

# Upper Missouri River Breaks National Monument Record of Decision

## Introduction

The Lewistown Field Office of the Bureau of Land Management (BLM) prepared this Record of Decision (ROD) on the Proposed Resource Management Plan and Final Environmental Impact Statement (Proposed RMP/Final EIS) for the Upper Missouri River Breaks National Monument (Monument). The Proposed RMP/Final EIS was published in January 2008.

The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. The Proclamation states that the Monument contains many natural resources on BLM land in the Missouri Breaks. From Fort Benton downstream to the James Kipp Recreation Area, the Monument includes 149 miles of the Upper Missouri National Wild and Scenic River, the adjacent Breaks country, and portions of Arrow Creek, Antelope Creek, and the Judith River. The Monument also includes six wilderness study areas, the Cow Creek Area of Critical Environmental Concern (ACEC), and segments of the Lewis and Clark National Historic Trail and the Nez Perce National Historic Trail.

The Monument includes about 375,000 acres of BLM land in northcentral Montana in Blaine, Chouteau, Fergus and Phillips counties. This planning area is shown in Figure 1. The Monument also includes about 396,000 acres of federal minerals. The Monument generally corresponds with the Upper Missouri National Wild and Scenic River from Fort Benton downstream to approximately Arrow Creek, where the Monument begins to widen from 5 to 16 miles on either side of the Missouri River downstream to the Charles M. Russell National Wildlife Refuge. Approximately 80,000 acres of private land and 39,000 acres of state land are intermingled with the Monument. The BLM has no jurisdiction over private or state land and minerals, and those lands and minerals are not part of the Monument.

This ROD provides a summary of protests received on the Proposed RMP/Final EIS and modifications or clarifications made in response to protests; a brief summary of the decisions made and other alternatives considered (including a description of the environmentally preferable alternative); management considerations and rationale for the decisions; and an overview of public involvement in the planning process.

## Protest Review Results

The BLM received 46 protest letters during the 30-day protest period provided for the Proposed RMP/Final EIS in accordance with 43 CFR 1610.5-2.

Some protesting parties voiced their concern over the protection of resources and objects in the Monument. Some concerns were very general, while other concerns were over specific resources and their protection such as the Wild and Scenic River, Cow Creek ACEC, or the wilderness study areas. Some protesting parties voiced their concern about the impacts of a particular activity on specific resources such as the impacts of natural gas development on wildlife. Other protesting parties were concerned about the impacts on resource uses and the effects on the economic and social conditions in the area. Some protesting parties were concerned that the proposed plan did not meet the intent of the Proclamation including decisions on livestock grazing, oil and gas development, motorized use on the river, and maintaining wilderness characteristics. A number of protesting parties voiced their concern over the data and/or the analysis techniques used.

The BLM Director addressed all protests without making significant changes to the Proposed RMP although minor adjustments, corrections, and clarifications were made, as identified in the Modifications and Clarifications section below.

## The Decision

The decision of the BLM is to approve the attached document as the Approved Resource Management Plan (Approved Plan) for the Monument. The Approved Plan replaces relevant decisions in the West HiLine RMP, Judith-Valley-Phillips RMP, Upper Missouri National Wild and Scenic River Management Plan Update, and the State Director's Interim Guidance for Managing the Monument. The management decisions are contained in Chapter 2 of the Approved Plan.

The Approved Plan was prepared under the authorities of the Federal Land Policy and Management Act (FLPMA) of 1976 in accordance with BLM planning regulations at 43 CFR Part 1600 and the National Environmental Policy Act (NEPA) of 1969. The Approved Plan is nearly identical to the Proposed Plan (Alternative F) presented in the 2008 Proposed RMP/Final EIS. Management decisions and guidance for the Monument are presented in the Approved Plan attached to this ROD. All decisions covered by the ROD are either land use planning decisions that were protestable under the planning regulations (43 CFR Part 1610), or implementation decisions that are now appealable under the regulations discussed in the Implementation Decisions section and the Decisions Subject to a Separate Appeals Process section below.

The Approved Plan emphasizes protection and restoration of the natural resources while still providing for resource use and enjoyment. Where appropriate, it proposes a combination of management actions including allowing natural processes to continue, applying more treatment methods to achieve a natural range of native plant associations, and protecting the remote settings that currently exist in the Monument. All decisions in the Approved Plan must meet the purpose of the Monument and comply with the Proclamation.

## Overview of the Alternatives

The six alternatives addressed in the Proposed RMP/Final EIS provided a reasonable range of management options to resolve the issues identified for the Monument. The alternatives ranged from more-intensive to less-intensive management.

The following brief descriptions give an overview of the alternatives developed and some of the unique aspects of each.

