CHAPTER 2
RESOURCE MANAGEMENT DECISIONS

INTRODUCTION

This chapter describes the decisions that will guide future management of land and minerals administered by the Bureau of Land Management (BLM) within the Judith Resource Area (RA). These resource management decisions constitute the resource management plan for this resource area.

Throughout this chapter, references are made to various maps. These maps can be found in the proposed Judith-Valley-Phillips Resource Management Plan and final Environmental Impact Statement (JVP RMP/EIS, 1992).

ENERGY MINERAL RESOURCES

Oil and Gas

Based on protests received in January 1993 on the proposed JVP RMP/final EIS (1992), the BLM will prepare a supplemental EIS to address an alternative that would avoid oil and gas leasing in areas with valuable wildlife habitat. A separate record of decision and approved plan will be issued for oil and gas leasing. Until then, oil and gas leasing will continue under the current management guidance as described under Alternative A of the proposed JVP RMP/final EIS (1992) and the BLM's decision on the September 1988 National Wildlife Federation's protest of the issuance of oil and gas leases in the State of Montana (November 28, 1988).

Geothermal

The BLM will provide opportunities for geothermal exploration and development in areas open to oil and gas leasing.

Implementation

There are no Known Geothermal Resource Areas (KGRA) in the planning area. Should interest be expressed in exploring for or developing geothermal resources, a site specific environmental analysis will be prepared to develop appropriate mitigating measures.

Oil Shale

The BLM will provide opportunities for exploration and possible development of the Metalliferous Heath oil shale deposit in southcentral Fergus County. Areas prospectively valuable for oil shale will remain open for issuing prospecting permits and leasing.

Implementation

Prospecting permits will be issued after appropriate environmental review of the exploration proposal. There are currently no regulations for leasing oil shale deposits. A plan amendment will be required prior to issuing surface mining leases.

Coal

The BLM will provide opportunities for coal exploration and production while maintaining nonmineral resource values. The planning area will be available for coal exploration licenses. Coal licenses to mine for domestic use will be available and use per family may not exceed 20 tons annually. Coal leasing by application will remain available for underground and surface mining consideration through the plan amendment process.

Implementation

Prior to approving exploration licenses and licenses to mine, a project specific environmental review document will be prepared to assess impacts and develop mitigation measures.

Prior to issuing coal leases, unsuitability criteria will be applied and a plan amendment prepared.

NONENERGY MINERAL RESOURCES

Hardrock Mining

All federal minerals are available for exploration and development unless withdrawn. The surface management program for hardrock mineral exploration and development is

administered under federal regulations (43 CFR 3809) and a memorandum of understanding (MOU) between the Montana Department of State Lands (DSL) and BLM. Hardrock mineral activities in wilderness study areas (WSA) are administered under the 43 CFR 3802 regulations.

The BLM will provide for hardrock mineral development, while protecting other resources of exceptional value through withdrawal from mineral entry or with special management prescriptions.

The BLM will recommend revoking the withdrawals for the Judith Peak and Red Mountain Radar Sites. There are suspended mining claims within the Judith Peak and Red Mountain Radar Sites that may be validated when the revocation is finalized and will be treated as prior existing rights. The BLM would continue the Blacktail Fossil Site withdrawal.

The Square Butte Outstanding Natural Area (ONA) is currently segregated from the mining and leasing laws by a classification under the authority of the Classification and Multiple-Use Act of 1964. The BLM will pursue a protective withdrawal for Square Butte to segregate the area from locatable mineral entry to protect natural endemic systems, cultural sites, scenic qualities and rare geologic features unique to Montana. The classification will be terminated when the area is withdrawn from mining claim location.

Table 2.1 identifies, by BLM withdrawal, the acreage that will be segregated from mineral entry by high, moderate, low and very low mineral development potential.

Implementation

Most of the land in the planning area with hardrock mineral activity falls under the public domain (PD), non-WSA category and is subject to the following procedures.

Activities exceeding casual use, but disturbing 5 acres or less and occurring outside special management areas, may proceed 15 days after a Notice is filed with the appropriate office. A Notice is screened for impacts that constitute unnecessary or undue degradation. Processing a Notice is not a federal action and there is no formal environmental analysis.

Projects disturbing more than 5 acres require an approved Plan of Operations before work can begin. Once a Plan of Operations is filed with the BLM, the proposed action is analyzed and those mitigating measures needed to prevent unnecessary or undue degradation are required for approval. For operations covered by the BLM-DSL MOU, the agencies work together to review the mine plan, prepare the environmental analysis and develop appropriate mitigating measures. The DSL currently holds the reclamation bond on hardrock mineral activities, with the BLM advice and concurrence.

A Plan of Operations must always be filed, regardless of disturbance acreage, for activities which exceed casual use and occur in special management areas such as areas of critical environmental concern (ACEC), wild and scenic rivers and areas closed to off-road vehicle (ORV) use.

A Plan of Operations is required in WSA's for other than casual use level activities. The nonimpairment criteria will determine the required mitigating measures in the Plan of Operations.

Inspection frequency is dependent on a variety of considerations. The BLM policy requires, at a minimum, biannual inspections for all operations. Additional inspections are performed as necessary to investigate undesirable events, verify abandonments and follow-up on Notices of Noncompliance. Most inspections are conducted in cooperation with the DSL.

TABLE 2.1
FEDERAL MINERAL ESTATE THAT WILL BE SEGREGATED FROM MINERAL ENTRY (Acres)

	Total Acres	Hardrock Mineral Development Potential			
		High	Mod	Low	Very Low
Square Butte ONA ACEC	1,947	0	0	0	1,947
Blacktail Fossil Site	320	0	0	0	320
Total	2,267	0	0	0	2,267

Source: BLM, 1990

Before the BLM approves a Plan of Operations on existing mining claims in areas withdrawn, validity examinations would be conducted. If the claims did not contain a discovery, within the meaning of the mining laws, the claims would be declared null and void and the Plan of Operations would be denied. The BLM would consider purchasing valid claims where activities threaten the resource values protected by the withdrawal.

To ensure orderly development of mineral resources while protecting other resource values, mitigating measures explained in the following section will be applied to Plans of Operation in the Judith Mountains Scenic Area ACEC and elk habitat in the Judith and North Moccasin Mountains. Mitigating measures will be applied to prevent unnecessary or undue degradation.

Management Prescriptions for the Judith Mountains Scenic Area ACEC

Recognizing that conformance to Visual Resource Management (VRM) II standards will be consistent with rights granted to the public and the mining claimant under the mining law, the RMP provides an operator with examples of mitigation that may be applied to exploration and mining activity within the ACEC. Upon review of a specific 3809 Plan of Operations, the standard of "unnecessary or undue degradation" (43 CFR 3809.0-5(k)), which includes consideration of visual resources, will be examined. If the operator can meet the standard, the plan will be approved. Special prescriptions will be considered during the Plan of Operations approval process and could include:

1. Alternate methods of exploration access, rather than the traditional construction of drill roads by dozer, for reconnaissance level exploration if conventional methods could not be reclaimed to meet VRM standards.

2. Alternate location of mine facilities. Not all lands within the scenic area are visible from Lewistown. Foreground ridges could totally or partially screen operations from view at some locations.

3. Limiting the individual size/amount of a particular disturbance. Several smaller sized waste rock dumps, heaps or other facilities may be preferable to a large single unit in an effort to meet VRM II goals.

4. Examining feasibility of pit backfilling (to some degree) or pit reconfiguration in an effort to conform to the scenic values visible from the City of Lewistown.

5. Exceeding VRM II standards under an approved exploration/mining Plan of Operations, with emphasis on conformance upon final reclamation.

6. Reclamation concurrent with exploration and mining to minimize visual impacts.

Operators are encouraged to submit conceptual plans and initiate discussions with the BLM early in the project design phase for assistance in preparing a Plan of Operations that conforms with management objectives in the scenic area.

Management Prescriptions for Elk Habitat

1. Seasonal restrictions will be placed on exploration during crucial wildlife periods (December 1 through March 31) on a case-by-case basis to prevent unnecessary or undue degradation.

2. Concurrent reclamation will be emphasized to keep simultaneous disturbance to a minimum, thereby reducing wildlife habitat loss.

