Missouri River will be returned to the Lewistown Field Office and used to cover management costs associated with toilet pumping, trash collection, and site maintenance. In addition, fees could be used to support county emergency services and to purchase short-term campsite easements or leases from willing private landowners.

**Gateway Communities** – The BLM will encourage and sustain collaborative partnerships, volunteers and citizen-centered public service. The BLM will partner with gateway communities to provide visitor information.

The BLM will encourage private sector initiatives as a means of developing river visitor use opportunities. The Monument offers a wide range of visitor opportunities, only some of which can be provided by the BLM. To overcome these limitations, non-governmental entities, either individuals or institutions, could help accomplish initiatives compatible with the Monument. These initiatives will not result in permanent facilities in the Monument.

A wide variety of activities can be generated by private sector initiatives. Services for boats or horses, overnight or extended-stay lodging facilities, food/water and other provision sales and guiding are services traditionally offered in this way. Other opportunities may be created by using the Monument for touring and instructional purposes and for expanded regional promotional activities. A special recreation permit must be issued for all commercial and competitive activities that make a profit from recreational visitor activities on BLM land.

Currently, the BLM, City of Fort Benton, and The River and Plains Society are partners in the Missouri Breaks Interpretive Center. The City of Fort Benton will assist with maintenance of the grounds and The River and Plains Society will provide seasonal staffing and volunteers during the summer months as well as manage the center's gift store.

**Research, Collection and Special Events** – The use of metal detectors will be allowed by permit only. A permit for metal detector use may be authorized by the Monument Manager when determined to be in the interest of the public and consistent with the goals of the Monument. Metal detectors, magnetometers or other remote sensing equipment may also be allowed for administrative purposes or public health and safety uses as determined by the Monument Manager.

The personal collection of common invertebrate fossils and petrified wood is not allowed. The personal collection of plant material (e.g., vegetation, seeds and berries) is not allowed, except as provided for under the American Religious Freedom Act of 1978.

Special recreation permit applications for organized group activities or events may be granted, if the activity will not impact the resources or values for which the Monument was designated. Large group events will be authorized subject to restrictions to protect resources. These restrictions may include, but would not be limited to, the designation of specific roads or trails for a particular event, limitations on parking, use of campfires, sanitation requirements and the number of people involved in the event.

The BLM may also issue permits for commercial hiking, horseback riding and other commercial recreation activities that are not associated with big game hunting or river boating.

**Recreation in Sensitive Wildlife Habitat** – The BLM will allow the personal collection of shed antlers (horn hunting).

Camping will not be allowed on BLM islands from April 1 to July 31, to protect wildlife during sensitive periods (e.g., nesting, brooding periods).



Gilmore Cabin

**Interpretive Sites** – Historic, archaeological, and geological opportunities on BLM land will be enhanced by developing the interpretive potential at selected sites (Map 2). Small, low-key interpretive signs that blend in with the surroundings (and not visible from the Missouri River) will be established at specific sites. These low-key sites will be for dispersed recreation opportunities. Simple markers will be provided for some cultural sites. Portable interpretation (guidebooks and brochures) may also be available.

Topics for interpretation will be selected based on setting, visitor benefits and the potential to provide the area's history or prehistory via interpretation. Some potential cultural sites for interpretation include Decision Point; Eagle Creek; the Murray/PN dugout; Hagadone, Middleton, Ervin, Gist, Cable, and Nelson homesteads, Gilmore cabin; Nez Perce Trail; and sites associated with the Lewis and Clark Expedition. Other possible interpretive sites and topics could include prehistoric sites and the steamboat era on the Missouri River.

Some potential geological interpretive sites include the stratigraphic cross section of the Missouri River from Virgelle to the James Kipp Recreation Area showing the regional dip of beds starting in Colorado Shale and ending in Bearpaw Shale; the glacial geomorphology and paleo channel of the Missouri River at Little Sandy Creek; the igneous dike known as the Grand Natural Wall from the Lewis and Clark Journal entry; Hole-in-the-Wall; the Big Sag at Judith Landing; the Sugarloaf Rock fault plane versus bedding plane at McClelland/Stafford Ferry; the diatreme at Gist Bottom; and the invertebrate paleo site at Woodhawk.

## Upper Missouri River Special Recreation Management Area (SRMA)

*The BLM's goal is to manage these lands for a variety of sustainable visitor experiences in mostly primitive and natural landscapes. This goal would allow BLM to provide dispersed and developed recreation opportunities and ensure that visual quality characteristics reflect a predominantly primitive or natural landscape while providing a diversity of visitor experiences.*

## Upper Missouri National Wild and Scenic River

Management of the UMNWSR is guided by the 1993 River Plan Update (BLM 1993). The River Plan Update identified the specific actions necessary to implement guidance provided by the West HiLine RMP (BLM 1992a) and to revise some outdated management actions. In the future, the river plan will be updated based on the guidance from the Approved Plan.

The UMNWSR will be managed to protect and preserve the remarkable scenic, recreational, geological, fish and wildlife, historic, cultural, and other values as directed by Congress in the Wild and Scenic Rivers Act (PL 90-542, 1968) and the amendment for the Upper Missouri (PL 94-486, 1976). The BLM will manage the segment of the Lewis and Clark National Historic Trail within the planning area in a manner that is consistent with the purposes and provisions of the National Trails System Act (PL 90-543, 1968) as amended by PL 95-625 (1978).

The BLM will provide recreational opportunities and visitor services consistent with the Wild and Scenic Rivers Act, as amended. Future developments will mitigate impacts to natural and cultural resources. Mitigation measures will be determined after site-specific evaluations.

The Fort Benton River Management Station/Missouri Breaks Interpretive Center will support visitor services for the UMNWSR and provide interpretive information on the cultural and natural history of the Monument. Access points at the Chouteau County Fairgrounds Campground and Canoe Launch, Fort Benton Power Boat Ramp, Wood Bottom, Coal Banks Landing, Judith Landing and James Kipp Recreation Area will serve as points of contact to provide health and safety information, register boaters, and collect visitor use information.

The BLM will continue, and may expand, visitor services operations to provide for public health, safety and law enforcement. Search and rescue operations and law enforcement will continue as a cooperative effort between the BLM and state and local agencies.

Boaters on overnight trips on the UMNWSR may not dispose of solid human waste by any means other than a portable toilet for containerization and carryout of solid human waste. This is necessary due to increasing levels of public use and the health, sanitation and aesthetic problems that improper disposal of human waste can create along the river.

The BLM will coordinate with the USFWS on bankside recreation use and management within the Charles M. Russell (CMR) National Wildlife Refuge boundaries, between river miles 139-149.



Upper Missouri National Wild and Scenic River

This section addresses specific management for the Upper Missouri River SRMA that primarily includes management for the UMNWSR.

**Special Recreation Permits** – There will be a limit of 23 SRPs for commercial recreational use on the Missouri River and related land in the UMNWSR. An SRP, with a fee, will be required (43 CFR 2930). Permits help the BLM manage river use to prevent damage to BLM land or water resource values and to prevent social conflicts. The 23 permits will include boating on the Missouri River for commercial hunting, fishing, and scenic and interpretive tours.

One-time permits, authorizing one trip per season, will be issued on a case-by-case basis primarily for institutions and organized groups that meet BLM's definition of commercial use (recreational use of the Missouri River and related land in the UMNWSR for business or financial gain). One-time permits may also be issued to river-based commercial hunting, fishing and scenic and interpretive tour operators not allowed under the 23 permits. One-time permits will authorize a specific use to take place on a specified range of dates within a given calendar year, and will not guarantee authorization for future occupancy and use of the Missouri River and related land in the UMNWSR.

Special events, such as competitive and organized group events, where the event takes place on the river, will be permitted only in the recreation classified segments of the UMNWSR.

Vending permits could be issued in association with special permitted events. Vending permits are temporary, nonexclusive, revocable authorizations. Any facilities associated with the permit

will be temporary in nature and confined to Level 1 sites (developed public access sites). Vending permits for food services, souvenirs or clothing, other than those associated with a special event, will not be allowed.

Vending permits could also be issued for shuttle services, boat and equipment rental and other services that directly support or enhance BLM's goals for visitor use management.