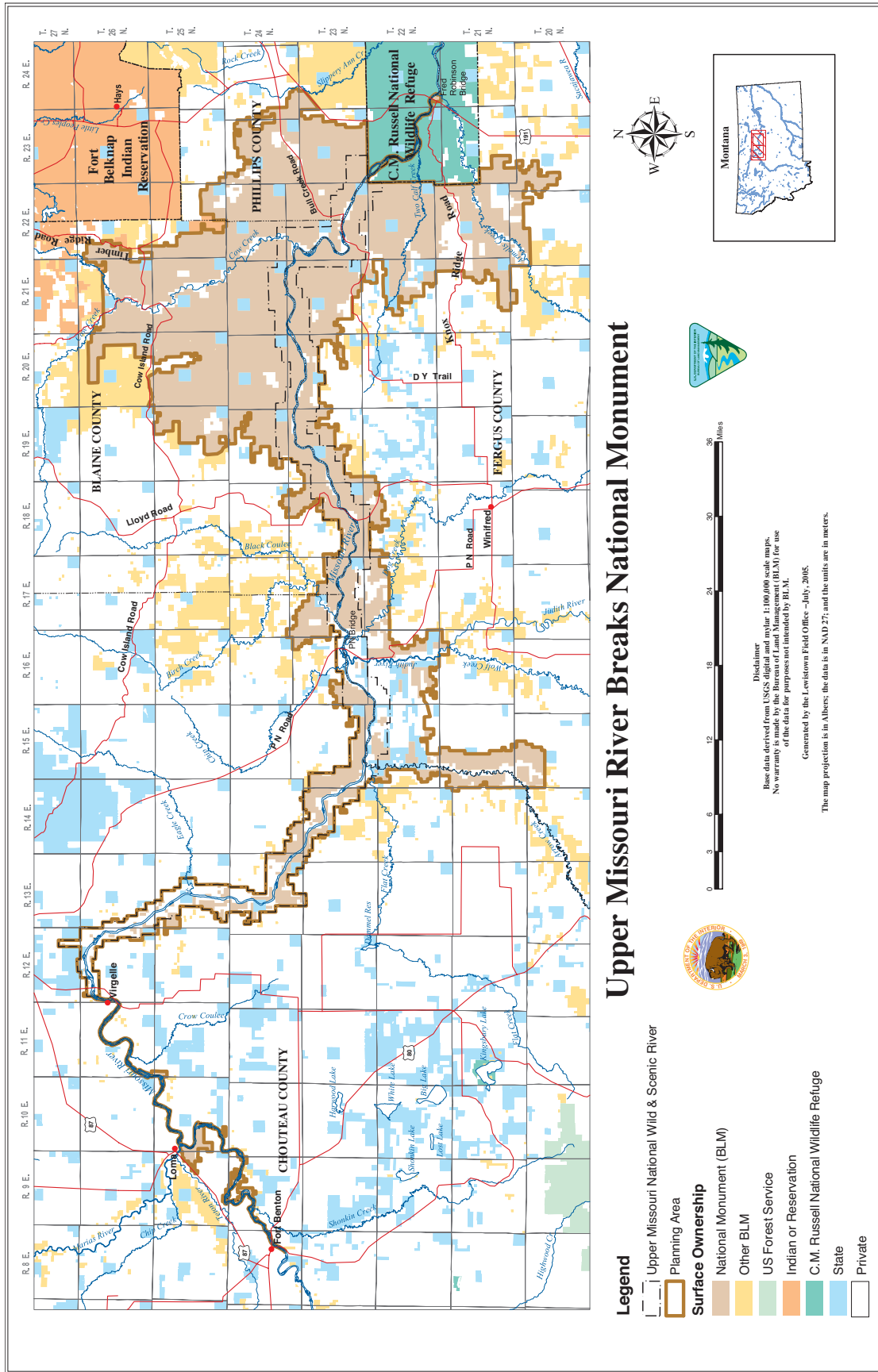
### *Alternative A (Current Management)*

Alternative A would emphasize continuing the management governed by the West HiLine RMP (BLM 1988, 1992a), Judith-Valley-Phillips RMP (BLM 1994a), Upper Missouri National Wild and Scenic River Management Plan Update (BLM 1993) and the State Director's Interim Guidance for Managing the Monument (BLM 2001a) to the extent these plans are consistent with the Proclamation. This is the "no action" alternative that would create no change from the current management direction.

Motorized use on the river would continue with the seasonal limitations on upstream travel and a no-wake speed restriction in the wild and scenic segments of the Upper Missouri National Wild and Scenic River (UMNWSR). The number of boaters on the river would not be limited, and no allocation system would be developed. About 524 miles of roads would be open to motorized travel yearlong, 68 miles would be open seasonally, and 10 backcountry airstrips would remain open.

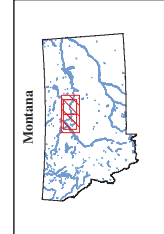
Current stipulations would apply to the 12 West HiLine oil and gas leases, and conditions of approval for applications to drill natural gas wells would be developed and considered on a case-by-case basis

**ROD Figure 1  
Planning Area**



**Upper Missouri River Breaks National Monument**

- Legend**
- Upper Missouri National Wild & Scenic River
  - Planning Area
  - Surface Ownership**
  - National Monument (BLM)
  - Other BLM
  - US Forest Service
  - Indian or Reservation
  - C.M. Russell National Wildlife Refuge
  - State
  - Private



Black lines  
Base data derived from USGS digital raster elevation model (DEM) data at a 1:100,000 scale maps.  
No warranty is made by the Bureau of Land Management (BLM) for use of the data for purposes not intended by BLM.  
Generated by the Lewistown Field Office - July, 2005.  
The map projection is in Albers; the data is in NAD 27; and the units are in meters.

during the permitting process on all 43 oil and gas leases. It is foreseeable that 35 wells could be drilled on these leases in the Monument.

### ***Alternative B***

Alternative B would emphasize more intensive recreation and transportation management. Resource management would allow camping facilities and interpretive sites at varying levels to enable visitors to experience both the natural and historic benefits of this Monument, while ensuring that resource protection is not compromised.