3. Reclamation will utilize plant species suitable for wildlife forage if slope stability and revegetation concerns can be satisfied.

4. Wildlife proof fences will be required around solution ponds to prevent wildlife mortality.

5. Off-site compensation will be considered to mitigate crucial habitat loss. This may include habitat improvement or replacement with comparable sites.

6. Off-site water will be developed if needed to draw wildlife from active mining sites.

Bentonite

The BLM will allow exploration and development of bentonite resources while preventing unnecessary or undue degradation of nonmineral resources. Past bentonite production areas will remain open to location under the mining laws or leasing under the leasing laws.

Implementation

Bentonite exploration and development proposals received on public domain land not withdrawn will be processed similar to hardrock mining. Mine plans will be reviewed and appropriate measures taken to protect nonmineral resource values.

Mineral Materials

The BLM will issue sales contracts for mineral materials where disposal is deemed to be in the public interest, while

providing for reclamation of mined lands and preventing unnecessary or undue impact to nonmineral resources.

All lands not withdrawn, are available for mineral material disposal. Mineral material permits are considered on a case-by-case basis and issued at the discretion of the Area Manager. The BLM will continue meeting the demand of local governments for sand and gravel needed for road surfacing and maintenance.

Implementation

Free Use Permits (FUP) are issued to government agencies or subdivisions and to nonprofit organizations. Materials obtained by FUP may not be bartered or sold.

Material sale contracts are valued according to the BLM statewide general appraisal schedule. Sales valued at more than $5,000 require an individual appraisal prior to contract issuance.

Common use areas or community pits will be designated if the level of localized activity warrants.

Material sales or permits in amounts less than 50,000 cubic yards and disturbing less than five acres may be processed with a Categorical Exclusion Review (CER). Sales or permits exceeding these levels require an environmental assessment. A reclamation plan and operating stipulations to protect nonmineral resource values are included in the permit. The reclamation bond is held by the DSLs, Open Cut Bureau. Government agencies are not bonded for reclamation, but a reclamation plan is incorporated into the permit. Material sales and permits are monitored for production verification and compliance with operating and reclamation requirements.

Solid Minerals (Other Than Coal and Oil Shale)

The BLM will allow exploration and development of solid mineral resources (other than coal and oil shale) as authorized under the 1920 and 1947 Mineral Leasing Acts. Resources include, but are not limited to, gypsum, sodium, potassium and phosphate.

Prospecting permits will be available for all land not closed to mineral leasing in conformance with 43 CFR 3500.

Implementation

Prospecting permits will be issued after appropriate environmental review to assess impacts and develop mitigating measures. Discovery of a valuable mineral deposit, within the terms of the prospecting permit, entitles the permittee to a preference right lease.

On land where prospecting or exploration work is unnecessary to determine the existence or workability of a valuable mineral deposit, the minerals may be leased only through competitive sale to the highest qualified bidder. On land where the surface estate is not managed by the BLM, consultation and concurrence with the surface managing agency will take place prior to issuing prospecting permits or leases.

GEOLOGIC FEATURES

The BLM will provide for access and study of unique geological features. This includes examples of unique structure, stratigraphy, mineral assemblages, historical geology, geomorphology or other geologic exposures that may be educationally valuable or scientifically significant.

Implementation

The BLM may develop interpretative sites for geologic features. Areas tentatively identified include Back Country Byways, the Square Butte ONA, Red Hill Road/Alaska Bench Road, Maiden Canyon, Judith Peak and Missouri River Breaks.

CAVE RESOURCES

The BLM will manage significant cave resources containing biota; cultural, historic, and paleontological values; geologic and mineralogic features; hydrology; recreational value; and educational or scientific value. The Tate-Poetter Cave in the Judith Mountains has been determined to possess significant values.

Implementation

Significant cave resources discovered would have a cave management plan prepared. A management plan for significant cave resources will promote cave resources through interpretation, education programs and techniques; protect significant cave biota, cultural resources, paleontology, geologic and mineral features and hydrology; enhance user experience and opportunities; and ensure visitor protection and safety.

PALEONTOLOGY

The BLM will protect major paleontological resources of scientific interest. The BLM will issue permits only to

qualified paleontologists to work on BLM land. Casual invertebrate fossil specimen collectors are not required to obtain a permit.

Implementation

Permits will be issued by the BLM's Montana State Office to qualified paleontologists to work on BLM land. These permits can be issued for excavating and studying significant vertebrate, invertebrate or plant remain fossils.

Potential impacts to paleontological resources will be considered on an individual basis. If paleontological resources are encountered during construction activities, the operator must suspend operations and report the finding to the BLM for evaluation and a determination concerning the disposition of such resources.

HAZARDOUS MATERIALS

The BLM will prevent the contamination of BLM land with hazardous substances and ensure public health and safety. No authorizations will be made for developing hazardous waste disposal or landfill facilities on BLM land.

Implementation

Land requested for hazardous waste disposal sites, treatment facilities or landfills would be transferred to private ownership, through sale or exchange, after appropriate environmental review. Such action would be coordinated with the Montana Department of Health and Environmental Sciences, Solid and Hazardous Waste Bureau.

All land acquired by the BLM, through purchase or exchange, shall be inventoried for hazardous substances and past history of possible contamination in accordance with Secretarial Order 3127. The BLM will not take title to any land known to be contaminated with hazardous substances.

Processing land and mineral authorizations shall include review for the proper use, control, storage and disposal of hazardous materials. A contingency plan will be prepared to direct and coordinate a BLM response to any reported incident involving the spill, or release, of potentially hazardous substances on BLM land.

SOILS MANAGEMENT

The BLM will maintain and/or improve soil productivity by increasing vegetation cover and reducing erosion.

Implementation

Prior to authorizing any surface disturbing activity (including but not limited to range improvements, mineral development or right-of-way (ROW) 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. Site-specific measures will be developed for soils with high erosion susceptibility, steep slopes, sparse vegetation and shallow soil depth. Activity plans will include mitigation to protect ground cover and streambank stability and to reduce sediment yields from surface disturbing activities. All surface disturbing activities are subject to an on-site evaluation to develop mitigation to reduce erosion and soil compaction and improve soil stability and salinity control. These mitigation measures will also prescribe revegetation programs.

The following mitigating measures will be applied, if necessary, to surface disturbing activities:

1. All proposed range improvements will be designed to limit erosion, saline seeps, salt accumulations (i.e., selenium) and rapid sedimentation.

2. Roads and trails, when part of an approved transportation plan, will be built or upgraded with due regard for environmental considerations. Cut-and-fill slopes should be no steeper than 3:1 where feasible. This will promote quick revegetation and soil stabilization and discourage invasion by weeds. The type of terrain (flat to steep) will be a major factor in applying the 3:1 guideline. The intent is to provide a stable seedbed where practical. After access roads are no longer needed, they will be contoured to a natural appearance and seeded.

3. Topsoil and suitable subsoil will be identified and stockpiled during all soil excavation activities and will be used to rehabilitate the area when the project is completed. Exceptions to this may be granted, based on a site specific evaluation. Disturbed areas will be monitored for noxious plant infestation and control measures will be implemented as needed.

WATER RESOURCE MANAGEMENT

Surface and groundwater quality will be maintained to meet or exceed state and federal water quality standards. The BLM will continue obtaining water rights for all projects on BLM land and complying with Montana water laws.

The BLM will improve or maintain vegetative cover on upland and riparian-wetlands to reduce runoff and sedimentation, especially on highly erodible soils. It is anticipated erosion will remain high on the most erosive soils (soil subgroups 3 and 4), which include very low productivity soils with limited improvement potential and large areas of barren shale outcrop which are only vegetated during ideal climatic conditions.

Implementation

All proposed reservoirs are subject to a soil survey and a hydrologic site evaluation. Engineering staff experience, concerning the soils and hydrology, will be utilized and may substitute for detailed evaluations on routine projects. Reservoirs will be designed with a minimum 15-year life expectancy. All proposed reservoirs will be evaluated to determine the need for off-site water facilities.

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. Best Management Practices (BMPs) will be implemented to protect watershed values and maintain or improve water quality (see Appendix A). Other measures to protect stream courses will be evaluated for environmental impacts prior to project approval.