**Opportunities for Boaters** – The BLM will not develop an allocation system for visitor use on the Missouri River. The BLM will monitor conditions and develop management actions, as necessary, to reduce impacts to resource and social conditions without limiting the number of people boating the Missouri River. Management actions may include, but will not be limited to, further restrictions on group size, limits on the number of nights allowed at one site, designated campsites, closure of campsites, construction of additional facilities, and development of additional dispersed campsites. Standards and Indicators (Appendix G) establish a broad framework for managing visitor use and impacts to resources and social conditions. As monitoring confirms change in visitor use patterns and

impacts, or as populations shift or other major social events occur that may dramatically change use patterns, additional refinement within those standards and indicators may become necessary.

From June 15 to August 1 at Coal Banks Landing and Judith Landing, groups larger than 20 people may only launch on Wednesday, Thursday or Friday. Groups larger than 30 people will require a special recreation permit, year round, for boating the Missouri River.

**Camping Facilities** – The existing camping facilities will remain at the current campsites along the Missouri River (Map 2). Additional Level 1 and 2 sites will only be considered from Fort Benton downstream to Judith Landing. To provide dispersed recreation opportunities and

benefits, additional Level 1 sites will be constructed only in the recreation segments of the UMNWSR. Improvements to existing Level 1 and 2 sites could occur to improve infrastructure or address visitor use issues.

Additional Level 2 sites could be constructed between Fort Benton and Judith Landing as necessary to improve resource conditions, improve distribution of visitor use or resolve visitor use conflicts. Associated facilities and construction could not detract from the visual character and integrity of the UMNWSR. No additional Level 2 sites will be constructed below Judith Landing. Additional Level 3 campsites could be added as needed to accommodate increases in use, disperse visitor use along the Missouri River, and rest or rotate the use of individual sites. Dispersed camping (Level 4 opportunities) will be allowed on all BLM land.

The BLM will maintain all developed sites. New capital improvements will be allowed if impacts to cultural and natural resources can be mitigated to an acceptable level. All improvements will comply with the Wild and Scenic Rivers Act, as amended.

If the opportunity is available, the BLM will purchase short-term (1-5 year) campsite easements or leases from willing private landowners for alternative or additional campsites to provide dispersed camping opportunities and benefits.

The BLM will implement a 2-night limit at Level 2 campsites from June 15 to August 1. The BLM will maintain the 14-night limit at Level 1 and 3 sites and for dispersed camping (Level 4 opportunities).

The BLM will implement a Leave No Trace program and require the use of camp stoves, fire pans or fire mats for dispersed camping (Level 4 opportunities).

Signing in Level 1 sites could be used to safely direct traffic, provide information, or provide interpretive messages. Signing should be commensurate with visual surroundings and level of development. Signing located along the Missouri River will identify campsites and will be of minimum size and only used at Level 1, 2 and 3 campsites. Level 4 sites will not be signed. Signing



Floaters on the Upper Missouri River



Campers at Eagle Creek

### River Recreation Facilities

**Level 1 – Developed public access sites** are accessible by road and have a full range of developments that could include parking lots, boat ramps, vault toilets, campsites for tents and RVs, and picnic facilities. These sites are shown on Map 2 and include Wood Bottom, Decision Point Interpretive Trail, Coal Banks Landing, Judith Landing, Lower Woodhawk and the James Kipp Recreation Area.

**Level 2 – Developed boat camps** are accessible only by boat. The sites could include vault toilets, metal fire rings, and occasionally, open-air shelters. These sites are shown on Map 2 and include Little Sandy, Eagle Creek, Hole-in-the-Wall and Slaughter River. The BLM has administrative road access to these sites.

**Level 3 – Primitive boat camps** are accessible only by boat and could contain a metal fire ring but no other developments. These sites are shown on Map 2 and include Evans Bend, Senieurs Reach, Black Bluff Rapids, Dark Butte, Pablo Rapids, The Wall, McGarry Bar, Gist Bottom, Cow Island, Upper Woodhawk, Middle Woodhawk and Hideaway.

**Level 4 – Dispersed camping opportunities.** In addition to the developed sites described above, camping is permissible on any of the 90,000 acres of BLM land adjacent to the river. The absence of development allows opportunities for those seeking a completely primitive experience. In many areas private land is intermingled with BLM land and landowner permission is required to access or cross private land.

within campsites and elsewhere within the UMNWSR will be limited to existing infrastructure and of sufficiently low profile to not be visible from the Missouri River.

**Motorized Watercraft** – The BLM will revise the current seasonal boating restrictions on the Missouri River as shown in Table 2.8 and displayed on Map 2. The recreation segments of the UMNWSR will be open to motorized watercraft year round except personal watercraft and floatplanes will only be allowed on river miles 0 to 3 near Fort Benton.

The wild segment from Pilot Rock to Deadman Rapids will have a seasonal restriction from June 15 to September 15 with downstream travel only at a no-wake speed. Personal watercraft and floatplanes will not be allowed on this segment of the river yearlong.

The wild and scenic segments from Holmes Council Island to Fred Robinson Bridge will have a seasonal restriction from June 15 to September 15. Motorized watercraft traveling downstream at a no-wake speed will be allowed on Thursdays through Saturdays. On Sundays through Wednesdays motorized watercraft travel will not be allowed. Personal watercraft and floatplanes will not be allowed on this segment of the river yearlong.

Administrative use of motorized watercraft will occur during the seasonal restrictions. A cooperative effort among agencies operating on the river will be initiated. A Memorandum of Understanding will be developed with the goal of achieving uniform standard operating procedures designed to minimize impacts to boaters from administrative use of motorized watercraft.

Livestock grazing permittees will be allowed upstream travel to administer their grazing permit with prior notification to the BLM. Prior notification will be verbal for unplanned situations or by a letter from BLM to the permittee for activities known in advance. Verbal notification could be with the Lewistown Field Office (Monument Manager, Field Manager, or acting) or the Fort Benton River

Management Station (Park Ranger). Prior notification allows the BLM to inform boaters at launch points that administrative use may be occurring along specific sections of the river and to respond to boaters' questions concerning administrative use.

There will be no restrictions for any military, fire, search and rescue, or law enforcement watercraft used for emergency purposes. This includes the use of motorized watercraft by the public for emergency purposes and the landing and take-off of floatplanes for safety reasons, such as avoiding inclement weather.

<i>River Segment</i>	<i>Motorized Use</i>
River Mile 0 to 52 Fort Benton – Pilot Rock (Recreation Segment)	Motorized watercraft travel both upstream and downstream will be allowed yearlong.  The operation of personal watercraft and landing of floatplanes will only be allowed on river miles 0 to 3 yearlong.
River Mile 52 to 84.5 Pilot Rock – Deadman Rapids (Wild Segment)	Motorized watercraft travel downstream at a no-wake speed will be allowed from June 15 to September 15.  Motorized watercraft travel both upstream and downstream will be allowed the remainder of the year, from September 16 to June 14.  The operation of personal watercraft and landing of floatplanes will not be allowed yearlong.
River Mile 84.5 to 92.5 Deadman Rapids to Holmes Council Island (Recreation Segment)	Motorized watercraft travel both upstream and downstream will be allowed yearlong.  The operation of personal watercraft and landing of floatplanes will not be allowed yearlong.
River Mile 92.5 to 149 Holmes Council Island to Fred Robinson Bridge (Wild and Scenic Segments)	Motorized watercraft travel downstream at a no-wake speed will be allowed on Thursdays through Saturdays from June 15 to September 15.  Motorized watercraft travel will not be allowed on Sundays through Wednesdays from June 15 to September 15.  Motorized watercraft travel both upstream and downstream will be allowed the remainder of the year, from September 16 to June 14.  The operation of personal watercraft and landing of floatplanes will not be allowed yearlong.

### **Uplands Special Recreation Management Area (SRMA)**

*The BLM's goal is to manage these lands for a variety of sustainable visitor experiences in mostly primitive and natural landscapes. This goal would allow BLM to provide dispersed and developed recreation opportunities and ensure that visual quality characteristics reflect a predominantly primitive or natural landscape while providing a diversity of visitor experiences.*

This section addresses specific management for the Uplands SRMA that primarily includes management for the BLM land outside of the UMNWSR.