Motorized use on the river would be allowed yearlong on all segments. The number of boaters on the river would not be limited, and no allocation system would be developed. About 477 miles of roads would be open to motorized travel yearlong, 96 miles would be open seasonally, and 10 backcountry airstrips would be designated open.

Alternative B would be the least restrictive alternative concerning oil and gas activity. Reasonable conditions of approval would protect the objects for which the Monument was designated and 44 natural gas wells could be drilled on the existing leases in the Monument.

### ***Alternative C***

Alternative C would emphasize providing visitors with opportunities to experience the Monument. This alternative is distinguished from Alternative B in that it would more readily identify and accommodate changing conditions over time through the application of management decisions responsive to these changing conditions. This alternative would provide more flexibility to respond to increasing visitation and risks to resources that could occur over time.

Motorized use on the river would be allowed with seasonal limitations on upstream travel and a no-wake speed restriction in the wild and scenic segments. Standards and indicators would be used to manage boaters on the river and impacts to resources, and no allocation system would be developed. About 439 miles of roads would be open to motorized travel yearlong, 95 miles would be open seasonally, and seven backcountry airstrips would be designated open.

Management of oil and gas operations would be more restrictive under this alternative, allowing less activity to occur than under Alternatives A, B and F. Existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects for which the Monument was designated. It is foreseeable that 28 natural gas wells could be drilled on the existing leases in the Monument.

### ***Alternative D***

Alternative D also would emphasize providing visitors with opportunities to experience the Monument, but in a more self-directed fashion. This alternative differs from Alternative C in that it would limit certain activities now rather than applying management decisions responsive to changing conditions.

Motorized use on the river would be allowed with seasonal limitations on upstream travel and a no-wake speed restriction in the wild and scenic segments. Standards and indicators would be used to manage boaters on the river and impacts to resources, and an allocation system would be developed when those standards and indicators are exceeded. About 292 miles of roads would be open to motorized travel yearlong, 44 miles would be open seasonally, and six backcountry airstrips would be designated open.

Management of oil and gas operations would be more restrictive under this alternative, allowing less activity to occur than under Alternatives A, B, C and F. Existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects for which the Monument was designated. It is foreseeable that 13 natural gas wells could be drilled on the existing leases in the Monument.

## ***Alternatives E and E<sub>NL</sub>***

Alternative E would emphasize the natural condition and place the most limitations on visitors and other activities. Motorized use would not be allowed on any segment of the river. An allocation system would be developed to manage boaters on the river and impacts to resources. About 103 miles of roads would be open to motorized travel yearlong, 4 miles would be open seasonally, and no backcountry airstrips would be designated open.

Management of oil and gas operations would be most restrictive under this alternative, allowing no activity to occur on the existing leases within the Monument. Surface disturbance would not be allowed on the 12 West HiLine oil and gas leases or the other 31 existing oil and gas leases.

This alternative would also consider the environmental effects of not leasing the 12 West HiLine leases, or the No Lease Alternative; a sub-alternative identified as Alternative ENL. Under Alternatives E and ENL it is foreseeable that no natural gas wells would be drilled on these leases in the Monument.

## ***Alternative F (Preferred Alternative), the Approved Plan***

Alternative F emphasizes providing visitors with opportunities to experience the Monument. This alternative readily identifies and accommodates changing conditions over time through the application of management decisions responsive to these changing conditions. Through implementation and monitoring this alternative provides more opportunities to respond to increasing visitation and risks to resources that could occur over time.

Motorized use on the river will be allowed with seasonal limitations on upstream travel and a seasonal no-wake speed restriction in the wild and scenic segments of the UMNWSR from June 15 to September 15. In addition, the wild and scenic segment from Holmes Council Island to the Fred Robinson Bridge will be restricted to non-motorized watercraft from June 15 to September 15 on Sunday through Wednesday. Standards and indicators will be used to manage boaters on the river and impacts to resources and no allocation system will be developed.

About 293 miles of roads will be open to motorized travel yearlong and 111 miles will be open seasonally. Five backcountry airstrips will be designated open yearlong and one airstrip will be open seasonally. Seasonal restrictions include 81 miles closed for wildlife habitat security during the fall hunting season, although these roads will be available for big game retrieval from 10:00 a.m. to 2:00 p.m.

Existing lease stipulations will be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects for which the Monument was designated. It is foreseeable that 34 natural gas wells could be drilled on the existing leases in the Monument.

## ***Environmentally Preferable Alternative***

Alternative F, the Approved Plan, is considered by the BLM to be the environmentally preferable alternative when taking into consideration the human (social and economic) environment as well as the natural environment. The U.S. Council on Environmental Quality (CEQ) has defined the environmentally preferable alternative as the alternative that will promote the national environmental policy as expressed in Section 101 of NEPA. The six broad policy goals for all federal plans, programs, and policies are listed below:

1. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations.
2. Assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings.
3. Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences.

4. Preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment that supports diversity and variety of individual choice.
5. Achieve a balance between population and resource use, which will permit high standards of living and a wide sharing of life's amenities.
6. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

In comparison with the other alternatives analyzed, Alternative F best meets the above NEPA goals for the future management of the Monument. It provides a high level of protection of natural resources, while providing for a wide range of beneficial uses of the environment.

Alternative A (Current Management) would have allowed visitor use to increase unchecked, thereby causing potential impacts on the visitor experience and resource conditions. For these reasons, Alternative A was not preferable from an environmental perspective.

