



INTRODUCTION

This document is the proposed final resource management plan and environmental impact statement (RMP/EIS) for the Judith, Valley and Phillips Resource Areas (RAs) of the Bureau of Land Management (BLM) Lewistown District.

It incorporates comments and suggestions made on the draft RMP/EIS during the public review period which began in July, 1991, and ended in December, 1991. It also includes minor corrections and additions identified after the draft was published. The RMP portion of this proposed final consists of the Preferred Alternative (Alternative E) plus the guidance given in the Management Common To All Alternatives section.

This document has been prepared in accordance with Sections 202 and 603 of the Federal Land Policy and Management Act of 1976 (FLPMA); the BLM planning regulations in the Code of Federal Regulations (CFR); and the Council on Environmental Quality (CEQ) regulations for implementing the National Environmental Policy Act of 1969 (NEPA).

The information in this document reflects current policy and regulatory information as of February 1, 1992. Policy or regulatory changes after the RMP is finalized would be incorporated through plan maintenance, unless they reflect a change in management direction which would require the RMP be amended or a new RMP prepared.

This RMP/EIS addresses the management of BLM land and resources only, and the minerals administered by the BLM regardless of surface ownership. It does not address land

administered by other federal agencies (except Bureau of Reclamation withdrawals), state agencies or private land.

BLM planning regulations require that resource management plans be "consistent with officially approved or adopted resource related plans of other federal agencies, state, and local governments, and Indian tribes, so long as the guidance and resource management plans are also consistent with the purposes, policies, and programs of federal law, and regulations applicable to public lands..." (43 CFR 1610.3a). BLM will continue to review this plan for consistency with other federal, state and local government or Indian Tribe planning efforts. If necessary, based on a review for consistency, BLM could amend this RMP. Such consistency is an ongoing process and one of the needs which requires BLM to prepare and monitor comprehensive land use plans.

LOCATION OF THE PLANNING AREA

The Judith-Valley-Phillips (JVP) planning area (see Figure 1.1) includes BLM land in Valley, Phillips, Fergus, Petroleum and Judith Basin Counties and that portion of Chouteau County south of the Missouri River.

The planning area encompasses 11,934,041 acres, of which 2,806,157 surface acres (24%) and 3,387,687 acres of mineral estate (28%) are administered by BLM. The majority of landownership is private. Other significant landowners include the Fort Belknap Indian Reservation, the State of Montana and the U.S. Forest Service (FS). Table 1.1 portrays the surface ownership and Table 1.2 the mineral ownership in the planning area.

Resource Area	BLM	Private	State	Native American Lands	Other Federal	Total
Judith**	701,581	4,267,547	415,689	0	585,432	5,970,249
Valley***	1,019,886	1,019,109	234,730	0	424,292	2,698,017
Phillips	1,084,690	1,599,365	186,030	114,057	281,633	3,265,775
Total	2,806,157	6,886,021	836,449	114,057	1,291,357	11,934,041

*The planning area does not include the Upper Missouri National Wild and Scenic River.

**The acreage for Chouteau County pertains to that portion of the county south of the Missouri River.

***The Valley RA does not include the portion of Valley County within the Fort Peck Indian Reservation.

Source: BLM, 1990.