Small amounts of oil field produced water, which do not meet water quality standards, will be disposed of in accordance with On-shore Order #7 and/or Environmental Protection Agency (EPA) guidelines.

AIR QUALITY MANAGEMENT

The BLM will comply with national and state air quality standards. Existing air quality will be protected by the use of BMPs (Appendix A) and best available control technology (BACT).

Implementation

Federal and state regulations require air quality monitoring for activities which could degrade existing air quality. Detailed monitoring and mitigation plans are written when an activity plan is prepared. These measures generally require actions during specific wind conditions to either disperse smoke or prevent chemical spray drift.

Prescribed fires require approval from the Montana Department of Heath and Environmental Science, Air Quality Bureau. All such plans are forwarded to the appropriate airshed zone coordinator.

Venting or flaring hydrocarbon gas associated with hydrogen sulfide (sour gas) requires approval under the provisions of the Notice to Lessee (NTL) 4-A and State Air Quality regulations. The BLM along with the Montana State Air Quality Bureau monitors this activity for compliance.

VEGETATION MANAGEMENT

The BLM's overall vegetation management objective is to improve or maintain the ecological status of the BLM land to achieve a plant community of good or excellent ecological condition on 80% of the BLM land within 15 years of implementation of activity plans. Good to excellent ecological status is defined by the Soil Conservation Service's (SCS) Montana Grazing Guides for each ecological site, and equates to late seral and potential natural community (PNC) terms currently used by the BLM.

The BLM rangelands are managed according to multiple-use objectives, based on ecological site potential for specific uses. These objectives must be economically and biologically feasible. In some cases, the desired plant community needed to maintain certain wildlife habitat for specific species (prairie dogs for example) will be an ecological condition class less than good (late seral) or excellent. Good to excellent ecological condition satisfies the habitat requirements for most wildlife species.

The Missouri Breaks Grazing EIS (1979) identified objectives to increase vegetation production for watershed protection, wildlife habitat, livestock forage and wildlife forage as a product of improving of the rangeland ecosystem. The Missouri Breaks Grazing EIS projected an 8% increase in vegetation production as the primary objective. This objective will remain in effect.

Grass seed or hay may be sold from BLM land if an interdisciplinary environmental analysis finds it to be in the best interest of the public. Hay or seed cutting may be used as a land treatment to improve production of crested wheatgrass.

Watershed Management Implementation

About 60% of the vegetation will continue being allocated to watershed protection and wildlife forage and cover (this equates to 199,850 animal unit months (AUMs)).

As allotment management plans (AMP) are developed, site specific ground cover objectives will be incorporated to supplement and support range condition objectives. Ground

cover objectives will be consistent with the site potential by soil series or ecological site. Grazing management methods, water developments, land treatments and other practices will be designed to meet ground cover objectives. Monitoring and evaluation methods will be applied and management practices modified as needed to ensure these objectives are met.

Allotments in predominately fair ecological condition or with fair condition areas due to poor livestock distribution will have grazing methods applied to periodically defer grazing during critical growth periods. Grazing methods and land treatments (keyed to specific soil subgroups) in selected areas will be implemented, as necessary, to improve vegetation production, cover and to reduce soil compaction.

Surface disturbing activities greater than 1/4 acre will require the initiating party to rehabilitate the disturbance. Native species in the site's natural plant community will normally be seeded to revegetate all surface disturbance. Some reclamation may involve introduced species if these species are necessary to stabilize the site. Revegetation species will be determined during the site specific environmental analysis phase.

A minimum rest period from livestock grazing of two growing seasons will be required after any major vegetative disturbance. More rest may be required, depending on the situation. Major disturbances are defined as mechanical manipulation of the range such as chiseling and seeding. Requirements for rest following fire (wild or prescribed) will depend on a variety of factors including the type of fuel, time of burn, accessibility of the burned area to livestock and climatic factors post-burn. Specific timing and the type of rest will be determined at the site specific environmental assessment phase.

Alternate water developments, springs, wells, pipelines, etc. will be considered before constructing reservoirs greater than 5 acre-feet in volume in soil subgroups 3 and 4 due to erosive soils and high siltation rates which shorten reservoir life. An interdisciplinary team will review the placement of water sources on soil subgroups 3 and 4 in areas that historically have not been grazed. Changes in grazing season or AUM reductions will be considered as alternatives to implementing grazing methods that would require water developments on these soils.

Wildlife and Fisheries Implementation

Specific objectives will be incorporated into resource activity plans, if needed, to meet wildlife habitat goals. Grazing methods, land treatments and other improvements will be designed and monitored to accomplish objectives. The BLM will continue to cooperate with the Montana Department of Fish, Wildlife and Parks (MDFWP) to determine wildlife habitat needs.

The BLM will improve the quality and quantity of summer forage by improving the reproduction and availability of palatable forbs for deer and antelope; maintaining and/or improving deer and antelope winter range (especially woody species) and fawning cover; and maintaining existing sagebrush stands at a canopy cover of 15 to 50% with an effective height over 12 inches.

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 AMPs and measured in terms of percent of residual (utilization levels) or visual observation ratings. The BLM will manage for succulent vegetation, including a variety of forbs and maintain big and silver sage on sage grouse wintering and nesting areas with a canopy coverage (line intercept) of 15 to 50% and an effective height of 12 inches. The BLM will improve or maintain woody vegetation for sharp-tailed grouse cover.

Livestock use levels will be monitored to ensure adequate wildlife cover remains to meet winter and early spring wildlife cover needs.

Prior to constructing any rangeland improvements, a wildlife biologist will provide site-specific recommendations and develop needed mitigating measures. Construction of new water developments within 1-1/2 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 within the desired canopy cover range (15-50%) and to increase the amounts of succulent forbs. Controlled burning in conifer and sagebrush types will be done on an individual basis to improve wildlife habitat.

As reservoirs are planned during the development of AMPs or habitat management plans (HMP), fisheries potential will be a key consideration in location and design. New fisheries reservoirs will normally be fenced and a livestock watering tank provided below the reservoir. Existing fisheries reservoirs will be fenced to exclude livestock, if necessary, to improve emergent vegetation, shade and/or improve the recreational experience.

Grazing Management Implementation

The BLM manages grazing on the public rangelands by statutory authority, i.e. the Taylor Grazing Act, the Federal Land Policy and Management Act (FLPMA) and the Public Rangelands Improvement Act. Under the statutes, the BLM is required to develop regulations to manage public land resources on a multiple-use and sustained yield basis. Management of grazing on BLM land within the planning area will be in accordance with the grazing administration regulations found in 43 CFR Part 4100. The purpose of the grazing regulations is to manage the livestock grazing program as an integral part of the overall multiple-use of the public lands.

About 40% of the vegetation (133,233 AUMs) will continue being allocated to livestock in the Judith RA. Short-term livestock grazing reductions will be implemented as necessary during drought or other emergencies.

All vegetation increases resulting from livestock grazing management and/or land treatments within an allotment will be allocated to watershed, until the soil and vegetation resource is stabilized at a satisfactory condition as determined by an interdisciplinary team.

Developed recreation sites will be excluded from livestock grazing, except where grazing is needed to maintain the desired plant community. For example, sheep or goat grazing may be needed to control leafy spurge. Grazing by horses and other livestock used by recreationists in developed recreation sites will be managed through specific activity plans.

Forage allocation decisions will be monitored on a continuing basis. Adjustments to livestock forage allocations will be based on ongoing monitoring. Monitoring intensity will be based on allotment category. Allotments with potential overstocking will be most intensively monitored. Utilization data from key areas which receive substantial use will be used to adjust stocking on these allotments. In addition to utilization data, actual use, climate and trend data will be used to support changes in livestock forage allocations. The monitoring guidelines can be found in the Judith Monitoring Plan available at the resource area office.

Most unallocated parcels will remain available for livestock grazing. These are mainly isolated small tracts. An environmental assessment will be prepared for areas not previously grazed by livestock. Two larger areas (Square Butte and part of the Judith Mountains) will remain closed to livestock grazing.

Grazing allocations on newly acquired land will be based on management needs and objectives for the acquisition. The allocation may range from zero to full capacity and will be monitored after completion of the activity plan to adjust grazing as needed, to meet objectives.