Alternative B represented the alternative with the most “hands-on” management, maximum human use/influence, the most motorized recreation opportunities, and the fewest acres managed to maintain remote or scenic characteristics. This alternative proposed extensive proactive restoration of species, which meant fewer acres restored via natural means, which would lead to more alterations to the landscape. Alternative B provided a high range of visitor access and recreation opportunities, but fewer opportunities for primitive and remote experiences. For these reasons, Alternative B did not achieve the balance between resource protection and resource use that permitted enhancement of resource conditions and visitor experiences.

Alternatives C and D represented a better balance of visitor use and resource conditions, but did not recognize the unique nature of the Monument in terms of its accessibility and opportunities to provide a range of appropriate recreational experiences to Monument visitors. This alternative did not attain the widest range of beneficial uses of the environment without degradation.

Alternative E represented the alternative with the most “hands off” management. It had the fewest miles of access and designated roads, and the most acres of lands managed to maintain remote or scenic characteristics. Although this alternative was the most “natural” management alternative, it did not provide for proactive visitor or resource management. Consequently, Alternative E was not selected as the environmentally preferable alternative because it did not achieve a balance between visitor use/access and protection of resources, nor did it involve restoration of natural processes and conditions.

Alternative F (the Preferred Alternative and now the Approved Plan) takes the best components of each of the other five alternatives described above to ensure protection of Monument resources and values while providing a wide range of beneficial uses. This alternative acknowledges that the more isolated areas of the Monument will be managed to preserve their remote and scenic characteristics. At the same time, it provides appropriate access to areas of use and along major travel corridors to ensure that a range of appropriate outdoor recreation is available. Overall, Alternative F best meets the requirements of Section 101 of NEPA and was thus selected as the environmentally preferable alternative. The Approved Plan provides overall direction for management of all resources in the Monument.

## **Land Use Plan Decisions, Implementation Decisions, and Administrative Actions**

Many land use plan decisions are implemented or become effective upon publication of the ROD for the Approved Plan and may include desired future conditions, land use allocations (allowable uses) or management actions. Land use plan decisions represent the desired outcomes and the actions needed to achieve them. Such decisions are attained using the planning process found in 43 CFR 1600 and guide future land management actions and subsequent site-specific implementation decisions. When presented to the public as proposed decisions, land use plan decisions can be protested to the BLM Director; however, they are not appealable to the Interior Board of Land Appeals (IBLA).

Implementation decisions are management actions that require additional site-specific project planning, as funding becomes available, and will require further environmental analysis. However, some implementation decisions (e.g., road designations) are finalized with this ROD and thus require no further environmental analysis.

Administrative actions are not land use planning or implementation decisions, but are a key component of the overall Approved Plan because they describe the BLM's day-to-day actions to help meet desired future conditions. Brief descriptions of the types of decisions are presented below.

## ***Land Use Plan Decisions***

### **Desired Future Conditions**

Land use plans express desired future conditions or desired outcomes in terms of specific goals, standards, and objectives for resources and/or uses. Desired future conditions include legal mandates, numerous regulatory responsibilities, national policy, BLM guidance, and other resource or social needs. Land use plans are designed to most effectively meet these desired future conditions through land use allocations or management actions.

### **Land Use Allocations**

Land use allocations identify lands where uses are allowed, including any restrictions needed to meet goals and objectives. Areas may be identified to exclude specific uses in order to protect resource values. Land use allocations have geographic boundaries and are sometimes represented by polygons on the maps in Chapter 2 of the Approved Plan. It is common for specific resource or use allocations to overlap with other resource or use allocations.

### **Management Actions**

Management actions include stipulations, guidelines, best management practices, and design features that help guide day-to-day activities on BLM land to meet desired future conditions. Management actions are categorized as actions to achieve desired outcomes, including actions to maintain, restore, or improve land health.

## ***Implementation Decisions***

Implementation decisions (or activity level decisions) are management actions to implement land use plan decisions. Implementation decisions generally constitute the BLM's final approval allowing on-the-ground actions to proceed and require appropriate site-specific planning and NEPA analysis. Such decisions may be part of a land use plan, incorporated into implementation plans (watershed plans and activity or project plans), or may exist as stand-alone decisions.

Unlike land use plan decisions, implementation decisions are not subject to protest under the planning regulations. Instead, implementation decisions are subject to various administrative remedies, specifically appeals to the Interior Board of Land Appeals (IBLA) (in this case under 43 CFR 4.410) after a final decision is made. Implementation decisions are not appealable at this time, unless the supporting site-specific planning and NEPA analysis is part of the land use planning process.

The EIS supporting this planning process included the necessary site-specific planning and NEPA analysis to move forward with five specific implementation decisions. These are further described in the section Decisions Subject to a Separate Appeals Process.

## ***Administrative Actions***

Administrative actions are day-to-day activities conducted by the BLM, often required by FLPMA, but do not require NEPA analysis or a written decision by a responsible official to be accomplished.

Examples of administrative actions include mapping, surveying, inventorying, monitoring, and scientific research and studies. Although the BLM's intent and commitment to accomplish administrative actions is generally addressed in EIS or environmental assessment (EA) level documents, such activities are not management decisions at either the land use plan or implementation level.