FIGURE 1.1
Location of the Judith, Valley, Phillips Resource Management Area

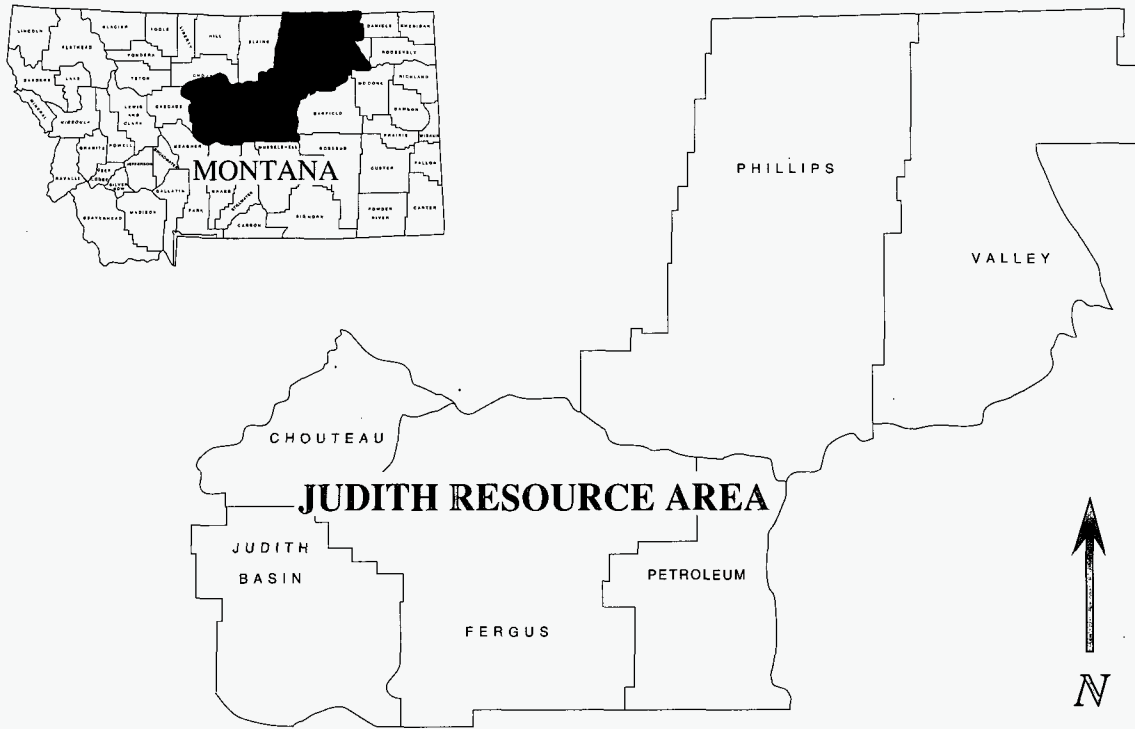


TABLE 1.2
SUBSURFACE MINERAL OWNERSHIP BY
RESOURCE AREA IN THE PLANNING AREA*

Resource Area	BLM	Other	Total
Judith	867,591	5,102,658	5,970,249
Valley	1,134,644	1,563,373	2,698,017
Phillips	1,385,452	1,880,323	3,265,775
Total	3,387,687	8,546,354	11,934,041

*The planning area does not include the Upper Missouri National Wild and Scenic River.

Source: BLM, 1990.

PURPOSE AND NEED

The JVP RMP/EIS provides a comprehensive plan for managing federal resources administered by BLM and is prepared under the authority of Section 202(a) of FLPMA. The RMP/EIS precedes activity planning which is a site-specific, detailed plan that precedes site development. Development, implementation, monitoring and evaluation of activity plans will be an interdisciplinary effort.

This RMP/EIS resolves nine resource issues which are fully defined in the next section.

Management guidance for non-issue resources is found in the Management Common To All Alternatives section of Chapter 2. This guidance was developed from existing law and policy or was carried forward from seven management framework plans (MFP), one MFP amendment and eleven major environmental documents prepared in the 1970s and 1980s. The guidance given in that section is an integral part of each alternative and will be followed no matter which alternative is selected. This RMP/EIS will supersede all previous planning efforts when the record of decision (ROD) is published.

ISSUES

Nine issues were identified through public participation, resource monitoring and policy mandates during the scoping process. These issues reflect concerns or conflicts which could be partially or totally resolved through this RMP/EIS.

Land Acquisition and Disposal

Some lands in the planning area could provide access to BLM land or contain riparian and wetland values, wildlife habitat, cultural resources or other significant values. There is growing public interest in acquiring such resources or values and holding them in public ownership.