**Special Recreation Permits** – The BLM will provide SRPs for commercial outfitting and guiding (hunting) in the Monument consistent with 43 CFR 2932.26 and the goal of managing these lands for a variety of sustainable visitor experiences in mostly primitive and natural landscapes. Outfitters and

other recreational users will be required to use weed-free feed on BLM land for their livestock as a part of the integrated weed management program.

It is the BLM's goal to provide quality recreational opportunities that serve the public interest via authorized commercial operators for visitors lacking the skill or equipment necessary to otherwise participate. To meet this goal, a management approach may be developed through activity level planning that is responsive to changing visitor use trends, use patterns, and resource conditions. While the current use levels for the upland SRPs appear to be adequate, visitor demand for commercial hunting and guiding services could increase in the future.

Visitor use data will be collected and analyzed with the results incorporated into future management decisions. Visitor use data includes hunter/client use days and areas of use. Social conflicts with the general public, as well as conflicts between or among outfitters will also be taken into consideration.



Missouri River Breaks

In addition, should visitor use levels increase, patterns of use change, or if permitted areas are not used, it may be necessary to decrease the number of permits, adjust use areas, incorporate conditions limiting net hunter/client use days (visitor use days). Conversely, it may be necessary to increase the number of permits due to demand or other conditions.

Activity level planning will be developed through an environmental review process and public involvement. Activity level planning will be based on BLM's 2930 Recreation Permit Administrative Handbook, BLM's Montana Outfitter Management Guidelines, the 1997 Memorandum of Understanding with the Montana Board of Outfitters (BLM MOU MT932-9111), and the Lewistown Field Office/Upper Missouri River

Breaks National Monument Commercial Outfitter and Guide Policy. This management approach will identify the necessary indicators to monitor outfitter conditions of approval that include the standards and stipulations that could require a change in operations. Such management actions are necessary to enhance visitor use opportunities and protect resource values.

The BLM could issue special recreation permits for commercial motorized tours. Motorized tours would be restricted to two vehicles or less per day for each commercial permit on local, collector and some identified resource roads.

The BLM may also issue permits for commercial hiking, horseback riding and other commercial recreation activities that are not associated with big game hunting or river boating.

**Camping Facilities** – The BLM will consider developing Level 1 campsites, but they would only be constructed at the beginning of public access roads into the Monument. These sites could include interpretive kiosks. The BLM will encourage private landowners outside the Monument to develop Level 1 sites and services. Level 2 campsites will be park and explore sites where people could walk from designated parking areas. Level 3 sites will be pullout sites immediately adjacent to a road. Fire rings will be the only allowable development at these sites. The BLM will implement a Leave No Trace program and encourage the use of camp stoves, fire pans or fire mats for dispersed camping (Level 4 opportunities).

Signing in the uplands will be limited to Level 1 sites commensurate with visual surroundings and level of development. Signing could be used as necessary at Level 2 sites, but only within new or existing infrastructure. No other signing will be used within the uplands except for required transportation system signs.





Lewis and Clark Journey Reenactment

### Upland Recreation Facilities

**Level 1 – Developed public access sites** are recreation sites where a high level of development could include campsites, parking lots, vault toilets, interpretive signs, campground host facilities, tree plantings, picnic tables, waste facilities, and other infrastructure improvements that accommodate the transition from highway to collector roads. An example of a Level 1 site is the James Kipp Recreation Area located where U.S. Highway 191 crosses the Missouri River.

**Level 2 – Developed upland sites** are campsites, trailheads, scenic overlooks and reservoirs where moderate levels of development could include metal fire rings, vault toilets and improved gravel parking areas. Interpretive signs and information boards may be present but much less obtrusive than at Level 1 sites and would blend well with natural surroundings. These sites are shown on Map 2 and include FR Reservoir, Butch Reservoir, Spencer Road Overlook, Gazob Reservoir, Gilmore Cabin, Snake Point Overlook and Sunshine Ridge Overlook.

**Level 3 – Primitive campsites** are pull-out sites immediately adjacent to a road. They may contain a fire ring but no other development.

**Level 4 – Dispersed camping opportunities.** Public land in a natural state with no development present may be used for dispersed camping. These areas may be accessible by motorized or non-motorized travel.

### Lewis and Clark National Historic Trail

The BLM will manage the portion of the Lewis and Clark National Historic Trail within the planning area in a manner that is consistent with the purposes and provisions of the National Trails System Act (PL 90-543, 1968) as amended by PL 95-625 (1978). The Lewis and Clark National Historic Trail Comprehensive Management Plan (1982) outlines management objectives, practices, and responsibilities, and emphasizes partnerships in trail administration. Scenic and cultural values will be protected on BLM land along this historic trail.

### Nez Perce National Historic Trail

The Nez Perce National Historic Trail passes through the Monument. The BLM will manage the recreation activities and opportunities associated with this portion of the trail in a manner consistent with the purposes and the provisions of Public Law 90-543, as amended by Public Law 99-445, and the comprehensive plan prepared by the U.S. Forest Service (USFS 1990). This key segment of the trail begins near Winifred and enters the UMNWSR near Cow Island. It provides several opportunities for interpretation. It also parallels portions of the Missouri River Breaks Back Country Byway. Scenic and cultural values will be protected on BLM land along this historic trail.

An activity plan will be developed to detail the management activities along the trail.

### Minerals – Oil and Gas

*The BLM's goal is to provide reasonable oil and gas exploration and development on existing leased land without diminishing the objects of the Monument.*

The Proclamation does not allow new oil and gas leases in the Monument. The 43 federal oil and gas leases in the Monument are considered to have valid existing rights based upon the Proclamation,

wherein it states “The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation.” The existing leases are also in compliance with their lease terms and conditions.

Leases issued for federal minerals include stipulations that apply to the exploration and development activity that might be proposed during the lease term. Existing resources should be taken into consideration before oil and gas lease activity is permitted. Over the last 36 years of issuing leases within what is now the Monument, eight stipulation forms were used. Many of the early leases (May 1967 through September 1971) contained no stipulations beyond the standard terms of the lease; the majority of the leases issued after July 1972 included stipulations with provisions for wildlife, cultural resources, rough terrain, and threatened and endangered species, should they be present on the lease. All oil and gas lease activities will be subject to existing laws (e.g., Clean Water Act, Endangered Species Act, and National Historic Preservation Act) regardless of the age of the lease or the stipulations attached to the lease.

The oil and gas leases in the Monument can be divided into two categories: leases issued under the West HiLine RMP, and non-West HiLine RMP leases (Table 2.9). Some of the leases are located both within and outside of the Monument. The Approved Plan focuses on the conditions of approval for the leases in the Monument (42,805 acres) that are necessary during the APD process to protect the objects. The current stipulations (Form 3109-1, and others for the older leases) will apply to portions of the leases located outside of the Monument (25,097 acres) along with other site-specific conditions determined during the permitting process. The leases are displayed on Map 3 – Side A.

## Implementation

Notices of Intent and/or Sundry Notices will be required for all seismic operations. Any approvals by the BLM will include inventories and mitigation measures to avoid new impacts that interfere with the proper care and management of the objects protected by the Proclamation. Off-lease seismic operations or seismic operations on BLM land with unleased federal minerals may be permitted for the purpose of defining the limits of the federal lessee’s interests or exploring state and private oil and gas minerals. Seismic operations planned off of existing roads must demonstrate that proposed transportation and exploration methods will minimize the potential for creating new roads or trails.

Existing well operations and maintenance will continue and could involve activities that do not require approval under existing oil and gas regulations. These activities could include routine well operations, well stimulation operations, down-hole well maintenance or tests for production capability.

Through the environmental review process, the BLM will determine the potential impacts of oil and gas operations and mitigation measures to avoid interference with the proper care and management of the objects protected by the Monument. If the analysis and documentation indicate that a proposal may have impacts that are not in conformance with the Proclamation, regulation, BMPs or existing resource management plans, the BLM will work with the applicant to find alternatives or modifications to the proposal that will minimize such impacts through special permit conditions, consistent with the applicant’s rights under applicable laws, regulations and stipulations.