## Decisions Subject to a Separate Appeals Process

For the five implementing decisions described below, the EIS supporting this planning process included the necessary site-specific planning and NEPA analysis to move forward with these decisions. This ROD constitutes the final decision of the authorized officer for the five specific implementation decisions. They will be appealable for 30 days following publication of the Notice of Availability in the *Federal Register*.

**BLM Road System** – Roads in the Monument will be designated open yearlong (293 miles), open seasonally (111 miles), or closed (201 miles).

**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. 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).

**Opportunities for Boaters** – 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 BLM will implement a 2-night limit at Level 2 campsites from June 15 to August 1.

**Motorized Watercraft** – 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.

## Appeal Procedures

Any party adversely affected by these five decisions may appeal within 30 days of publication of the Notice of Availability of the ROD in the *Federal Register* pursuant to 43 CFR, Part 4, Subpart E. The appeal should state the specific road, airstrip, and/or river segment, as identified in the ROD, on which the decision is being appealed. The appeal must include a statement of reasons or a separate statement of reasons must be filed within 30 days of filing the appeal. The appeal must state if a stay of the decision is being requested in accordance with 43 CFR 4.21 and must be filed with the Lewistown Field Manager at the following address:



Lewistown Field Office  
 Bureau of Land Management  
 920 NE Main Street  
 P.O. Box 1160  
 Lewistown, MT 59457

A copy of the appeal, statement of reasons, and all other supporting documents shall be sent to the Regional Solicitor at the following address:

USDI Field Solicitor's Office  
 P.O. Box 31394  
 Billings, MT 59107-1394

If the statement of reasons is filed separately, it must be sent to the following address:

USDI Office of Hearings and Appeals  
 Interior Board of Land Appeals  
 801 N. Quincy Street, MS 300-QC  
 Arlington, VA 22203

It is suggested that any appeal be sent certified mail, return receipt requested.

### **Request for Stay**

Any party wishing to file a request for stay pending the outcome of an appeal of one or more implementation decisions must show sufficient justification based on the following standards under 43 CFR 4.21:

- The relative harm to the party if the stay is granted or denied
- The likelihood of the appellant's success on the merits of the stay
- The likelihood of immediate and irreparable harm if the stay is not granted
- Whether the public interest favors granting the stay

As noted above, the request for stay must be filed with the Lewistown Field Manager at the address listed above.

## **Modifications and Clarifications**

Modifications and clarifications were made to the Approved Plan based on the review and resolution of the protest letters, as well as from internal review by the BLM. The modifications or clarifications to the decisions based on the protests are provided below.

### ***Modifications***

The Wilderness Society protested that the Proposed RMP was in violation of the Proclamation by allowing the collection of fossil objects; the Western Environmental Law Center protested that the BLM was failing to manage the Monument in accordance with the Proclamation by allowing personal collection of petrified wood and common invertebrate fossils; and Dennis Tighe protested that the personal collection of plant material, common invertebrate fossils, and petrified wood should be prohibited because it is contrary to the Proclamation. Through the protest review, the Assistant Director for Renewable Resources and Planning determined the Proposed RMP, as written, did not follow the Proclamation's direction regarding collection of fossil objects, petrified wood, and plant material. The prohibition of the personal collection of plant material, common invertebrate fossils, and petrified wood would be noted in the ROD.

In order to comply with the Proclamation, which does not allow for the disposition of federal lands and interests in lands within the Monument under the public land laws, the following revisions are made in the Approved Plan regarding Collection:

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

The personal collection of plant material (e.g., vegetation, seeds and berries) will not be allowed, except as provided for under the Native American Religious Freedom Act of 1978.

## ***Clarifications***

The Western Environmental Law Center protested that the Proposed RMP failed to comply with the Federal Land Policy and Management Act by not making existing ACEC protection a priority; and Glenn Monahan protested that the Proposed RMP did not provide special management for the ACEC. Through the protest review, the Assistant Director for Renewable Resources and Planning determined that the ROD would continue the designation of the Cow Creek ACEC. The Approved Plan is clarified regarding the continued designation of the Cow Creek area as an ACEC, the reasons for the ACEC, the special management associated with the ACEC, and the relationship to the Cow Creek Wilderness Study Area.

The Wilderness Society protested that the terminology for road classification and the methodology used by the BLM to set maintenance levels provided in the Proposed RMP did not take into consideration the most current agency policy and guidelines (WO IM 2006-173). Through the protest review, the Assistant Director for Renewable Resources and Planning determined that the ROD would clarify the terminology change.

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 change in terminology and maintenance intensity levels does not change the road designations in the Approved Plan. The Lewistown Field Office will comply with this IM through implementation of the Approved Plan. The figures below show the comparison between the previous and revised terminology and the previous and revised maintenance levels.

## **Road Terminology**

The previous BLM road terminology classified roads as collector, local, and resource roads. The revised terminology defines linear routes as roads, primitive roads, and trails. All collector and local roads will be defined as “roads” under the revised terminology and some resource roads will also be defined as “roads” (e.g., Spencer Cow Camp and Butch Camp). The remaining resource roads will be defined as primitive roads. There are no designated trails in the Monument under the previous road terminology.

## **Road Maintenance Levels**

Roads were originally assigned to one of five maintenance levels (Level 1 to 5). For consistency across all linear features the BLM changed to six maintenance intensities (Level 0 to 5) with two reserved for possible future use. The four primary intensities allow for removal, low, medium, and high maintenance. Roads assigned a Level 1 will now be assigned to the “Level 0 Maintenance Intensity”; Level 2 will be assigned to the “Level 1 Maintenance Intensity”; and Levels 3 and 4 will be assigned to the “Level 3 Maintenance Intensity.” None of the BLM roads in the Monument are assigned to Level 4 or Level 5 Maintenance Intensity.