Some BLM lands meet disposal criteria and do not contain significant resource values and could facilitate acquisitions to consolidate land holdings for BLM and other federal agencies and transfer land private use and production.

Access to BLM Land

Legal public access is the public's ability to get to BLM land. From a management standpoint, access can be critical to protecting resource values from misuse or overuse, or in providing a more complete use of a resource. From a public standpoint, access to public land has become an issue of national significance. The need for legal public access to BLM land is increasing, requiring that most public land be made accessible. This RMP/EIS will identify BLM land needing new or additional legal public access.

Off-Road Vehicle Designations

Current BLM off-road vehicle (ORV) designations identify areas as open, limited or closed to ORVs. In recent years, managing ORV use has become entwined with other BLM land uses such as access and recreation in portions of the planning area. Public interest and expectations require that BLM analyze different combinations of these ORV designations as a means of reducing resource damage and user conflicts while still allowing use where appropriate.

Oil and Gas Leasing and Development

BLM anticipates continued oil and gas exploration and development on BLM land and is responsible for oil and gas leasing on BLM-administered subsurface, regardless of surface ownership. BLM will evaluate the types of stipulations needed on oil and gas leases to protect other resources. This evaluation will be the basis for decisions to lease with appropriate stipulations to protect resources, or

not to lease because of sensitive resources which cannot be protected with stipulations.

Hardrock Mining

BLM is expecting increased locatable mineral activity on BLM land, especially in historically active areas such as the Moccasin, Judith and Little Rocky Mountains. BLM is also expecting increased public interest from both proponents and opponents of this type of development in central Montana. BLM guidance requires that mining operations include adequate and responsible measures to prevent unnecessary or undue degradation of federal lands and to provide for reasonable reclamation.

This RMP/EIS will identify areas which should be withdrawn from mining claim location, areas where special management prescriptions would be necessary to protect resource values, and current withdrawals which could be revoked.

Riparian and Wetland Management of Watersheds

Increased public interest about the quality of riparian and wetland areas requires evaluating conditions, trends and management techniques for these resources. BLM's goal is to restore and maintain riparian-wetland areas so that 75% or more are in proper functioning condition by 1997 (BLM Riparian-Wetland Initiative for the 1990's).

Improving or maintaining riparian-wetland areas on BLM land to proper functioning condition and the desired plant community would decrease sedimentation while increasing streambank stability, vegetation production, wildlife habitat, waterfowl production, recreation opportunities and visual qualities and maintaining or improving water quality. These potentials are becoming more important to the general public, private landowners and land managers.

The RMP/EIS will identify areas where riparian and wetland values on BLM land will be maintained or improved and develop criteria to guide implementation.

Elk and Bighorn Sheep Habitat Management

BLM land is capable of supporting expanded elk and bighorn sheep populations. Increased populations could increase hunting opportunities, but could also increase the potential for elk depredation and landowner conflicts on adjacent private land. This issue is complicated because the Montana Department of Fish, Wildlife and Parks (MDFWP) manages wildlife populations while BLM manages wildlife

habitat on BLM land. This RMP/EIS will identify wildlife habitat capability on BLM land and address these public, management and landowner concerns.

Prairie Dog and Black-Footed Ferret Management

BLM is required by the Endangered Species Act of 1973 (ESA), as amended, to carry out programs for the conservation of threatened and endangered species. A block of land of mixed ownership (BLM, Charles M. Russell National Wildlife Refuge (CMR), Montana Department of State Lands (DSL), and private) in the Phillips RA supports prairie dog populations and habitat suitable for the endangered black-footed ferret and is key to the recovery of the black-footed ferret in the United States.

The issue is complicated by concerns about prairie dog expansion; habitat needs for species associated with prairie dog towns; and concerns by grazing permittees, prairie dog shooters, local business operators that their interests are threatened.