The current application for permit to drill (APD) review process will be utilized. That process includes a 30-day posting period for public review of the proposal. Following the 30-day posting period, the application can be approved in accordance with lease conditions of approval; Onshore Oil and Gas Orders; and Onshore Oil and Gas regulations (43 CFR 3160) if the application is administratively and technically complete.

A lease stipulation or condition of approval developed for an APD is subject to waiver, exception, or modification if the authorized officer determines that the factors leading to its inclusion have changed sufficiently to make the protection provided by the stipulation or condition no longer justified, or if the proposed operations will not cause unacceptable impacts. When the waiver, exception, or modification

(WEM) is substantial the proposed WEM is subject to public review for 30 days. This public review can be accomplished by posting the WEM request with the regulatory requirement to post the APD for 30 days; posted on the agency website; posted in a local paper as a legal notice or incorporated into a newspaper article; or, the notice may be included as part of the NEPA document's public review, if the NEPA document is offered for review.

**Table 2.9  
Oil and Gas Leases in the Monument**

<i>MTM Lease No.</i>	<i>Lease Effective Date</i>	<i>Specific Resource Stipulations</i>	<i>Lease Acreage in the Monument</i>	<i>Lease Acreage outside the Monument</i>	<i>Total Lease Acreage</i>
<b>West HiLine Leases</b>					
084559	November 1, 1995	Yes <sup>1</sup>	1,880	0	1,880
084560	November 1, 1995	Yes <sup>1</sup>	134	1,119	1,253
087212	September 1, 1997	Yes <sup>1</sup>	122	528	650
087658	October 1, 1998	Yes <sup>1</sup>	485	0	485
089082	May 1, 1999	Yes <sup>1</sup>	1,131	167	1,298
089452	November 1, 1999	Yes <sup>1</sup>	800	0	800
089469	November 1, 1999	Yes <sup>1</sup>	640	0	640
089473	November 1, 1999	Yes <sup>1</sup>	1,240	0	1,240
089474	November 1, 1999	Yes <sup>1</sup>	80	480	560
089475	November 1, 1999	Yes <sup>1</sup>	1,280	0	1,280
089476	December 1, 1999	Yes <sup>1</sup>	1,120	160	1,280
089482	November 1, 1999	Yes <sup>1</sup>	1,416	0	1,416
<b>Subtotal</b>			<b>10,328</b>	<b>2,454</b>	<b>12,782</b>
<b>Non-West HiLine Leases</b>					
1565	May 1, 1967	None	2,560	0	2,560
1568	May 1, 1967	None	2,320	240	2,560
1578	May 1, 1967	None	575	1,988	2,563
1885	June 1, 1967	None	40	611	651
1886	June 1, 1967	None	1,920	640	2,560
1888	June 1, 1967	None	480	1,982	2,462
1903	June 1, 1967	None	1,360	200	1,560
1903-B	June 1, 1967	None	320	240	560
1914	June 1, 1967	None	200	440	640
2060	July 1, 1967	None	640	0	640
2061	July 1, 1967	None	640	0	640
13816	November 1, 1969	None	2,533	0	2,533
13818	November 1, 1969	None	2,532	0	2,532
13821-A	November 1, 1969	None	1,099	0	1,099
13827	November 1, 1969	None	1,156	0	1,156
16098	September 1, 1970	None	1,240	1,280	2,520
16102	September 1, 1970	None	1,506	163	1,669
16103	September 1, 1970	None	13	2,507	2,520
16327	October 1, 1970	None	80	2,358	2,438
16458	October 1, 1970	None	688	1,272	1,960
16461	October 1, 1970	None	2,547	0	2,547
16617	November 1, 1970	None	490	929	1,419
16618	November 1, 1970	None	320	2,240	2,560
16939	December 1, 1970	None	2,530	0	2,530
17376	February 1, 1971	None	40	80	120
18274	July 1, 1971	Some	1,367	1,160	2,527
18282	May 1, 1973	Some	851	1,680	2,531
18283	May 1, 1973	Some	1,240	1,320	2,560
19446	May 1, 1971	None	110	1,113	1,223
53751	June 1, 1982	Yes <sup>1</sup>	680	160	840
89460	November 1, 1999	Yes <sup>1</sup>	400	40	440
<b>Subtotal</b>			<b>32,477</b>	<b>22,643</b>	<b>55,120</b>
<b>Total</b>			<b>42,805</b>	<b>25,097</b>	<b>67,902</b>

<sup>1</sup> See Appendix H.

Surface construction for new well pads, roads, pipelines and associated facilities will involve the minimum acreage necessary for safe operation in order to mitigate impacts to Monument objects. Existing rights-of-way and roads will be used for new operations as much as possible to avoid impacts that interfere with proper care of Monument resources. Using existing disturbed areas for well locations will be emphasized. Production facilities will be located at individual well sites or co-located if grouping of production facilities would minimize visual contrasts with Monument objects. Gas pipelines will follow existing road corridors if available. All oil and gas operations within the Monument, including reclamation activities, will be a high priority for surface inspections.

The following will be considered standard measures within the Monument for controlling invasive weed species whether it is oil and gas related or for other surface-disturbing activities. Operators will be responsible for weed control on disturbed areas within the limits of an authorized area or disturbed areas. The operator is responsible for consultation with the authorized officer for acceptable weed control methods and materials. All equipment shall be pressure washed at an approved wash station (e.g., car wash with city sewer services, so weed seeds are properly disposed of) prior to entering the lease as a preventative weed control measure. Operators will also be required to control any noxious weeds which may become established within the project area including well pads, pipeline corridors or access roads; this requirement will be for the life of the access road, pipeline or well. For all surface-disturbing activities, including plugging, the operator is responsible for weed control on the well pad, road and pipeline for the life of the well plus five years post plugging. Operators will be responsible for consultation with the authorized officer for acceptable weed control methods and materials and will be subject to submittal and approval of a pesticide use proposal on BLM land. Standard operating procedures and mitigation measures from the Vegetation Treatments Using Herbicides on BLM Lands (BLM 2007) will be applied as appropriate.

### Conditions of Approval

In addition to the oil and gas lease stipulations (Appendix H), reasonable conditions of approval, under BLM's authority to protect the objects in the Monument, will be applied to APDs. The conditions of approval will apply to all the oil and gas lease acreage (42,805 acres) in the Monument. The conditions of approval will be applied to the APD after an onsite evaluation indicates the presence of the specific resource and after considering the waivers, exceptions and modifications listed in Appendix H. The current APD review process will be utilized, which includes a 30-day posting period for public review of the proposal. The current stipulations (Form 3109-1) will apply to the portions of five of the 12 West HiLine leases that are outside the Monument (2,454 acres).

Seasonal or distance restrictions will be placed on oil and gas activities to protect sage-grouse nesting areas and winter habitat, active ferruginous hawk nests, big game winter range, and bighorn sheep distribution and bighorn sheep lambing areas.



Ervin Ridge Bighorn Sheep Habitat

### *Timing*

*Greater Sage-Grouse Nesting Zone* – Surface-disturbing or disruptive activities will be prohibited from March 1 to June 15 in sage-grouse nesting habitat within 2 miles of a lek. Travel on identified designated roads may include these timing restrictions or limited site visits.

*Greater Sage-Grouse Winter Habitat* – Surface-disturbing or disruptive activities will be prohibited from December 1 to March 31 within winter habitat for sage-grouse. This condition will not apply to the operation and maintenance of production facilities. Travel on identified designated roads may include these timing restrictions or limited site visits.

*Ferruginous Hawk* – Surface-disturbing or disruptive activities will be prohibited from March 1 to August 1 within 1/2 mile of active ferruginous hawk nest sites.

*Big Game Winter Range* – Surface-disturbing or disruptive activities will be prohibited from December 1 to March 31 within winter range for elk, mule deer, and antelope. Travel on identified designated roads may include these timing restrictions or limited site visits.

*Bighorn Sheep Distribution* – Surface-disturbing or disruptive activities will be prohibited from December 1 to March 31 within bighorn sheep distribution areas. Travel on identified designated roads may include these timing restrictions or limited site visits.