**ROD Figure 2  
BLM Road Classifications and Definitions**

<i>Previous BLM Road Terminology</i>	<i>Revised BLM Road Terminology</i>
<p><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.</p>	<p><b>Road</b> – A linear route declared a road by the owner, managed for use by low-clearance vehicles having four or more wheels, and maintained for regular and continuous use.</p>
<p><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.</p>	<p><b>Primitive Road</b> – A linear route managed for use by four-wheel drive or high-clearance vehicles. These routes do not normally meet any BLM road design standards.</p>
<p><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.</p>	



**ROD Figure 3  
BLM Road Maintenance and Intensity Levels**

<i>Old Maintenance Levels</i>	<i>New Maintenance Intensities</i>
<p><b>Level 1</b> – 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><b>Level 0</b> – Existing routes that will no longer be maintained and no longer declared a route. Routes identified as Level 0 are identified for removal from the Transportation System entirely.</p>
<p><b>Level 2</b> – 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><b>Level 1</b> – Routes where minimum (low intensity) maintenance is required to protect adjacent lands and resource values. These roads may be impassable for extended period of time.</p>
<p><b>Level 2</b> – Reserved for possible future use.</p>	
<p><b>Level 3</b> – 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><b>Level 3</b> – Routes requiring moderate maintenance due to low volume use (e.g. seasonally or year-round for commercial, recreation, or administrative access). Maintenance intensities may not provide year-round access but are intended to generally provide resources appropriate to keep the route in use for the majority of the year.</p>
<p><b>Level 4</b> – 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><b>Level 4</b> – Reserved for possible future use.</p>	
<p><b>Level 5</b> – 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><b>Level 5</b> – Routes for high (maximum) maintenance due to year-round needs, high volume traffic, or significant use. Also may include routes identified through management objectives as requiring high intensities of maintenance or to be maintained open on a year-round basis.</p>

## Management Considerations for Selecting the Approved Plan

The alternatives described in the Draft RMP/EIS, in addition to the public comments and input provided throughout this planning process, were considered in preparing the Proposed Plan. The Proposed Plan (Alternative F in the Proposed RMP/Final EIS) depicted a combination of decisions from the range of alternatives considered in the Draft RMP/EIS.

The Approved Plan for managing the Monument was chosen because:

- It most effectively accomplishes the overall objectives of protecting Monument resources and values and facilitates appropriate research.
- It best addresses the diverse community and stakeholder concerns in a fair and equitable manner.
- It provides the most workable framework for future management of the Monument.

Among the attributes that led to this determination are provisions for protecting the Monument's cultural features and natural resources (archaeological, historic, paleontological, geological, and biological), while providing for diverse visitor use in a manner consistent with protecting Monument resources and values.

The Approved Plan responds to increasing demands for recreation on BLM land while adhering to FLPMA's mandate for multiple use management and sustained yield of renewable resources. The Approved Plan is very similar to the Proposed Plan (Alternative F), containing only minor modifications and clarifications stemming from protests and internal review.

The Approved Plan responds to health of the land by providing mitigating measures to manage, enhance and protect the fish and wildlife habitat and habitat for special status species, including greater sage-grouse and black-tailed prairie dogs. Vegetation will be managed to achieve a natural range of native plant communities for a wide variety of long-term benefits such as aesthetics, wildlife, recreation, and livestock grazing. If the opportunity is available, the BLM could establish reserve common allotments to offset the impacts of drought or to implement projects that could create a temporary loss of animal unit months, which would increase the opportunities for prescribed burn projects. Most of the Monument (73%) will be managed under a Visual Resource Management (VRM) Class I or Class II to protect the cultural landscape (viewshed) and the visual features, thus maintaining the remote and scenic character of the area. The six wilderness study areas (WSAs) will be managed under a VRM Class I, which will preserve the scenic quality of the areas. A wide range of fire management tools and management flexibility will be available to minimize the risk of catastrophic fires in the Monument and communities adjacent to the Monument.

The Approved Plan responds to visitor use by providing opportunities in mostly primitive and natural landscapes. This includes opportunities for bighorn sheep wildlife watching, semi-primitive motorized activities, and walk-in hunting. The BLM may authorize research activities by permit (archaeological, historical, and paleontological) but the surface collection of common invertebrate fossils, petrified wood, or plant material for personal use will not be allowed. Historic, archaeological, and geological opportunities will be enhanced by developing small, low-key interpretive signs that blend in with the surroundings to maintain a primitive and natural landscape. To provide dispersed recreation opportunities, additional Level 1 sites will only be constructed in the recreation segments of the UMNWSR, and no additional Level 2 sites will be constructed below Judith Landing in order to maintain the remote and scenic character of the wild and scenic segments. This will ensure boaters have a range of opportunities to fit their desired camping experience.