BLM, in coordination with U.S. Fish and Wildlife Service (FWS), MDFWP and interested parties, will develop guidance for managing prairie dog habitat and the potential reintroduction of the black-footed ferret in the planning area.

Areas With Special Management Concerns

The RMP/EIS evaluated the eligibility of 187 rivers and streams within the planning area for further study as potential components of the National Wild and Scenic Rivers System. One segment of the Judith River was determined to be both free-flowing and possessing outstandingly remarkable values.

Some BLM lands possess special values and may need management emphasis to protect or preserve those values. These areas have scenic values, rare plant communities, cultural sites, rare geologic features, threatened or endangered species habitat, cave resources or archaeological resources that qualify them for study as potential areas of critical environmental concern (ACEC).

The draft RMP/EIS evaluated 31 ACEC nominations (9 BLM nominations and 22 from the public or other agencies) of which 8 met the relevance and importance criteria and are studied for special management. These eight are the Judith Mountains Scenic Area, the Acid Shale-Pine Forest, the Square Butte Outstanding Natural Area (ONA), Collar Gulch, Azure Cave, Big Bend of the Milk River, Prairie

Dog Complex 1 and Prairie Dog Complex 2. The prairie dog complexes will be studied as one potential ACEC under the Prairie Dog and Black-footed Ferret Management issue throughout the rest of this RMP/EIS. During the public comment period new information was received for the Woody Island Coulee, Joiner Coulee and Mountain Plover ACEC nominations. These three nominations were re-evaluated to determine if they met the relevance and importance criteria. Joiner Coulee and Woody Island Coulee do not meet the relevance and importance criteria. The Mountain Plover ACEC nomination met the criteria and will be addressed through an amendment to the Judith Valley Phillips RMP/EIS. Nominations which meet the criteria as potential ACECs must be reviewed through the Bureau's planning and NEPA processes.

BLM received additional ACEC nominations in November, 1990, and during the public comment period on the draft RMP/EIS. These nominations are the Mixed Grass Prairie in the Valley RA and the Little Rocky Mountains, Old Scraggy Peak and Saddle Butte in the Phillips RA. To maintain the planning schedule and commitment to the public, BLM did not include additional nominations in this RMP/EIS. If these nominations qualify for further consideration, per the ACEC criteria, alternatives for special management will be considered through an amendment to the Judith-Valley-Phillips RMP/EIS.

ISSUES NOT ADDRESSED

Several management concerns were considered, during the initial scoping process, but were concerns which can be resolved with existing management guidance and are not considered issues in the RMP/EIS. These management concerns, which are evaluated in the Management Common To All Alternatives section of Chapter 2, include; rights-of-way (ROW), withdrawal review, vegetation allocation, land treatments, fire management, and coal.

Rights-of-Way

The RMP/EIS identifies areas which should be avoided, windowed for or excluded from ROW; contain concentrations of major facilities; may be suitable for ROW corridors; or may be suitable for communication site location.

Withdrawal Review

This RMP/EIS reviews land classifications and withdrawals to determine if they should be continued, modified or terminated. Guidelines are developed for managing land that may return to BLM administration.

Vegetation Allocation

The RMP/EIS provides guidance for increasing or decreasing vegetation allocations for livestock, wildlife, watershed, recreation and other uses on either a temporary or sustained yield basis. Vegetation allocations will not change, unless monitoring indicates a change is necessary to meet management objectives.

Land Treatments

The RMP/EIS incorporates decisions identifying areas for and restrictions on mechanical, biological and chemical treatments to increase vegetation or change vegetative species composition. Consistent guidance will be applied for the planning area by combining decisions from these previous planning efforts; the Missouri Breaks Grazing EIS (1979), the Prairie Potholes Vegetation Allocation EIS (1981), Vegetation Treatment on BLM Lands EIS (1991), Northwest Area Noxious Weed Control Program EIS (1985), and the Containment/Eradication of Selected Noxious Plants Programmatic Environmental Assessment (EA) (1986).