*Bighorn Sheep Lambing Areas* – Surface-disturbing or disruptive activities will be prohibited from April 1 to June 15 within bighorn sheep lambing areas. Travel on identified designated roads may include these timing restrictions or limited site visits.

Controlled surface use conditions will be applied to protect black-tailed prairie dogs, designated sensitive species, most soils, visual resources in VRM Class II, III and IV areas and cultural resources.

### *Controlled Surface Use*

*Black-tailed Prairie Dogs* – Surface-disturbing or disruptive activities may be controlled or excluded within 1/4 mile of prairie dog towns, if an activity would adversely impact prairie dogs and/or associated species.

*Designated Sensitive Species* – Surface-disturbing or disruptive activities may be controlled or excluded within 1/4 mile of the proposed site or the activity delayed 90 days within identified crucial habitat or active nests.

*Soils/Steep Slopes* – Prior to surface-disturbing activities on slopes 30% and greater or on slopes 20% and greater with severely erosive and/or slumping soils, a certified engineering and reclamation plan must be approved by the authorized officer. This plan must demonstrate how the following will be accomplished:

- Site productivity will be restored.
- Surface runoff will be adequately controlled.
- The site and adjacent areas will be protected from accelerated erosion, such as rilling, gully, piping, slope failure, and mass wasting.
- Nearby watercourses will be protected from sedimentation. Water quality and quantity will be in conformance with state and federal water quality laws.
- Surface-disturbing activities will not be conducted during extended wet periods.
- Construction or reclamation will not be allowed when soils are frozen.

The operator must also provide an evaluation of past practices on similar terrain and be able to demonstrate success under similar conditions.

*Visual Resource Management (VRM) Classes II, III and IV* – All surface-disturbing activities, semi-permanent and permanent facilities in VRM Classes II, III and IV will utilize proper site selection; reduction of soil and vegetative disturbance; choice of color; and over time, return the disturbed area to a natural landscape.

*Historic Properties and/or Cultural Resources* – The affected area may be found to contain historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, E.O. 13007, or other statutes and executive orders. The BLM will not approve any ground-disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities. The BLM may require modification to exploration or development proposals to protect such properties, or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized or mitigated.

Surface-disturbing or disruptive activities will not be allowed in order to protect sage-grouse leks, bald eagle nest sites and nesting habitat, streams and riparian/wetland areas, soils on slopes 40% and greater, visual resources in VRM Class I areas and developed recreation areas.



Bullwhacker Area

***No Surface-Disturbing or Disruptive Activities***

*Greater Sage-Grouse Leks* – Surface-disturbing or disruptive activities will be prohibited within 1/4 mile of active sage-grouse leks.

*Eagle Nest Sites and Nesting Habitat* – Surface-disturbing or activities will be prohibited within 1/2 mile of known nest sites that have been active within the past 7 years, if disturbance could cause nest abandonment or failure.

*Riparian/Wetland Areas, and 100-Year Floodplains* – Surface-disturbing activities will be prohibited within 100-foot floodplains or within 500 feet of the channels of ephemeral, intermittent, and perennial streams, or within 500 feet of the outer edges of riparian and wetland areas.

*Soils/Steep Slopes* – Surface-disturbing activities will be prohibited on slopes 40 percent and greater.

*Resource Management (VRM) Class I* – Surface-disturbing activities will be prohibited in VRM Class I areas.

*Recreation* – Surface-disturbing activities will be prohibited within the line of sight/sound or 300 feet (whichever is closer) of developed recreation areas (Level 1, 2, and 3 sites) and undeveloped recreation areas receiving concentrated public use. Work-over types of operations will be limited to weekdays, except for emergency situations when operations will be allowed.

## Natural Gas Operations

**Seismic Operations** – All seismic activities will be subject to the wildlife, soils, and visual resource mitigation measures discussed earlier in this chapter along with the BMPs discussed in Appendix C. Other BMPs could be considered and implemented if new techniques or new technology develop over time. Gravity-type surveys will be allowed on road and only by foot off-road.

Vibroseis-type vehicles will be required to stay on existing approved roads. If the existing road system is not adequate to conduct a survey, shallow drill holes (5 to 15 foot shot holes) will be allowed for the remaining part of the survey using helicopter and ground support (via foot).

Vehicle activity will be restricted to designated roads. Exceptions could be authorized on a case-by-case basis dependent upon the degree of data needed to identify the resource, the operator's ability to mitigate surface disturbance, and if the activity will not interfere with the proper care and management of the objects protected by the Monument Proclamation. Seismic operations will follow the current regulations, including 43 CFR 3150 and the 4<sup>th</sup> Edition, Revised 2007 Gold Book.

**Drilling Operations** – Spacing will remain consistent with state spacing requirements and current Board Orders for the Leroy and Sawtooth Mountain Gas Fields. Proposals for increased well densities will be allowed for up to one well site per quarter section, subject to siting criteria (i.e., visual resources, sensitive wildlife species and slope/soil concerns). Any more than one well per quarter section will be directionally drilled from an existing active well location in the quarter section.

Drilling operations will follow current regulations, including 43 CFR 3164.1 Onshore Oil and Gas Order No. 2 (Drilling operations), API recommended practices, BMPs (Appendix C) and standard operating procedures including surface operating standards for natural gas exploration and development (BLM and USFS, referred to as the 4<sup>th</sup> Edition, Revised 2007 Gold Book). Other BMPs could be considered and implemented if new techniques or new technology develop over time.

Only the minimal amount of surface disturbance will be permitted for drilling and production phases. The disturbed area will be confined to an acceptable (safe) area/space based on the type of operation. The objectives will be to achieve a desired effect on the land with minimum disturbance by using low impact drilling technology, developing multiple wells from one location or staying away from problem areas. This will include the access to a drilling site. The objectives will be to reduce impacts, avoiding areas that could be subject to high impacts, and locating the operation away from sensitive areas.

Travel on identified designated roads will be restricted to the minimal vehicle size and type needed for the job. Due to resource issues, timing restrictions may be applied to site visits.

**Production Operations, Facilities and Equipment** – Production facilities and equipment will be required to follow standard operating procedures; the 4<sup>th</sup> Edition, Revised 2007 Gold Book, 43 CFR 3164.1 Onshore Oil and Gas Order No. 3 (Site security), No. 5 (Measurement of gas), and No. 7 (Disposal of produced water); and BMPs (Appendix C). Other BMPs could be considered and implemented if new techniques or new technology develop over time.



Meter Shed

Prior approval will be required for pipeline installation; compressor installation; water disposal pits including any future increase in size; pumping unit installation; well workovers that include, but are not limited to, redrilling, deepening a well, and performing casing repairs or plugbacks; portable tanks for well testing; or other surface disturbance. Prior notification will be required for well cleanout, to replace or repair tubing, recompleting the well in the same interval, and/or routine well stimulation.

Portable tanks for well testing, as required by the BLM, will be temporary (60 to 90 days) and designed to meet VRM objectives in the area including painting and camouflage to blend with the natural surroundings.

Pipeline placement and construction will be restricted to existing disturbance or the least intrusive disturbance (existing roads).

The BLM will require operators to utilize BMPs and wildlife mitigation on all gas compressors for noise control (Appendix C and Appendix I). If feasible, large gas compressors or pumping units (long-term noise producers) will be located outside the Monument.

Gas compressors, pumping units and production infrastructure will be located where they minimize noise and visual impacts and comply with VRM objectives established for the area. The VRM objectives provide standards for the design and development of projects.

Water disposal pits will be sized according to water production with berms or dikes designed to completely contain produced water in the pit. All containment systems will require wildlife escape ramps and/or netting where necessary. For wells in the Monument, only two trips per month will be authorized to transport water off site. Exceptions will be considered on a case-by-case basis. The operator will have the option to dispose of the water via pipeline to an approved facility or to new disposal pits or tanks. If these options are not viable, disposal using an approved water disposal well would be an additional option.

Travel on identified designated roads will be restricted to the minimal vehicle size and type needed for the job. Due to resource issues, timing restrictions may be applied to site visits. For construction and



Shut-in Well on Ervin Ridge

heavy trucks related to production, equipment that exceeds 49dB will be restricted from being within 2 miles of sage-grouse leks between 4:00 a.m. and 8:00 a.m. and from 7:00 p.m. to 10:00 p.m. between March 1 and June 15.