The Approved Plan provides diverse recreational opportunities, including both motorized and non-motorized watercraft opportunities on the UMNWSR. The recreation segments of the UMNWSR are open to upstream and downstream travel providing an opportunity for visitors preferring to use motorboats to recreate on the Missouri River. The lower wild and scenic segments of the UMNWSR will include both motorized and non-motorized opportunities during the summer season (June 15 to September 15). While there will be no opportunities for the use of personal watercraft (PWC) and the

landing of floatplanes on most of the UMNWSR, they will be allowed from river miles 0 to 3 near Fort Benton. However, the landing and take-off of floatplanes for safety reasons, such as avoiding inclement weather, is allowed on any segment of the UMNWSR.

The Approved Plan responds to natural gas exploration and development by implementing reasonable conditions of approval on valid existing oil and gas leases (42,805 acres) to protect the objects in the Monument while providing the economic benefits associated with natural gas to the regional economy. The conditions of approval are in addition to the oil and gas lease stipulations and will be applied to applications for permits to drill (APDs). Seismic, production and reclamation activities will include requirements to protect the objects in the Monument and maintain the remote and scenic character of the area.

The Approved Plan responds to travel management and access issues by designating roads as open yearlong (293 miles), open seasonally (111 miles), and closed (201 miles). A number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat will be open only seasonally (102 miles) to sustain visitor experiences in a mostly primitive and natural landscape and provide a healthy ecosystem supporting plant and animal species. Six backcountry airstrips will remain open to provide access for diverse recreation opportunities while four will be closed to maintain the remote and scenic character of the area.

## Mitigation Measures

Measures to avoid or minimize environmental harm were built into the Approved Plan where appropriate. All practicable means to avoid or minimize environmental harm from the alternative selected have been adopted in the Approved Plan. Many of the standard management provisions will minimize impacts when applied to activities proposed in the Monument. The Standards for Rangeland Health (BLM 1997) will be used as the base standards to assess the health of BLM land in the Monument. Best management practices will be used where applicable for a number of uses including livestock grazing, recreation management, and realty actions. Additional measures to mitigate environmental impacts may also be developed during subsequent NEPA analysis at the activity level planning and project stages.

## Plan Monitoring

As the Approved Plan is implemented, the BLM expects that new information gathered from field inventories and assessments, research, other agency studies, and other sources will update baseline data or support new management techniques and scientific principles. To the extent that such new information or actions address issues covered in the Approved Plan, the BLM will integrate the data through a process called plan maintenance or updating. This process includes the use of monitoring, which is the repeated measurement of activities and conditions over time with the implied purpose to use this information to adjust management, if necessary, to achieve or maintain resource objectives. Bureau of Land Management planning regulations (43 CFR Part 1610.4-9) call for monitoring RMPs on a continual basis and establishing intervals and standards based on the sensitivity of the resource to the decisions involved. CEQ regulations implementing NEPA state that agencies may provide for monitoring to ensure that their decisions are carried out and should do so in important cases (40 CFR Part 1505.2(c)).

As part of this process, the BLM will review management actions and the Approved Plan periodically to determine whether the objectives set forth in this and other applicable planning documents are being met. Where they are not being met, the BLM will consider appropriate adjustments. Where the BLM considers taking or approving actions that would alter or not conform to overall direction of the Approved Plan, the BLM will prepare a plan amendment and environmental analysis in making its determinations through a public involvement process.

The BLM employs two types of monitoring (implementation and effectiveness), which are described below.

### ***Implementation Monitoring***

Implementation monitoring, known by some agencies as compliance monitoring, is the most basic type of monitoring and simply determines whether planned activities have been implemented in the manner prescribed by the Approved Plan. As such, implementation monitoring documents the BLM's progress toward full implementation of the land use plan decision. No specific thresholds or indicators are required for this type of monitoring, but progress towards plan implementation will be evaluated and reported at a 5-year interval from the date of approval of the Approved Plan. Aspects of effectiveness monitoring will also be addressed in the evaluation.

### ***Effectiveness Monitoring***

Effectiveness monitoring determines if the implementation of activities has achieved the desired future conditions (i.e., goals and objectives) set forth in the Approved Plan. Effectiveness monitoring asks the following question: "Was the specified activity successful in achieving the objective?" Answering this question requires knowledge of the objectives established in the Approved Plan as well as indicators that can be measured. Indicators are established by technical specialists to address specific questions and avoid collection of unnecessary data. Success is measured against the benchmark of achieving the goals and objectives (i.e., desired future conditions) established by the Approved Plan, which may include regulated standards for resources such as endangered species, air, and water. The interval between these efforts will vary by resource and the expected rate of change, but effectiveness monitoring progress will generally be reported on an annual basis. These reports will include trends and conclusions, when appropriate, and will be incorporated into the 5-year evaluation reports discussed above. Additional information on monitoring is included in Chapter 3 of the Approved Plan.

The BLM will monitor the Approved Plan to determine whether the objectives set forth in this document are being met and whether applying the land use plan direction is effective. If monitoring shows land use plan actions or best management practices are not effective, the BLM may modify or adjust management without amending or revising the Approved Plan as long as assumptions and impacts disclosed in the analysis remain valid and broad-scale goals and objectives are not changed. Where the BLM considers taking or approving actions that will alter or not conform to overall direction of the Approved Plan, the BLM will prepare a plan amendment or revision and environmental analysis of appropriate scope.

## **Implementation of the Management Plan**

Implementation of the Approved Plan will occur in accordance with the implementation framework described in Chapter 3 of the attached Approved Plan. Some decisions in the Approved Plan require immediate action and will be implemented upon publication of the ROD and Approved Plan. Other decisions will be implemented over a period of years. The rate of implementation is tied, in part, to BLM's budgeting process. The BLM will continue to involve and collaborate with the public during implementation of the Approved Plan.