Fire Management

Management guidance for prescribed fire and wildfire is provided by policy, regulation and the Lewistown District Fire Management Activity Plan (1989). The RMP/EIS identifies fire management objectives for all land protected by BLM. Suppression will be either intensive or conditional, depending upon resource values.

Coal

Coal development is not addressed in the RMP/EIS for the following reasons:

1. There has been no federal coal mining activity in the planning area in over 50 years,
2. There are no existing federal coal leases in the planning area,
3. No expressions of interest for leasing or exchange have been identified in either the Fort Union Coal Region (which includes Valley County) leasing program or the RMP screening process, and
4. Forecasting (NAERC, 1990) beyond the year 2000 indicates a decline in demand for Fort Union region lignite.

Future applications for coal leasing would require an amendment to this RMP and would be guided by the federal coal management regulations (43 CFR 3425).

ISSUES PREVIOUSLY ADDRESSED

Concerns about livestock grazing management, wilderness management, and noxious plant control were all identified during the scoping process. These issues have been addressed in previous planning efforts and are discussed in the Management Common To All Alternatives section of Chapter 2.

PLANNING CRITERIA

Planning criteria guide the RMP/EIS by focusing efforts and providing direction and identifying legal, policy, or regulatory constraints that direct or limit BLM's ability to resolve issues. These criteria may change in response to public comment and coordination with state or local governments and other federal agencies. General criteria were developed to guide this RMP/EIS. Specific criteria for each issue were then developed to guide formulating the alternatives and selecting the Preferred Alternative.

General Criteria

This plan will provide broad resource management direction to implement a variety of activity plans. Specific guidance will be used only where resolution of major management conflicts is needed.

BLM will adhere to the program guidance provided by BLM's Washington Office Supplemental Program Guidance (1986). The State Director's Guidance for RMPs (1983, 1984 and 1989) provides guidance which may be modified through issue development and plan preparation.

Valid management guidance from existing documents will be carried forward in the Management Common To All Alternatives section of Chapter 2. The RMP/EIS and supporting documents incorporate or reference all available valid decisions, analysis and information.

The alternatives have been developed for the planning area and will only analyze those issues requiring management resolution.

The alternatives chosen for study will be feasible for BLM to implement.

The RMP/EIS will apply mitigating measures only to resolve existing or projected management conflicts. Most will be standard operating procedures and will be identified in the Management Common To All Alternatives section of Chapter 2.

Any decision or mitigative measure required by the RMP/EIS will be enforceable and monitored.

To the greatest extent possible the plan will not conflict with tribal, local, county, state and other federal agency plans. BLM will rely on a review process by other agencies and tribal governments for assistance in determining consistency with their plans.

The RMP/EIS will be used as the basic planning document to guide BLM management and budget requests for the planning area. Revisions will be made as necessary. Three individual approved RMPs will be issued; one each for the Judith, Valley and Phillips RAs.

A portion of the Upper Missouri National Wild & Scenic River (UMNWSR) lies within the planning area. Management guidance for the UMNWSR was addressed in the West HiLine RMP/EIS. Decisions for the UMNWSR from the West HiLine RMP/EIS will be incorporated into the individual Judith and Phillips RAs approved RMPs.

The RMP/EIS will contain multiple-use management decisions applicable to land acquired by BLM through withdrawal revocation, exchange or purchase.

All decisions will be consistent with existing laws, regulations and policy.

Baseline social and economic data will be gathered from existing published sources and a study of local economic and social characteristics. Decisions will consider demographic and economic trends related to current and future demands for public resources.

Decisions will consider public perceptions and attitudes of BLM-administered resources.

ISSUE SPECIFIC CRITERIA

Land Acquisition and Disposal

The State Director's Guidance for RMPs will help determine which lands meet the acquisition and disposal criteria. Appendix A shows the land acquisition and disposal criteria for the Judith, Valley and Phillips RAs.

The RMP/EIS will identify specific areas which meet the disposal criteria. Disposal areas will be used to exchange for acquisition areas possessing significant resource values.