The BLM will supervise grazing use to assure compliance with the terms and conditions of grazing permits and leases. Any violations of permits will be pursued vigorously in accordance with the grazing trespass regulations.

Livestock grazing will continue to be managed through development and monitoring of AMPs or similar grazing plans and supervision of grazing use. AMPs will be developed and maintained to achieve multiple-use objectives in accordance with the Missouri Breaks Grazing EIS as modified by the proposed JVP RMP/final EIS (1992). Methods and guidelines from these EISs will be followed to maintain or improve ecological condition, enhance vegetation production, maintain and enhance wildlife habitat, protect watersheds, reduce bare ground to the target soil vegetation cover by soil subgroups and to minimize livestock/recreation conflicts. AMPs will implement some form of grazing method (i.e., rest rotation, deferred rotation, seasonal or other methods). Livestock grazing management methods will be implemented prior to land treatments.

All allotments have been assigned to a management category depending on the resources and problems contained in the allotment. The three categories Improve (I), Maintain (M) and Custodial (C) reflect resource conditions and economic considerations for each allotment. The terms maintain, improve, and custodial relate to resource objectives for the allotment, i.e. whether conditions need to be improved, 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 implementing AMPs, spending range improvement funds and monitoring. Allotments will be subject to recategorization based on changes in resource conditions as determined through monitoring and priority changes made through the proposed JVP RMP/final EIS (1992).

Monitoring data and analysis will be used to determine if grazing management is achieving land use or activity plan objectives. Existing AMPs will be updated as dictated by monitoring results or changes in the livestock operation.

Grazing permittees have an opportunity to apply each year for changes in grazing use within their preference level. These changes may include adjustments in season of use, livestock numbers or class of livestock. Where major changes in livestock use are proposed, these applications will be considered through an interdisciplinary environmental analysis.

Temporary decreases in livestock forage allocations will be used 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 nonrenewable basis, where such increases are within the available carrying capacity and are consistent with multiple use objectives as determined by an interdisciplinary review.

Range improvements (primarily reservoirs, fences and land treatments) will be built to support AMPs. Fences will be designed to allow easy passage of wildlife. In the Prairie Potholes area, one water source per section is the guideline for water development.

Reductions in livestock grazing previously made in the Missouri Breaks due to steep slopes and other suitability criteria will remain in effect.

RIPARIAN AND WETLAND MANAGEMENT OF WATERSHEDS

The BLM will maintain and/or improve the riparian-wetland areas in existing, proposed, and potential AMPs along with wetlands in non-AMP areas based on proper functioning condition and desired plant community (see Appendix B). Ranking will be based on site potential as determined by intensive inventories in the Prairie Potholes and Northern Great Plains Regions. It may be necessary to recategorize Category M and C allotments if significant riparian or wetland values are present and need improvement.

The first objective will be to improve or maintain riparian-wetland areas to proper functioning condition. The second objective will be to achieve or maintain the desired plant community to provide wildlife habitat, increase waterfowl habitat by 30%, improve watershed conditions, and to comply with the nonpoint source water pollution section of the Clean Water Act. As new AMPs are written, existing AMPs revised, or through monitoring, specific riparian-wetland objectives will be included.

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 action to achieve those objectives. This could include, but is not limited to, fencing riparian-wetland areas, reducing livestock numbers and use, and rehabilitating degraded riparian-wetland areas. When trend is improving, the prescribed grazing method should be continued even if the riparian-wetland objectives are not achieved in the stated time frame.

To accomplish the above riparian-wetland objectives, the BLM will consider the importance of the intermingled private lands, including valuable riparian-wetland areas, which could be adversely impacted as a result of management changes on BLM land.

After riparian-wetland objectives are met, the BLM will allocate any forage increases within riparian-wetland areas to watershed, wildlife and livestock.

Table 2.2 shows the number of allotments, miles of stream and number of water sources on BLM land that will be managed. The number of water sources is based on the reservoirs, potholes and springs with water rights. Intensive riparian-wetland inventories will update this information through plan maintenance.

TABLE 2.2

NUMBER OF ALLOTMENTS, MILES OF STREAM AND NUMBER OF WATER SOURCES WITHIN ALLOTMENTS MANAGED FOR RIPARIAN AND WETLAND VALUES

Number of Allotments*	76
BLM Land - Miles of Stream	150
BLM Land - Water Sources	328

*Portions of several allotments are within the UMNWSR Corridor.
Source: BLM, 1990

Implementation

As new AMPs are written, existing AMPs revised or through monitoring, specific objectives consistent with the plant community types described by the Montana Riparian Association will be developed. The objectives will include two aspects; proper functioning condition and desired plant community. Descriptions of the desired riparian-wetland plant communities will include the amount of seedling, sapling, pole, mature, dead and decadent woody species on sites with the potential. Regeneration of herbaceous riparian-wetland vegetation will also be included in management objectives based on site potential and the desired plant communities. The desired condition or health of the areas will be described, as well as the desired ecological status.

The proper functioning condition objective will include the following statement: "Sufficient plant residue would be left in the primary flood plain to protect stream banks during run-off events and provide for adequate sediment filtering,

and dissipation of flood water energy." Grazing methods will be designed to protect stream banks from unacceptable shearing and trampling.

To achieve the proper functioning condition objective more specific utilization standards may be incorporated into AMPs. Utilization standards will be based on key species to ensure grazing use is consistent with other resource values and objectives including water quality, recreation and wildlife.

Grazing methods to be implemented include but are not limited to:

1. Hot season grazing deferment,

2. Creation of separate riparian pastures,

3. Changes in kind and class of livestock,

4. Time control grazing, and

5. Other range management practices such as development of off-site water, salting, developing shade sources, herding, insect control or early use pastures.

    a. All spring developments will be fenced if needed to protect associated riparian vegetation.

    b. Salt and mineral blocks and supplemental feeding will only be allowed at least 1/4-mile or further from riparian-wetland areas where possible.

    c. Water developments will be built away from stream riparian-wetland areas where possible.

6. Study exclosures will be put in place on key areas and areas representative of common riparian-wetland types and types about which there are questions, to compare management progress, demonstrate the values of proper management, and confirm potential and recovery rates. This will be a cooperative effort with permittees or lessees.

The above grazing management practices are consistent with those described in the Montana Riparian Association publication "Riparian Dominance Types of Montana" Hansen, Chadde and Pfister, 1988. As new information or techniques become available the suitability for application to BLM land will be considered and adopted if appropriate.

Seeding, planting and installing rock gabions and/or check dams may be used to meet riparian objectives in addition to grazing methods.

The BLM will implement livestock grazing formulas to maintain or improve waterfowl nesting cover on allotments with existing or potential waterfowl production areas.

To improve waterfowl production, the BLM will construct six to eight satellite water bodies of 2 to 3 surface acres within 1.5 miles of existing perennial water bodies greater than 10 surface acres. The BLM will also construct perennial water bodies (40% of which must be at least 3-feet deep) within 1.5 miles of an existing cluster (four to five) of satellite water bodies.

The BLM may fence specific existing and new waterfowl and fishing reservoirs to establish or protect shoreline vegetation for a perimeter of a minimum of 100-feet around the high water line. Periodic, short-term grazing of fenced enclosures may be allowed, if necessary, to maintain or improve wetland habitat.

The BLM will comply with all requirements for any insecticide or herbicide use within the wetlands complex (aquatic and terrestrial habitat). Land treatments and prescribed fire will not be allowed except as required for wildlife habitat management objectives. Mechanical land treatments may be implemented on soil subgroups 1, 2, 10 and 11 containing predominately blue grama and club moss vegetation, to improve waterfowl nesting cover.

LAND TREATMENTS

The BLM will use land treatments to meet watershed, grazing management and wildlife objectives. Land treatments will only be applied where grazing management alone will not accomplish the desired result. Clubmoss-bluegrama vegetation, dense clay and claypan ecological sites, dense big sagebrush stands, and dense pine-juniper stands are the soil/vegetation types considered for treatments. These will increase infiltration of water into the soil, improve ecological condition, improve wildlife habitat and increase vegetation production.