**Plugging and Reclamation Operations** – When wells are determined to have no commercial value, they must be plugged according to regulations at 43 CFR 3162.3-4 and 3164.1, Onshore Oil and Gas Order No. 1 (effective May 7, 2007), and Onshore Oil and Gas Order No. 2 that cover minimum requirements for plugging operations for federal wells and the 4<sup>th</sup> Edition, Revised 2007 Gold Book. All federal wells are required to have an approved plugging plan prior to initiating the work to plug the well.

Reclamation efforts will follow BMPs and standard operating procedures (Appendix C). Other BMPs could be considered and implemented if new techniques or new technology develop over time. In some areas, disturbed surfaces (i.e., current wells with final abandonment notices with less than 100% reclamation) will be allowed to reclaim naturally. The intent of the reclamation standards will be to minimize erosion and establish native vegetation.

## Access and Transportation

*The BLM's goal is to provide access to state and federal land and reasonable access for private landowners while protecting the features of the Monument.*

*The BLM's goal is to manage legal and physical public access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while considering the surrounding regional recreation opportunities in northcentral Montana.*

The Proclamation states, “the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes.” In addition, the Secretary “shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects.”

According to the Proclamation, these BLM lands are designated as “limited” consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. A single-track trail system for motorized travel (ATVs, quads, motorcycles, etc.) is not authorized or permissible in the Monument. All motorized and mechanized vehicles must stay on roads.

Aircraft overflights in the airspace covering the Monument (commercial, recreational, or military) are allowed under the Federal Aviation Administration (FAA) regulations and the Hays Military Operations Area (MOA) policy.

## Implementation

The Access and Transportation discussions address the transportation plan for the Monument in accordance with the Proclamation and designation criteria outlined under 43 CFR 8342.1.

The BLM regulations (43 CFR 8341.2 and 8364.1) allow for area or road closures where off-road vehicles are causing or will cause considerable adverse impacts on soil, vegetation, wildlife, wildlife habitat, cultural resources, threatened or endangered species, other authorized uses, or other resources. The authorized officer can immediately close the area or road affected until the impacts are eliminated and measures are implemented to prevent future recurrence.



## Access

The BLM will coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities will only be considered with willing landowners to enhance the values of the Monument and provide public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use (Map D).

The BLM will consider building or rerouting roads as necessary for additional public access to large blocks of BLM land. The BLM will cooperate with Montana Fish, Wildlife and Parks and private landowners to improve recreation access. This may involve participation in block management programs or developing access agreements with willing private landowners.

The BLM will coordinate with the CMR National Wildlife Refuge to improve recreation access to the east side of the Monument from the James Kipp Recreation Area. The BLM will also coordinate with Blaine County and the Fort Belknap Community Council to improve recreation access across the Cow Island and Timber Ridge roads in the northeast area of the Monument.

New resource roads to natural gas operations will be closed for public access, unless shown to meet management objectives through a site-specific environmental assessment.

Individuals with disabilities could request a permit to travel on closed roads consistent with the Rehabilitation Act of 1973. Such access will be considered on a case-by-case basis by the Monument Manager. If the need arises, the BLM could identify specific designated closed roads as access for individuals with disabilities.

## BLM Road System

Public use of private roads that provide access to BLM land in the Monument must be negotiated with the individual landowners.

The State of Montana provides access to BLM land with seven road segments that cross state land and are currently designated open for public travel. All other State of Montana road segments that provide access to BLM land are currently closed to motorized travel unless covered by a public access easement.

A road is a linear route segment that can be created by the passage of vehicles (two-track); constructed; improved; or maintained for motorized travel. The following specifications were used to determine which routes would be inventoried for the Monument transportation plan:

Motorized travel is not considered cross-country (off road) on BLM land when:

- The motorized vehicle travels on constructed roads that are maintained by the BLM. Constructed roads are often characterized with cut and fill slopes.
- Motorized vehicle use is defined as clearly evident, two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated.

BLM roads are classified into three categories (collector, local and resource roads) and are assigned to one of five maintenance levels (Tables 2.10 and 2.11). The BLM will comply with Washington Office IM No. 2006-173 that established Bureau policy for the use of terms and definitions associated with the management of transportation related linear features, including standard terms used for defining roads, primitive roads, and trails based on the Roads and Trails Terminology Report (Technical Note 422) and a recommendation to change maintenance levels to maintenance intensities along with new levels (Level 0 to Level 5). The Lewistown Field Office will comply with this IM through implementation of the Approved Plan as discussed in the Record of Decision.

BLM roads providing motorized access to the boundary of private land will remain open for public, private landowner and administrative travel with the exception of two roads. One of the closed roads is impassable and is no longer used and the other road is currently limited to administrative access. There are 65 miles of BLM roads providing access to private land that will be designated open yearlong and 2 miles (two roads) that will be designated closed.

BLM roads to the boundary of state land will remain open for administrative travel including state leaseholders. These roads will also be open for public travel, if shown to meet Monument objectives. The BLM will coordinate with state agencies on roads open to the public that lead to or from state land. There are 80 miles of BLM roads providing access to state land.

The BLM’s objectives will be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips.

The BLM will reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded.

The BLM reserves the option to build new roads if necessary to access blocks of BLM land.

Roads that are designated open or limited (404 miles) will be open to all forms of motorized and mechanized use consistent with management objectives with the exception of 2 miles of roads identified as backcountry airstrips. The 2 miles of roads identified as backcountry airstrips will be limited to the landing of aircraft; however, the landing of aircraft will not be allowed on the other 402 miles of BLM roads. Some roads designated as closed could be designated as limited to mechanized (e.g., mountain bike) use through site-specific planning and environmental review.

<b>Collector Roads</b>	These Bureau roads normally provide primary access to large blocks of land, and connect with or are extensions of a public road system. Collector roads accommodate mixed traffic and serve many uses. They generally receive the highest volume of traffic of all the roads in the Bureau road system. User cost, safety, comfort, and travel time are primary road management considerations. Collector roads usually require application of the highest standards used by the Bureau. As a result, they have the potential for creating substantial environmental impacts and often require complex mitigation procedures.
<b>Local Roads</b>	These Bureau roads normally serve a smaller area than collectors, and connect to collectors or a public road system. Local roads receive lower volumes, carry fewer traffic types, and generally serve fewer uses. User cost, comfort, and travel time are secondary to construction and maintenance cost considerations. Low volume local roads in mountainous terrain, where operating speed is reduced by effect of terrain, may be single-lane roads with turnouts. Environmental impacts are reduced as steeper grades, sharper curves, and lower design speeds than would be permissible on collector roads are allowable.
<b>Resource Roads</b>	These Bureau roads normally are spur roads that provide point access and connect to local or collector roads. They carry very low volume and accommodate only one or two types of use. Use restrictions are applied to prevent conflicts between users needing the road and users attracted to the road. The location and design of these roads are governed by environmental compatibility and minimizing Bureau costs, with minimal consideration for user cost, comfort, or travel time. This includes two-track roads.