The objective of acquisition and disposal is to provide greater resource opportunities for the public by adjusting land ownership and/or improving management efficiency.

Lands which meet the sale criteria in Sec. 203(a) of FLPMA will be available for sale.

BLM land with important resource features will normally be retained unless exchanged for land with equal or greater values.

Decisions involving acquisition and disposal will consider: the effect on employment, personal income, business activity and social well-being; benefits against the cost of the acquisition; attitudes toward specific areas and reasons for acquisition or disposal; and the net loss or gain in county revenues when comparing property taxes with payment-in-lieu of taxes.

Access to BLM Land

The RMP/EIS will identify additional legal public access needs and access limitations based on the State Director's Guidance. Limitations may restrict access to specific users, types, or amounts of use, depending on access objectives and resource capabilities.

Decisions will consider the impacts to employment, income and social well-being resulting from obtaining and/or restricting access.

BLM land identified for long-term retention will be priority areas for access needs.

Legal public access to isolated tracts will not be pursued unless significant public values are present. Existing public access routes will receive priority consideration over constructing new routes in developing access.

Off-Road Vehicle Designations

Current open, closed or limited ORV designations will be reassessed. All restrictions under a limited designation will be included in the RMP/EIS for specific, high priority areas; precluding the need for an additional activity plan for these areas.

Public interest and demand for ORV use will be considered when determining restrictions (limited or closed) and/or intensive-use areas. Restrictions will be identified to minimize damage to soils, watershed, vegetation or wildlife habitat and its security; destruction of historic and archaeological sites; and exposing the public to hazards.

Designations providing for ORV use (open and limited) will minimize conflicts with other programs and resource plans, other ORV user groups and adjacent landowners.

Authorization to use ORVs in restricted areas (closed or limited) may be provided at the authorized officer's discretion.

Oil and Gas Leasing and Development

The RMP/EIS will evaluate oil and gas resources and identify areas of low, moderate or high mineral development potential. A reasonably foreseeable development model will be developed for the planning area.

The oil and gas stipulations in the BLM Montana State Office Guidelines (IM MT-90-220) will be reviewed and evaluated. Departure from the guidelines may be more or less restrictive, based on local resource conditions and needs.

BLM will identify areas where stipulations would protect the resource, or not lease areas where extremely sensitive features cannot be protected by stipulations.

Oil and gas resources will remain open to leasing in accordance with the Mineral Leasing Act of 1920, as amended, and the 1947 Mineral Leasing Act for Acquired Lands, as amended, except in cases where it is necessary to exclude leasing to protect significant resources. Current exceptions to this policy include national wildlife refuges, wilderness study areas (WSAs), some federal lands withdrawn by the Bureau of Reclamation (BR), and several discretionary closures such as the Little Rocky Mountains, the Judith Game Range and a portion of the Missouri Breaks adjacent to the CMR in south Valley County.

All areas closed to oil or gas leasing will be reviewed to determine if closures are warranted or if stipulations would adequately protect resource values. Current stipulations will be reviewed to ensure they are commensurate with anticipated oil and gas development.

The high, moderate and low mineral development potential and all other public values will be considered to determine closures or application of no surface occupancy restrictions.

BLM management of oil and gas will be consistent with that of other agencies within or adjacent to the planning area, to the greatest extent possible.

Hardrock Mining

All BLM land will remain open to mineral entry unless significant resource impairment would result from hardrock mineral activity after all possible mitigation is applied. Withdrawals in high or moderate mineral development potential land will be reviewed to determine if revoking them could occur without significant resource damage. Emphasis will be placed on reclaiming mined lands and preventing unnecessary or undue degradation of environmental values.

BLM will continue to provide for the development and exploration of hardrock minerals under the 1872 Mining Law, as amended, where resource conflicts are low or can be mitigated or where mining is determined to be the best use of BLM land.