Land treatments (chisel plowing, planting of lure crops, scalping, discing, contour furrowing, seeding and burning) may be considered in all AMPs. Chisel plowing will continue as the primary clubmoss/claypan treatment method. Burning will be done on a limited basis to improve wildlife and livestock forage in dense pine-juniper stands throughout the Missouri Breaks and to improve vegetation productivity on other upland sites including sagebrush. Chemical control of sagebrush will not be considered because of the potential loss of valuable winter forage, damage to valuable forbs and concerns about the effects of herbicides on wildlife.

Implementation

The criteria and guidelines in the Chisel Plowing Policy for the State of Montana (IM MT-88-125, 1988) will be followed when implementing land treatments.

Land treatments will be planned, developed and implemented to ensure that potential negative impacts are identified and mitigated. The MDFWP will be consulted in accordance with the MOU between the BLM and MDFWP. Watershed topography, soil types, infiltration and soil loss potential will also be considered and mitigated in vegetation manipulation projects.

Increased production resulting from land treatments will be allocated toward accomplishing multiple-use objectives. When all objectives of the AMP are accomplished, additional forage resulting from land treatments will normally be allocated 50% to watershed, 25% to livestock and 25% to wildlife. If Ducks Unlimited or other private wildlife funding is used to do the treatment, the additional allocation will be to wildlife. Conversely, where there is substantial contribution by the livestock permittee and there are no conflicts with wildlife objectives, up to 50% of the additional vegetation may be allocated to livestock.

Existing crested wheatgrass seedings will be managed where feasible as spring use pastures to defer native rangeland grazing, except where sagebrush invasion has resulted in important wildlife habitat. Crested wheatgrass seedings may be maintained for maximum livestock forage production with up to 70% of the production allocated to livestock when soils are stabilized to a satisfactory condition. Mechanical treatments and fertilization are management practices which renovate old crested wheatgrass stands to benefit associated native rangeland.

Crested wheatgrass seedings may be used to consolidate existing scattered stands of crested wheatgrass into a manageable unit. New seedings of crested wheatgrass or other species may be used where no other option is available to meet the resource objectives. Reseeding old crested wheatgrass stands to native species is not normally feasible due to the difficulty of eliminating the crested wheatgrass and the cost of native seeds.

NOXIOUS PLANTS

The BLM will control, eradicate or contain noxious plants to maintain native rangelands. The primary tool will be the use of Integrated Pest Management (IPM). IPM uses chemical, biological, mechanical and other strategies to most effectively combat noxious plants while minimizing impacts to the environment.

Control efforts will be focused primarily on leafy spurge and knapweeds. The containment/eradication of noxious plants will proceed as analyzed in the Programmatic Environmental Assessment on Containment/Eradication of Selected Noxious Plants in the BLM Lewistown District (1986), the Northwest Area Noxious Weed Control Program EIS (1987), and the Vegetation Treatment on BLM Lands EIS (1991).

Implementation

The BLM will encourage and pursue educational efforts in cooperation with the Montana Cooperative Extension Service to increase awareness of the noxious plant problem. The BLM will cooperate with state and county governments to detect and prevent the spread of noxious plants. The BLM will control, eradicate and/or contain noxious weed infestations on BLM land by cooperative agreements with county weed boards. If weed problems occur in an intermingled ownership pattern, the BLM will initiate control measures in conjunction with the other landowners.

Biological control and sheep or goat grazing will continue to be emphasized, especially where using of chemicals would be environmentally or economically impractical. Herbicides will be used on small infestations and on the perimeter of large infestations. The BLM will continue cooperating with the Agricultural Research Service, Animal and Plant Health Inspection Service (APHIS), in biological weed control efforts.

ANIMAL DAMAGE CONTROL

The BLM may allow animal damage control on BLM land in the planning area. The methods used include, but are not limited to, trapping, denning, snaring, M-44s, ground shooting, and aerial gunning. Animal damage control will be conducted on BLM land by the U.S. Department of Agriculture, APHIS.

Implementation

Control activity procedures, responsibilities, stipulations and restrictions are described in the Lewistown District Office, Animal Damage Control Plan, 1987, as updated.

WILDLIFE AND FISHERIES MANAGEMENT

The BLM will maintain and enhance suitable habitat for all wildlife species. The emphasis for habitat maintenance and development will be on present and potential habitat for

sensitive, threatened and/or endangered species, nesting waterfowl, crucial wildlife winter ranges, non-game habitat and fisheries. This guidance is consistent with the BLM's Montana Fish and Wildlife 2000: A Plan for the Future.

General forage allocations and habitat decisions for wildlife can be found in the Vegetation Management section of this chapter. Population management is the responsibility of the MDFWP; the BLM has made general habitat management decisions to support the populations identified by the MDFWP and these decisions are identified below. All existing MOUs between the BLM and other agencies that pertain to wildlife management will be carried forward in this document.

Sensitive, Threatened and/or Endangered Species Habitat Implementation

The BLM will consult with the U.S. Fish and Wildlife Service (FWS) when any action "may affect" a threatened or endangered (T&E) species or its habitat.

No action will be initiated on BLM land which will jeopardize any candidate or federally listed threatened and endangered plant or animal. Impacts to state designated species of special interest will be evaluated and applicable mitigation developed prior to any action on BLM land.

The BLM will cooperate with the FWS to fully recover threatened and endangered species. The federally listed T&E species within the planning area are the bald eagle, peregrine falcon, black-footed ferret and piping plover. Federal candidate species are the ferruginous hawk, mountain plover, and long-billed curlew. The BLM will cooperate with the MDFWP to manage the State Species of Special Concern (see Table 2.3).

The Montana Bald Eagle Working Group did not identify any high potential nesting habitat within the planning area; however, historical nesting sites do occur. Areas that contain potential nesting habitat need to be evaluated to determine if high potential habitat could be developed with habitat modifications. Food sources for nesting eagles will also be evaluated. If habitat modification provides high potential nesting habitat, the BLM will manage the area for bald eagles.

Potential peregrine nesting cliffs are scattered throughout the Missouri River Breaks and mountain ranges in the planning area. These areas should be considered future reintroduction sites.

TABLE 2.3
MONTANA SPECIES OF SPECIAL CONCERN

Mammals	Birds
Northern Bog Lemming	Northern Goshawk
Dwarf Shrew	Ferruginous Hawk
Preble's Shrew	Merlin
Merriam Shrew	Cooper's Hawk
Big-eared Bat	Prairie Falcon
Hoary Marmot	Golden Eagle
White-tailed Prairie Dog	Mountain Plover
Canada Lynx	Upland Sandpiper
Wolverine	Long-billed Curlew
Least Weasel	Northern Pygmy Owl
Long-legged Bat	Northern Saw-whet Owl
Meadow Jumping Mouse	Long-eared Owl
Masked Shrew	Field Sparrow
	Three-toed Woodpecker
Amphibians	Eastern Bluebird
	Vesper Sparrow
Wood Frog	Burrowing Owl
Dakota Toad	Pileated Woodpecker
Tailed Frog	Olive-sided Flycatcher
	Western Bluebird
Fish	Clay-colored Sparrow
	Brewer's Sparrow
Westslope Cutthroat Trout	Bobolink
Blue Sucker	Dickcissel
Finescale Dace	
Shortnose Gar	
Cheek Chub	
Reptiles	
Plains Hognose Snake	
Western Spiny Softshell	
Milk Snake	
Common Snapping Turtle	

Source: BLM, 1990

Many of the wetlands on BLM land may contain habitat for piping plover and/or least tern. No piping plovers have been found on BLM land in the planning area. Least terns have been found on islands at Fort Peck Reservoir and on islands down stream from the reservoir. The wetlands within the planning area need to be inventoried for both species. If piping plovers are found on BLM land, their habitat should be protected. Disturbing activities will not be allowed within 1/4-mile of any nesting piping plover from May 15 to July 30.

An inventory is needed to determine ferruginous and Swainson's hawks populations in the planning area. Various techniques are needed to plant new trees and/or nesting structures to secure adequate nesting areas for the Swainson's hawk. These nesting structures need to be protected from livestock by fencing or placing large rocks around the nesting structure.

Mountain plover habitat is enhanced by black-tailed prairie dogs. Most of the mountain plover observations in the planning area are associated with prairie dog towns. Classic mountain plover habitat elsewhere is associated with short grass prairies. These areas need to be identified and surveyed to determine the extent of mountain plover habitat.