**Table 2.11  
BLM Road Maintenance Levels**

<p><b>Maintenance Level 1</b></p>	<p>This level is assigned to roads where minimum maintenance is required to protect adjacent lands and resource values. These roads are no longer needed and are closed to traffic. The objective is to remove these roads from the transportation system.</p> <p>Minimum Maintenance Standard – Emphasis is given to maintaining drainage and runoff patterns as needed to protect adjacent lands. Grading, brushing/tree removal, or slide removal is not performed unless roadbed drainage is being adversely affected, causing erosion. Closure and traffic restrictive devices are maintained.</p>
<p><b>Maintenance Level 2</b></p>	<p>This level is assigned to roads where the management objectives require the road to be opened for limited traffic. Typically, these roads are passable by high-clearance vehicles and include two-track roads.</p> <p>Minimum Maintenance Standard – Drainage structures and/or suitable material (e.g., rock or gravel) are to be installed and/or maintained as needed to control runoff, erosion, sedimentation, and rutting. Grading is conducted only in specific locations as necessary to correct drainage problems and erosion. Brushing/tree removal is conducted as needed to allow administrative access. Slides may be left in place provided they do not adversely affect drainage. Known sinkholes would be repaired where they present a safety hazard.</p>
<p><b>Maintenance Level 3</b></p>	<p>This level is assigned to roads where management objectives require the road to be open seasonally or year-round for commercial, recreation, or high volume administrative access. Typically, these roads are natural or aggregate surfaced, but may include low use bituminous surfaced roads. These roads have defined cross sections with drainage structures (e.g., rolling dips, culverts, or ditches). These roads may be negotiated by passenger cars traveling at prudent speeds. User comfort and convenience are not considered a high priority.</p> <p>Minimum Maintenance Standard – Drainage structures and/or suitable material (e.g., rock or gravel) are to be installed and/or maintained as needed to control runoff, erosion, sedimentation, and rutting. Grading is conducted only in specific locations as necessary to correct drainage problems and erosion or when ruts in excess of 3 inches are present within the roadbed. Brushing/tree removal is conducted as needed to improve sight distance. Slides adversely affecting drainage would receive high priority for removal; otherwise they will be removed on a scheduled basis. Known sinkholes would be repaired where they present a safety hazard.</p>
<p><b>Maintenance Level 4</b></p>	<p>This level is assigned to roads where management objectives require the road to be open all year (except may be closed or have limited access due to snow conditions) and to connect major administrative features (recreation sites, local road systems, administrative sites, etc.) to county, state, or federal roads. Typically, these roads are single or double lane, aggregate or bituminous surface, with a higher volume of commercial and recreational traffic than administrative traffic.</p> <p>Minimum Maintenance Standard – The entire roadway is maintained at least annually, although a preventative maintenance program may be established. Problems are repaired as discovered. These roads may be closed or have limited access due to snow conditions.</p>
<p><b>Maintenance Level 5</b></p>	<p>This level is assigned to roads where management objectives require the road to be open all year and are the highest traffic volume roads of the transportation system. None of the BLM roads in the Monument are assigned to this category.</p> <p>Minimum Maintenance Standard – The entire roadway is maintained at least annually, although a preventative maintenance program may be established. Problems are repaired as discovered. These roads may be closed or have limited access due to snow conditions.</p>

**Road System Criteria** – Along with the objectives discussed above, the factors used to identify the overall road system are listed in Table 2.12. The objectives and factors were used to determine which roads in the Monument will be open yearlong (293 miles), open seasonally (111 miles), or closed (201 miles) (Map 4 and Table 2.13).

<i>Road System Criteria</i>	<i>Factor</i>
<i>Spur Roads</i>	Some resource roads (usually < 1 mile) that do not provide access to specific sites will be closed.
<i>Parallel/Redundant Roads</i>	Some resource roads that provide access to the same area will be closed.
<i>Erosion</i>	Some resource roads that are unsuitable due to erosion problems will be closed.
<i>Vehicle Ways in WSAs</i>	Vehicle ways that have reclaimed naturally will be closed.
<i>Greater Sage-Grouse</i>	Open.
<i>Bighorn Sheep Lambing Areas</i>	Open.
<i>Mule Deer and Elk Winter Range</i>	For some resource roads that are located within mule deer and elk winter range, a seasonal closure will be implemented from December 1 to March 31 on a case-by-case basis.
<i>Wildlife Habitat Security and Game Retrieval</i>	Some resource roads could be closed from September 1 to November 30 to provide wildlife habitat security during the fall hunting season. Game retrieval would be allowed from 10 a.m. to 2 p.m.
<i>Designated Sensitive Species</i>	A seasonal closure will be implemented on some resource roads that are 1/4 mile from raptor nests that have been active for the last 5 nesting seasons. The season will be determined based on the species of raptor.
<i>Bald Eagle</i>	A seasonal closure will be implemented from February 1 to May 31 on some resource roads that are 1/2 mile from active bald eagle nests.
<i>Invasive Weeds</i>	Temporary resource road closures will be implemented in highly infested areas.

<i>Designation</i>	<i>Road Miles</i>
Open Yearlong	293
Open Seasonally (Limited)	111
<i>Winter Range</i>	21
<i>Wildlife Habitat Security</i>	69
<i>Winter Range/Habitat Security</i>	12
<i>Erosion</i>	7
<i>Other – Airstrips</i>	2
Closed	201
<i>Erosion</i>	13
<i>Other</i>	3
<i>Parallel Road</i>	37
<i>Recreation</i>	2
<i>Redundant</i>	10
<i>Spur Road</i>	135
<i>Wildlife</i>	1
Total	605

#### Map 4 – Limited BLM Road Designations

The BLM roads with a limited designation are shown on Map 4 with the letters A, B, C or D inside a triangle, and are described as follows:

- Open April 1 to November 30; closed December 1 to March 31 for big game winter range.
- Open December 1 to August 31; closed September 1 to November 30 for wildlife habitat security (with game retrieval allowed from 10:00 a.m. to 2:00 p.m.).
- Open April 1 to August 31; closed September 1 to November 30 for wildlife habitat security (with game retrieval allowed from 10:00 a.m. to 2:00 p.m.); and closed December 1 to March 31 for big game winter range.
- Open September 1 to November 30 to provide access for hunting opportunities; closed December 1 to August 31 for erosion concerns.

The road system could be modified if vehicle use traffic patterns or resource conditions change. Modifications to the road system will be based on this management guidance, including the factors listed in Table 2.12, and changes will be addressed through a travel plan update with public participation and environmental review.

**Road Classification and Maintenance** – Each road segment will be assigned to one of three classifications and a maintenance level that reflects the appropriate management objectives (Table 2.14). The classification or maintenance level could be changed if vehicle use patterns change or if resource damage occurs. The BLM may perform maintenance or upgrades to control erosion, or if not possible, either reroute or close the road for erosion control.



Resource Roads

The Cow Island, Timber Ridge, Knox Ridge, and James Kipp Recreation Area roads will be classified as collector roads (21 miles). The Wood Bottom, Bullwhacker, Middle Two Calf, Lower Two Calf, Woodhawk Bottom, and Woodhawk Trail roads will be classified as local roads (41 miles). All other roads will be classified as resource roads (543 miles).

The Cow Island and James Kipp Recreation Area roads will be assigned to a Level 4 maintenance category (8 miles). The Wood Bottom, Knox Ridge, Timber Ridge, Bullwhacker, Middle Two Calf, Lower Two Calf, Spencer Cow Camp, and Butch Camp roads will be assigned to a Level 3 maintenance category (56 miles). The remaining open roads will fall under the Level 2 maintenance category (340 miles). A Level 1 maintenance category will be assigned to the 201 miles of closed roads.

The BLM could install cattleguards as needed or where appropriate on roads that are designated open yearlong.

In the future, the BLM section of the PN road (5 miles) will be classified as a local road and assigned to a Level 3 maintenance category.

<b>Table 2.14</b>						
<b>Road Classification and Maintenance Level</b>						
<i>Road Classification</i>	<i>Miles</i>	<i>Maintenance Level (miles)</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
Collector	21	0	0	13	8	0
Local	41	0	5	36	0	0
Resource	543	201	335	7	0	0
Total	605	201	340	56	8	0

The BLM roads designated closed will either be allowed to reclaim naturally or selected segments may require ripping, scarifying and seeding with a native seed mix to control surface runoff. The Monument Manager could approve a different seed mixture to meet reclamation standards.

**Exceptions for Travel Off Road and on Closed Roads** – Travel off road and on closed roads will be allowed for any military, fire, search and rescue, or law enforcement vehicle used for emergency purposes.

For administrative purposes travel will be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes will be limited to those activities necessary to administer the permit or lease. Some examples of administrative purposes include:

- Gas or electric utilities monitoring a utility corridor for safety conditions or normal maintenance.
- Livestock permittees building or maintaining fences and water facilities, delivering salt or supplements, moving livestock, checking wells and pipelines, or other activities directly associated with the implementation of a grazing permit or lease.
- Agency personnel involved in prescribed fire, noxious weed control, surveying and monitoring. Where possible, agency personnel performing administrative functions will post a sign or notice in the area they are working. This is necessary to identify for the public the function the employees are authorized to perform.
- Natural gas activities associated with exploration, development, production, and reclamation.