The potential economic benefits (employment and income) of hardrock mining will be compared to other resource values in decisions which may restrict hardrock mining.

The Memorandum of Understanding (MOU) between BLM and the DSL will be used when reviewing, approving and regulating hardrock mineral activities on BLM land. More information about this MOU is given in the Management Common To All Alternatives section of Chapter 2.

Riparian and Wetland Management of Watersheds

The RMP/EIS will identify areas where riparian and wetland values will be maintained or improved and develop criteria to guide implementation. Identification of areas will be allotment specific, where resource information allows.

The primary objectives will be to decrease sedimentation; increase streambank stability, vegetation production, wildlife habitat, waterfowl production, and recreation opportunities; and maintain or improve water quality.

When implementing riparian and wetland objectives, BLM will consider the importance of the intermingled private lands which could be adversely impacted as a result of management changes on BLM land.

BLM recognizes the high potential of riparian and wetland areas and plans to improve the condition and productivity in allotments with these values. BLM would initially accomplish riparian-wetland objectives through livestock grazing methods at current stocking levels. This management includes, but is not limited to, deferring hot season grazing, creating separate riparian pastures, changing the kind and class of livestock; developing off-site water, salting, herding, developing other shade sources or early use pastures of crested wheatgrass. If monitoring indicates this management is not successful, BLM may take the necessary action to meet this objective, such as fencing riparian and wetland areas or reducing livestock numbers and use, and rehabilitating degraded areas. If monitoring indicates the trend in riparian and wetland conditions is improving, the prescribed grazing management should be continued.

Decisions will consider employment, income and social well-being as they relate to wildlife habitat, watershed control, livestock grazing and recreation use.

Elk and Bighorn Sheep Habitat Management

The RMP/EIS will determine which BLM areas are available for elk and bighorn sheep expansion.

Wildlife management strategies will be developed in cooperation with the MDFWP, the FWS for areas adjacent to the CMR Refuge, and adjacent landowners.

The effects on local employment, income and social well-being from elk and bighorn sheep expansion will be considered.

Prairie Dog and Black-Footed Ferret Management

The RMP/EIS will provide direction for prairie dog management, reintroduction of the black-footed ferret, control of prairie dog towns and prairie dog shooting.

BLM will comply with the Section 7 consultation requirements of the ESA.

Interagency biologists will discuss reintroduction of the black-footed ferret and habitat acre proposals with affected livestock permittees. This will be a cooperative effort among the BLM, MDFWP and FWS.

BLM will make the final decision concerning what BLM land will be available for black-footed ferret reintroduction in Phillips County.

The RMP/EIS will consider the effects of prairie dog control on employment, income and social well-being, habitat requirements for the black-footed ferret, and the benefits versus the costs of control.

Areas With Special Management Concerns

The RMP/EIS will evaluate ACEC nominations and designate areas where special management is required to protect and prevent irreparable damage to important historic, cultural, or scenic values; fish and wildlife resources; other natural systems or processes; or to protect life and public safety from natural hazards. The Square Butte Outstanding Natural Area, the only existing BLM tract under special management designation in the planning area, will be reviewed for ACEC designation along with other nominated areas.

This RMP/EIS will determine the eligibility and suitability of rivers within the planning area for further study as potential components of the National Wild and Scenic Rivers (WSR) System. The RMP/EIS will release non-eligible and non-suitable rivers from further consideration.

American Indian Religious Freedom Act (AIRFA) concerns will be fully considered when all or some of the justification for designating an area for special management is based on traditional Native American cultural values.

Interim management for ACECs or WSRs may be initiated before issuing of the ROD when necessary to protect significant resource values from degradation until the RMP/EIS process is complete.

The RMP/EIS will identify significant resources; their distribution and conflicts in potential ACECs and eligible rivers for inclusion in the WSR system. Impacts to other resources will be identified when one or more resources take precedence. The decision will strive to balance resource use while ensuring the protection and preservation of significant and relevant resources.