The long-billed curlew is very common throughout the planning area. The curlew is found mainly in the grassland habitats. An inventory is needed to assess the curlew habitat and its habitat needs.

Wildlife Habitat Implementation

Areas that can support woody vegetation establishment and respond to rest, need to be identified, maintained and managed. Browse is important in maintaining big game and upland bird populations.

The BLM will minimize or prevent road and trail development on crucial big game and upland bird habitat areas.

Woody vegetation is important to sharp-tailed grouse, particularly in the fall and winter. Woody vegetation will be improved or maintained and careful consideration given to the location of all water improvements within 1-1/2 miles of sharp-tailed grouse leks.

Powerline construction will follow the recommendations related to Prevention of Raptor Electrocution on Power Lines (A. Oldendorft, A. Miller and R. Lehman, 1981).

The BLM may provide artificial nesting platforms for osprey, golden eagles and other raptors. The BLM may develop nesting areas in high cliff faces for peregrine falcons.

Great blue heron and cormorant rookeries will be protected from roads, campsite developments, timber cutting and other intrusions. Surface disturbing activities will not be allowed within 1,000 feet of rookeries from the start of nesting to the fledgling of young birds.

The North American Waterfowl Management Plan was developed in 1988, because of declining waterfowl production in the United States and Canada. It showed that certain species of ducks, especially the mallard, northern pintail, redhead and canvasback are in serious trouble. North America has been divided into various regions. Two of these regions, the Prairie Potholes and Northern Great Plains, are within the planning area. It also suggested joint ventures, which are coordinated efforts with federal and state agencies and private landowners to produce waterfowl.

To implement the North American Waterfowl Management Plan, the BLM will emphasize the mallard, northern pintail, redhead and canvasback during habitat development. Wildlife habitat management of BLM land within these regions will fall into these categories; reservoir construction, reservoir reconstruction, island construction, reservoir enhancement, grazing system implementation, enhancement and/or modification and wetland acquisition.

Potholes in association with the existing stockwater reservoirs, provide additional waterfowl production. The potholes would be developed into complexes with a large (larger than 10 surface acres) permanent waterbody, brood ponds (permanent or ephemeral, about 3-surface acres in size) and pairing ponds (mostly ephemeral, about 1-surface acre in size).

Fish Habitat Implementation

Consistent with the 10-year Cooperative Fish Management Plan between the BLM and MDFWP, the MDFWP will be requested to stock the reservoirs shown in Table 2.4.

TABLE 2.4
RESERVOIRS IDENTIFIED FOR FISHERIES ON BLM LAND

Buffalo Wallow	Hopalong	Holland Upper
Dry Fork	Lower Dry Fork	Jakes
Crooked Creek	Dry Blood	South Fork Dry Blood
Yellow Water	Drag	Payola
Cotton Dam	Fritzner	Mauland
Box Elder		

Source: BLM, 1990

Other reservoirs may be identified as fisheries reservoirs with priority consideration given to reservoirs near population centers and major access routes. The BLM will attempt to develop self-sustaining game fish populations while recognizing that some reservoirs will be maintained as put-and-take fisheries. The BLM will also improve existing habitat by modifying existing high potential reservoirs,

considering fisheries potential during the design phase of new reservoirs, and attempting to locate reservoirs in a cluster with a variety of self-sustaining game fish.

PRAIRIE DOG MANAGEMENT

The BLM will maintain or manage prairie dog towns on BLM lands in the Judith RA (71 acres), based on the values or problems encountered.

When poisoning is scheduled on a prairie dog town which includes state and private land, a cooperative effort will be made to control the entire town. The cost of poisoning for state and private land will be the responsibility of the private landowner or the state land permittee.

ELK AND BIGHORN SHEEP HABITAT MANAGEMENT

The BLM will provide 410,796 acres of habitat on BLM land for elk in the Missouri Breaks, Highwood Mountains, Square Butte, Little Belt Mountains, Judith Mountains, and Little and Big Snowy Mountains (see Figure 2.13 in proposed JVP RMP/final EIS, 1992). This would be consistent with the MDFWP Elk Management Plan.

The BLM will provide 66,187 acres of habitat on BLM land to maintain and expand bighorn sheep in the planning area (see Figure 2.13 in the proposed JVP RMP/final EIS, 1992). This will also allow for new bighorn sheep populations in unoccupied habitat, where suitable forage is available, in the Missouri Breaks and Bull Creek area.

Implementation

ORV use within elk and bighorn sheep habitat will be restricted seasonally to designated roads and trails to reduce wildlife harassment and provide habitat security.

The BLM will plant lure crops on BLM land where determined to be necessary and feasible to draw elk from private crop land where depredation conflicts are occurring. Planting lure crops would be considered for small areas and management to protect lure crops could include fencing, grazing methods, or a change in season of use for livestock. Planting and maintenance of lure crops would be most feasible under a cooperative arrangement with the MDFWP, other organizations or individuals.

Domestic sheep grazing will not be allowed to overlap bighorn sheep habitat to ensure no contact between domestic and bighorn sheep. This would prevent the spread of infectious diseases.

The following mitigating measures will be applied to prevent unnecessary or undue degradation on Plans of Operation within elk habitat in the Judith and North Moccasin Mountains:

1. Seasonal restrictions will be placed on exploration during crucial wildlife periods (December 1 through March 31) on a case-by-case basis to prevent unnecessary or undue degradation.

2. Concurrent reclamation will be emphasized to keep simultaneous disturbance to a minimum, thereby reducing wildlife habitat loss.

3. Reclamation will utilize plant species suitable for wildlife forage if slope stability and revegetation concerns can be satisfied.

4. Wildlife proof fences will be required around solution ponds to prevent wildlife mortality.

5. Off-site compensation will be considered to mitigate crucial habitat loss. This may include habitat improvement or replacement with comparable sites.

6. Off-site water will be developed if needed to draw wildlife from active mining sites.

RECREATION

The BLM will maintain and/or enhance the recreational quality of BLM land and resources to ensure enjoyable recreational experiences. The BLM's Recreation 2000 guidance and the Tri-State Recreation plan incorporate the following provisions:

1. Managing visitor services including a permit system, interpretive programs, visitor contact, and efforts to improve the BLM's image with public land users;

2. Maintaining all facilities where the public comes in contact with the BLM roads, trails, signs, recreation sites and buildings;

3. Developing partnerships among other agencies, organizations, and private citizens; and

4. Enhancing budget/marketing techniques which showcase the BLM's land management.

Recreation emphasis will be to develop and maintain opportunities for dispersed recreational activities such as hunting, scenic and wildlife viewing and driving for pleasure. Methods to achieve these opportunities include em-

phasizing public access and the Watchable Wildlife and Back Country Byways programs. The BLM will support dispersed recreation for the public to support local, regional and national needs. The BLM will not construct undeveloped or developed recreation sites based strictly on local use, unless these sites can be realized through partnerships with other government entities, local service organizations, etc.

The operation and development of recreation facilities supported solely by the BLM will be in nationally and regionally recognized areas and in areas where the BLM has previously made substantial investments. The BLM will encourage and support reasonable recreational initiatives from local and regional groups through partnerships, agreements, challenge cost sharing and volunteer efforts.

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

The BLM will use signs, maps and brochures to identify recreation resources for the public.

Recreation sites for fishing will be developed by the BLM when there is an opportunity to share funding with other agencies such as the MDFWP.

The BLM will not allocate permits or specific use areas for outfitters and guides. All BLM land is available at the discretion of the Area Manager as long as permittees maintain a special use permit and meet the BLM regulation requirements. Outfitters and other recreation users are required to use weed-free feed on BLM land for their livestock as a part of the district's integrated weed management program.

A pack in/pack out garbage policy will be implemented throughout the planning area, except for developed recreation sites where an entrance fee is assessed. The BLM will provide sanitation and maintenance services for all developed recreation sites. Partnerships will be sought to help maintain recreation sites.

Implementation

The Judith RA contains six recreation management areas (RMA), the Judith with 643,634 acres, Judith Mountains with 22,000 acres, Square Butte with 1,947 acres (discussed in the ACEC section of this chapter), Snowy Mountains with 20,000 acres, Judith River with 9,000 acres, and the Nez Perce National Historic Trail with 5,000 acres.