## **Consistency Review**

The Montana Governor's Office was provided a 60-day consistency review of the Proposed Plan/Final EIS, which was initiated in February 2008 in accordance with planning regulations at 43 CFR Part 1610.3-2(e). The Governor of the State of Montana, in his letter dated March 31, 2008, recommended six changes to the plan but did not identify any inconsistencies between the Proposed RMP and officially approved or adopted state or local plans, policies, and/or programs. All of the recommendations were considered previously in the public process and development of the Proposed RMP.

Consistency of the Proposed Plan with other local, state, tribal, and federal plans and policies was also considered during the planning process. The Approved Plan is consistent with plans and policies of the BLM, other federal agencies, state and local governments, and Indian tribes to the extent that the guidance and local plans are also consistent with the purposes, policies, and programs of federal law and regulation applicable to BLM land.

## Public Involvement

The planning process was initiated when the BLM published the Notice of Intent (NOI) to prepare an EIS on the resource management plan for the Monument in the *Federal Register* on April 24, 2002. The BLM hosted a series of public open houses and workshops in 2002 and 2003 to solicit public comment on the scoping issues and preliminary alternatives for the Draft RMP/EIS. The Notice of Availability (NOA) of the Draft RMP/EIS was published on October 28, 2005. Another series of open house meetings was held to solicit public comment on the Draft RMP/EIS in 2006. Originally the comment period was to close on January 26, 2006. The BLM received several requests for extending the comment period, which was extended for an additional 90 days. The public comment period closed on April 26, 2006. The NOA for the Proposed Plan/Final EIS was published on February 1, 2008, which opened the 30-day public protest period.

The BLM is committed to providing opportunities for meaningful public participation in the planning process. Throughout the preparation of the Approved Plan, the BLM maintained an extensive public participation process aimed at providing frequent opportunities for interaction with the public through a variety of media. The general public, representatives of tribal government, organizations, public interest groups, and federal, state, and local government agencies were invited to participate throughout the planning process. This participation included review of proposed planning criteria, issues, preliminary alternatives, the Draft RMP/EIS, and the Proposed Plan/Final EIS. These groups and individuals were kept informed through public meetings; newsletter; BLM website information; *Federal Register* notices; and distribution of the Draft RMP/EIS and the Proposed Plan/Final EIS. The BLM responded to comment letters on the Draft RMP/EIS and considered public comment when preparing the Proposed Plan/Final EIS. The BLM also considered protests on the Proposed Plan when developing the Approved Plan and this ROD.

The BLM invited state and local governments to partner in a cooperating agency relationship for developing the RMP and EIS. The State of Montana and four counties (Blaine, Chouteau, Fergus and Phillips) were cooperating agencies and assisted with the Upper Missouri River Breaks National Monument planning effort.

The Central Montana Resource Advisory Council participated during the preparation of the RMP and EIS through membership on the interdisciplinary team, assisting BLM by facilitating public discussions on management opportunities, and providing recommendations to the BLM.

Consultation occurred with the U.S. Fish and Wildlife Service, and concurrence was received that the Proposed Plan/Final EIS would not adversely impact any species listed under the Endangered Species Act, crucial habitat, or important prey base within or adjacent to the Monument.

In accordance with the National Historic Preservation Act and in recognition of the government-to-government relationship between tribes and the federal government, letters were sent to tribal governments and officials at the start of the planning process to inform them of the Monument RMP and an opportunity to partner with the BLM as a cooperating agency. While no tribes became an official cooperating agency, coordination occurred through letters, updates, and meetings.

The Lewistown Field Office also maintained a mailing list of individuals, agencies, interest groups, and tribes who expressed interest in the planning process. The BLM mailed newsletters and updates to those on the mailing list or notified those on the email list that the information was available on the Montana BLM website in order to keep the public informed of project status and to solicit reviews and information. Public meetings were announced at least 15 days prior to the event in local news media



and on the website. The BLM participated in numerous meetings with cooperating agencies, other federal agencies, Indian tribes, state and local governments, and interested individuals and groups.

## To Obtain a Copy of the Management Plan

Copies of the BLM ROD and the Upper Missouri River Breaks National Monument Approved Resource Management Plan are available on the BLM website at <http://www.blm.gov/mt>, or can be obtained by requesting a copy in person, by telephone, or by writing to the following address:

Lewistown Field Office  
Bureau of Land Management  
920 NE Main Street  
P.O. Box 1160  
Lewistown, MT 59457  
(406) 538-1900

## Recommendation, Concurrence, and Approval

### *Monument Manager Recommendation*

Having considered a full range of alternatives, associated effects, and public input, I recommend adoption and implementation of the Bureau of Land Management decisions in the attached Upper Missouri River Breaks National Monument Resource Management Plan.



Gary E. Slagel  
Monument Manager  
Upper Missouri River Breaks National Monument

### *Field Manager Concurrence*

I concur with the adoption and implementation of the Bureau of Land Management decisions in the Upper Missouri River Breaks National Monument Resource Management Plan.



Gary L. Benes  
Field Manager  
Lewistown Field Office

### *State Director Approval*

In consideration of the foregoing, I approve the Bureau of Land Management decisions in the Upper Missouri River Breaks National Monument Resource Management Plan.



Gene R. Terland  
Montana State Director

Dec. 4, 2008  
Date