If a segment of a closed road provides access to a facility and becomes impassable, maintenance could be authorized on a case-by-case basis. There could be some new surface disturbance from road maintenance activities.

Big game retrieval by motorized vehicles will be allowed from 10 a.m. to 2 p.m. on 81 miles of seasonally closed roads (69 miles closed from September 1 through November 30, and 12 miles closed from September 1 through March 31).

Non-motorized/non-mechanized game carts will be allowed off road, except in the WSAs, to retrieve a tagged big game animal. Game carts will not be allowed off road in the WSAs.

Outside of the WSAs, motorized or mechanized vehicles may park adjacent to a road to provide a reasonable safe distance for the public to pass. However, parking must be within 50 feet of a road. Parking will be encouraged at previously used sites.

In the WSAs, motorized or mechanized vehicles may only park immediately adjacent to a vehicle way or cherry stem road.

**Signing** – Existing traffic control and directional signs will be maintained. New signs will be added where monitoring indicates a need to enhance safety or prevent resource damage or visitor confusion. Roads open to motorized and mechanized travel will be signed (small road number signs). Closed roads will not be signed unless necessary to prevent resource damage.

## Aviation

Six airstrips (selected to avoid clusters) will remain open for private aircraft (planes, helicopters, hot air balloons, or ultralights) to provide opportunities for recreational backcountry activities such as camping, hiking, and sightseeing (Map 4). The landing of aircraft will only be allowed on these airstrips. The six airstrips are Black Butte North, Bullwhacker, Cow Creek, Knox Ridge, Left Coulee,

and Woodhawk. Five of the airstrips will be open yearlong while the Woodhawk airstrip will be restricted seasonally to provide wildlife habitat security during the fall hunting season (September 1 to November 30).



Black Butte North Airstrip

The BLM will allow minimal hand maintenance of airstrips without prior approval, but maintenance will be limited to the area previously disturbed. The emphasis will be to keep the airstrips as backcountry airstrips, only suitable for landing aircraft equipped to use primitive airstrips. Mechanized maintenance, improvements, facilities or infrastructure (tie downs, wind socks, airstrip delineators, etc.) will require prior approval by the authorized officer.

All commercial aircraft landing in the Monument (planes, helicopters, hot air balloons, or ultralights) will be required to utilize specific authorized backcountry airstrips. Seasonal restrictions may apply to the commercial use of these airstrips. Commercial use will require prior authorization.

## ***Wilderness Study Areas***

*The BLM's goal is to preserve or enhance the primitive characteristics of the wilderness study areas.*

The wilderness program is in the transitional stage between wilderness study and Congressional action. Six WSAs in the Monument were identified in the Montana Wilderness Inventory (BLM 1980). A final suitability study and environmental impact statement completed by the BLM (BLM 1987) recommended wilderness designation for a portion of the Antelope Creek and Cow Creek WSAs. Table 2.15 shows the recommendations for the six WSAs. All WSAs will be managed according to the Interim Management Policy (IMP) and Guidelines for Lands Under Wilderness Review – July 1995 (BLM Manual H-8550-1) until such time as Congress acts upon the recommendations. Only Congress can designate or release these lands.

## **Implementation**

The WSAs will continue to be managed under the BLM's Interim Management Policy. The BLM will prepare a wilderness management plan for any areas designated as wilderness by Congress. The WSAs not designated as wilderness by Congress will subsequently be managed in accordance with guidance for adjacent BLM land unless otherwise specified in this RMP.

The Interim Management Policy, BLM Handbook H-8550-1), describes the policies under which the BLM will manage the six WSAs under wilderness review until Congress either designates these lands as wilderness or releases them for other purposes. Section 603(c) of FLPMA tells the BLM how to manage lands under wilderness review, in these words: "During the period of review of such areas and until Congress has determined otherwise, the Secretary shall continue to manage such lands according to his authority under this Act and other applicable law in a manner so as not to impair the suitability of such areas for preservation as wilderness . . ."

This language is referred to as the "nonimpairment" mandate. The BLM will review all proposals for uses and/or facilities within the WSAs to determine whether the proposal meets the nonimpairment standard. Uses and/or facilities found to be nonimpairing may be permitted on lands under wilderness

review. Uses and/or facilities found to be impairing will be denied. The following criteria are referred to as the nonimpairment criteria.



Antelope Creek WSA

**Nonimpairment Criteria**

The use, facility, or activity must be temporary. This means a temporary use that does not create surface disturbance or involve permanent placement of facilities may be allowed if such use can easily and immediately be terminated upon wilderness designation. “Temporary” means the use or facility may continue until the date of wilderness designation, at which time the use must cease and/or the facility must be removed. In the WSAs, “surface disturbance” is any new disruption of the soil or vegetation that would necessitate reclamation.

Decisions to allow or deny proposed actions based on the nonimpairment criteria will be included in appropriate decision documents.

When the use, activity, or facility is terminated, the wilderness values must not have been degraded so far as to significantly constrain the Congress’s prerogative regarding the area’s suitability for preservation as wilderness.

<i>WSA Name</i>	<i>WSA Number</i>	<i>Acres Recommended for Wilderness</i>	<i>Acres Recommended for Non-Wilderness</i>
Antelope Creek	MT-065-266	9,600	2,750
Cow Creek	MT-066-256	21,590	12,460
Dog Creek South	MT-068-244	0	5,150
Ervin Ridge	MT-068-253	0	10,200
Stafford	MT-066-250	0	4,800
Woodhawk	MT-068-246	0	8,100

The only permitted exceptions to the above rules are:

- Emergencies such as suppression activities associated with wildfire or search and rescue operations;
- Reclamation activities designed to minimize impacts to wilderness values created by IMP violations and emergencies;
- Uses and facilities that are considered grandfathered or valid existing rights under the IMP;
- Uses and facilities that clearly protect or enhance the land’s wilderness values or that are the minimum necessary for public health and safety in the use and enjoyment of the wilderness values; and
- Reclamation of pre-FLPMA impacts.

Some lands under wilderness review may contain minor facilities that were found in the wilderness inventory process to be substantially unnoticeable. For example, these may include primitive vehicle routes (“ways”) and livestock developments. The IMP does not require such facilities to be removed or discontinued. They may be used and maintained as before, as long as this does not cause new impacts that will impair the area’s wilderness suitability.



## ***Cow Creek Area of Critical Environmental Concern***

*The BLM's goal is to preserve or enhance the resources of the Cow Creek ACEC.*

As discussed in the Proclamation, "The monument also encompasses segments of the ... Nez Perce National Historic Trail, and the Cow Creek Island Area of Critical Environmental Concern." This area (14,270 acres) contains a portion of the Nez Perce National Historic Trail; high scenic quality; and important paleontological resources. The BLM will provide protection for the significant resources in the Cow Creek area, which was designated an area of critical environmental concern (ACEC) in the 1988 West HiLine RMP. This area will continue to be designated an ACEC and managed for the following resources:

- Preserve the scenic, interpretive, recreation, and paleontological values in the Cow Creek area associated with the Nez Perce National Historic Trail;
- Protect paleontological sites within the ACEC from surface disturbance by other management activities; and
- Scientific use of the resource will be allowed.

The Cow Creek ACEC overlaps a portion of the Cow Creek WSA (4,300 acres). If the WSA is not designated as wilderness by Congress, the portion within the ACEC will be managed in accordance with the guidance for the Cow Creek area.

### **Implementation**

The Cow Creek ACEC will be managed in the following manner:

- The Nez Perce National Historic Trail will be managed consistent with the purposes and provisions of Public Law 90-543, as amended by Public Law 99-445, and the comprehensive plan prepared by the U.S. Forest Service (USFS 1990);
- The area will be an avoidance area for rights-of-way;
- The area will be classified as VRM Class I and Class II;
- The one oil and gas lease in the area (183 acres) will include reasonable conditions of approval, in addition to the oil and gas lease stipulations, to control the visual impacts; and
- Three miles of BLM roads will be designated as open and 6 miles will be designated as closed.