Judith RMA

This is an extensive recreation management area which provides dispersed and unstructured recreational activities.

The Judith RMA contains 16 undeveloped recreation sites associated with these fishing reservoirs; Buffalo Wallow, Hopalong, Holland, Upper Dry Fork, Lower Dry Fork, Jakes, Crooked Creek, Dry Blood, South Fork Dry Blood, Yellow Water, Drag, Payola, Fritzner, Mauland, Box Elder and Cotton Dam. These sites will receive minimal maintenance. Any additional facilities such as tables, fire pits and toilets will be coordinated through partnerships and volunteers.

Recreation access maps, brochures and signs at key public access points and at undeveloped sites will be available for the public.

The BLM land in this RMA has high rockhounding potential and the BLM will allow and encourage rockhounding opportunities.

One route (Missouri Breaks) has been designated for the Back Country Byways program.

The BLM will work with the Fort Peck Interagency Council, the MDFWP, the Corp of Engineers and Petroleum County Commissioners on maintaining the Crooked Creek Road. The degree of involvement will be determined by budget and staff availability.

Judith Mountains RMA

This special RMA provides picnicking, scenic viewing, hiking, driving for pleasure and caving opportunities.

Additional cave inventories will be needed. Interim protective measures will be needed for the Tate-Poetter Cave as well as other significant caves in the planning area.

An activity plan may be prepared to develop partnerships and volunteer agreements for managing the existing sites in the Judith Mountain RMA. The majority of the public use is on a local or regional level. A lack of funding will result in closing or not implementing most of these sites, unless some type of volunteer assistance is obtained. This includes six undeveloped recreation sites Collar Gulch, Red Mountain, Big Grassy Peak, Judith Peak Scenic Overlook, Limekiln Canyon and Upper Armells Creek.

Developing trail systems and undeveloped recreation sites in the Collar Gulch area should be coordinated with Fergus County's Camp Maiden site.

The scenic overlook project on Judith Peak will be undertaken, if a partnership can be established with local groups. This site could be made available through a recreation and public purposes (R&PP) lease to a qualified group.

A mountain bike trail could be constructed from the Red Mountain recreation site to the Collar Peak trailhead, a distance of 5 miles, provided a partnership with another entity can be obtained.

A rock collecting area for double terminated, smokey quartz crystals (locally known as Judith Peak Diamonds) may be identified along the Judith Peak Road.

The Judith Peak/Maiden Canyon Road may be nominated for the Back Country Byways system.

Snowy Mountains RMA

This special RMA provides fishing, hunting, sightseeing, hiking and picnicking opportunities.

The BLM will work with the Lewis and Clark National Forest to provide an access route across BLM land from the Red Hill Road to Half Moon Pass Trail (Forest Service (FS) #493).

Lack of funding will close the South Fork Flatwillow recreation site unless partnership is attained.

The BLM will cooperate with the state, FS and private landowners for the continued development and use of the 4-mile cross-country ski trail in the Green/Dry Pole Canyon area along the Crystal Lake Road. There is a need to formulate a partnership with the State of Montana, FS and private landowners.

Judith River RMA

This special RMA provides float boating, hunting, fishing, scenic and wildlife viewing and camping opportunities.

The Judith River was evaluated for Wild and Scenic River status and a 27.1-mile segment in this RMA has been studied and found eligible but not suitable for wild and scenic river status.

Visual resource values (VRM Class II) will be protected along the Judith River. Public access will be pursued for put-in and take-out points from the Denton highway bridge to the Anderson Bridge.

Nez Perce National Historic Trail RMA

A portion of this statewide special recreation management area is located within the planning area and the BLM will manage the recreation activities and opportunities associated with this portion of this historical feature.

This National Historic Trail System crosses the Judith RMA and provides several opportunities for interpretation. This key segment begins near Winifred and enters the Upper Missouri National Wild and Scenic River (UMNWSR) Corridor near Cow Island. It also parallels portions of the proposed Missouri 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 management activities along the trail.

OFF-ROAD VEHICLE DESIGNATIONS

The BLM will restrict ORV use on BLM land yearlong or seasonally to designated roads and trails or close specific areas to protect the resource values in ACECs, preserve and protect the wilderness values in the WSAs, protect vegetation and soils to maintain watersheds and water quality, reduce user conflicts, and reduce harassment of wildlife and provide habitat security.

Other BLM land will remain open to ORV use to provide for cross-country travel, including a designated intensive ORV use area for competitive events such as races and rallies.

The BLM will designate 324,791 BLM acres open, 327,576 BLM acres limited seasonally, 47,267 BLM acres limited yearlong, and 1,947 BLM acres closed to ORVs.

Areas Closed

The Square Butte ONA ACEC will be closed to all motorized vehicle use (1,947 acres).

Areas Limited Yearlong

ORV use in the following areas will be restricted yearlong to designated roads and trails.

ORV use in the Antelope Creek, Woodhawk, Dog Creek South and Cow Creek WSAs will be restricted yearlong to

the existing roads and trails. In those WSAs Congress designates as wilderness, ORV use will be restricted yearlong to cherry-stemmed and boundary roads. All internal trails and ways will be closed to ORV use. In those WSAs Congress determines unsuitable for wilderness, ORV travel will be restricted seasonally to designated roads and trails.

The Judith Mountains Scenic Area ACEC will be restricted yearlong to protect the scenic qualities of the visual resources (3,702 acres).

The Acid Shale-Pine Forest ACEC will be restricted yearlong to protect an endemic plant community and reduce water and wind erosion (2,463 acres).

The BLM land in the North and South Moccasins and Judith Mountains will be restricted yearlong to reduce user conflicts, reduce wildlife harassment and provide habitat security (27,452 acres).

Areas Limited Seasonally

ORV use in the following areas will be restricted seasonally with vehicle travel restricted to designated roads and trails. The seasonal restriction, September 1 through December 1, is based on the big game hunting season. If the hunting season would change, the seasonal restriction will be modified accordingly.

The Missouri Breaks area will be restricted seasonally to protect fragile soils, reduce user conflicts, and maintain and improve water quality. This area includes the Missouri Breaks, Chain Buttes, Two Calf, Armells Creek, Fargo Coulee, Indian Buttes, Crooked Creek, Dunn Ridge, Dog Creek and Woodhawk (300,871 acres).

ORV use in the Blacktail Coulee and Yellow Water areas will be restricted seasonally to reduce user conflicts and improve water quality (25,225 acres).

Other Areas

The BLM land in the Highwoods, Belts and Snowy Mountains will be consistent with the adjacent FS ORV designations: Highwoods, 360 acres limited seasonally and 600 acres open; Belts, 1,120 acres limited seasonally and 1,760 acres open; and Snowies, 400 acres limited yearlong and 9,387 acres open.

Implementation

The following exceptions will apply to the limited designations, except in the WSAs and ACECs:

1. Vehicle access for camping will be permissible within 100 yards of designated roads and trails. Exceptions could be granted on a case-by-case basis through the use of a special use permit.

2. The non-ambulatory handicapped, as defined by Montana Law, will be allowed motorized access off designated roads and trails.

3. Snowmobiles will be allowed off-road travel on BLM land in the Little Belt and Snowy Mountains.

4. Off-road vehicle use will be allowed for game retrieval. In some areas, retrieval may be restricted.

Those roads not designated open within areas limited yearlong will be closed. Roads not designated open within areas limited seasonally will be closed from September 1 through December 1. See Maps 4 and 5 in the back of the proposed JVP RMP/final EIS (1992) and Supplemental Color Maps G, H and I at the conclusion of Chapter 2 of the proposed JVP RMP/final EIS (1992) for the ORV travel plan indicating those designations.

Resource damage, changes in landscape and user conflicts will be considered in opening or closing roads and trails in the future. The guide for rating soil impacts from off-road travel will be used as an indicator to revise restrictions (MSO supplement to 7162 BLM Manual-Soil Interpretations). As additional mapping and signing occurs, the roads and trails designated as open or restricted may change depending on future management needs.

The BLM will implement a signing and public outreach program and publish maps that delineate boundaries and travel restrictions. Areas designated as limited will be signed, identifying those roads and trails not open to motorized travel and an explanation of allowed uses.

The BLM will pursue cooperative agreements with state and local law enforcement agencies and use BLM law enforcement ranger(s) to monitor and implement restrictions.

Off-road travel for administration of a federal lease or permit will be granted, unless specifically prohibited.

ORV use on newly acquired land will normally be consistent with adjacent areas. Special circumstances may require a change from adjacent conditions. These areas will be mapped and identified for the public.

Intensive ORV Use Area

Areas for intensive ORV use will be designated if the need arises based on public demand.

WILDERNESS MANAGEMENT

A final suitability study/EIS has been completed that recommended for non-wilderness designation were Woodhawk, Dog Creek South, and Square Butte. More information on these WSAs can be found in the Final Missouri Breaks Wilderness Suitability Study/EIS (1987).

The BLM will maintain the wilderness values in Woodhawk, Dog Creek South and Square Butte WSAs. The Secretary of Interior made recommendations to the President in October 1991. Table 2.6 shows the Secretary of Interior's wilderness recommendations for these seven WSAs (1991). The President will send a recommendation by October 1993, to Congress who in turn can designate any of the WSAs or portions thereof as wilderness, deny designation or continue study of the areas.

TABLE 2.6
WILDERNESS RECOMMENDATIONS

Wilderness Study Area	Acres Recommended for Non-Wilderness
Woodhawk	8,100
Dog Creek South	5,150
Square Butte	1,947

Source: BLM, 1991

Implementation

WSAs will continue to be managed under the BLM Interim Management Policy and Guidelines for Lands Under Wilderness Review until they are acted upon by Congress.

Acquired areas studied for wilderness will be managed to prevent unnecessary or undue degradation of the land, and when it does not conflict with valid and existing rights, they will be managed to meet the non-impairment standard as well.

The BLM will prepare a Wilderness Management Plan for any areas designated as wilderness by Congress. WSAs not designated as wilderness by Congress will subsequently be managed in accordance with guidance for adjacent BLM land unless otherwise specified.

VISUAL RESOURCE MANAGEMENT

The BLM will manage activities to comply with the VRM policy. The BLM land within the planning area has been assigned a VRM class based on a process that considers scenic quality, sensitivity to changes in the landscape and distance zone (see Map 1 in the back of the proposed JVP RMP/final EIS (1992)). The planning area has four classes, numbered I to IV. The lower the class number the more sensitive and scenic the area. Each class has a management objective which prescribes the level of acceptable change in the landscape. The visual classes are defined as follows:

Class I Objective - 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 very limited management activity. The level of change to the characteristic landscape should be very low and must not attract attention.

Class II Objective - 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 Objective - The objective of this class is to partially retain the existing character of the landscape. The level of change to the characteristic landscape should 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 Objective - The objective of this class is to provide for management activities which 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.

Class I areas include the Square Butte ONA and scattered BLM lands associated with the UMNWSR. Management of the UMNWSR is discussed in the West HiLine RMP/EIS and management of the visual resources for Square Butte is discussed in the ACEC section.

Class II areas are landscapes that provide contrast to the uniformity of the surrounding plains. In the planning area, this includes several isolated mountain ranges, major stream valleys and Breaks area along some deeply incised valleys. With increased interest in tourism, sightseeing activities, back country byways, scenic corridors and scenic overlooks, the BLM places management emphasis on maintaining scenic quality within the overall multiple-use management direction.

Class III and IV areas primarily include the open prairie, grasslands and some foothills in the planning area. Management of these areas allows alteration of the visual landscape, but works to minimize visual disruption of the form and lines created by the plains and foothills landscape.

Implementation

Surface developments will be designed or mitigated to compliment and harmonize with the natural features and the VRM class objectives. The visual contrast rating will be used as a guide for all major projects proposed on BLM lands that fall within VRM Classes I, II and III areas. The VRM class objectives may not always be met due to non-discretionary actions or exceptions which may occur after evaluation and at the discretion of the authorized officer.

CULTURAL RESOURCES

The cultural resource management program has two components; compliance with existing laws/regulations and the management of cultural properties on BLM land.

A cultural resource management plan will be prepared for the Judith RA. The purpose is to assign cultural resources to particular uses and assess and establish thresholds for determining cultural property significance. The cultural resource management plan will establish the management prescriptions best suited for fulfilling management goals and objectives.

BLM decisions, including implementing a cultural resource management plan, are subject to historic preservation laws and regulations (primarily the National Historic Preservation Act (NHPA) and 36 CFR Part 800). The BLM will ensure that all proposed actions, initiated or authorized by the BLM, avoid damage to federal and non-federal 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, consistent with the uses attributable to the cultural resource.

The BLM will consult with Native American tribes when its actions have the potential to affect areas of concern to the practitioners of traditional religions. The activities of concern are those which might cause degradation to the visual or aesthetic nature of an area, or cause the loss of plant species or other resources important to Native Americans. The BLM is required to consult with traditional religious practitioners of policies and procedures to determine if changes are needed to ensure that such rights and freedoms are not abridged by agency practices.

Implementation

The primary management objectives are to properly manage the cultural resources under the 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 planning area are segregated into management objectives. These objectives include managing for information potential, managing for public values and managing for conservation.

Cultural resources which contain significant information on the prehistory and history of the planning area will be managed for their information potential. These are cultural properties that consist of artifacts and features on the surface and/or are 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 Native American cultural values and prehistoric or historic cultural properties which exhibit interpretive and/or recreational potential. Managing cultural properties used by Native Americans 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 that are of a nature that would not permit current archaeological technology to adequately investigate the property; and cultural properties which are rare in the planning area.

Allocation of cultural resources to specific uses will be completed during Cultural Resource Management Planning. There are six use categories for cultural resources: Scientific Use, Conservation for Future Use, Management Use, Sociocultural Use, Public Use and Discharged Use.

The Scientific Use category applies to any cultural property determined to be suitable for consideration as the subject of

scientific or historical study, including study that would result in its physical alteration. Inclusion in this category signifies that the property need not be conserved in the face of an appropriate research or data recovery (mitigation) proposal.

The Conservation for Future Use category is reserved for any unusual cultural resource which, because of scarcity or special significance, has research potential that surpasses the current state of the art; is of singular historical importance, cultural importance, or architectural interest, or comparable reasons; and is not currently appropriate for conservation as the subject of scientific or historical study that would result in its physical alteration. A cultural property or location included in this category is considered worthy of segregation from all other land or resource uses, including cultural property uses, that would threaten the maintenance of its present condition or setting, as pertinent, and it will remain in this use category until specified provisions developed in the cultural resource management plan are met in the future.

The Management Use category may be applied to any cultural property considered most useful for controlled experimental study that would result in its physical alteration by the BLM or other entities concerned with the management of cultural properties. Expenditure of cultural properties or data may be justified for purposes of obtaining specific information that would ultimately aid in that management of other cultural properties. Experimental studies may be aimed toward a better understanding of the kinds and rates of natural or human caused deterioration, effectiveness of protection measures and similar lines of inquiry.

The Sociocultural Use category is to be applied to any cultural property that is perceived by a specified social and/or cultural group as having attributes that contribute to maintaining the heritage or existence of that group. This use category signifies that the cultural property is to be managed in a way that takes those attributes into account, as applicable.

The Public Use category may be applied to any cultural property found to be appropriate for consideration as an interpretive exhibit in place, a subject of supervised participation in scientific or historical study, or related education and recreation uses by members of the general public.

The Discharged Use category means either that a cultural property that was previously qualified for assignment to any of the categories defined above no longer possesses that qualifying characteristic for that assignment to an alternative use; or that a cultural property's scientific use potential was so slight that it was exhausted at the same time the property was recorded, and no alternative use is deemed appropriate. Where a cultural property is involved, allocation to Discharged Use also means that records pertaining to the property represent its only remaining importance and that its location no longer presents a management constraint for competing land uses.

Those traditional cultural properties that are at least 50 years require consideration under the 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, therefore, determined eligible for the National Register of Historic Places, will be avoided, or if possible, mitigated.

FIRE MANAGEMENT

Fire management includes both wildfire actions and prescribed fire operations. Fire will be managed in the manner most cost-efficient and responsive to resource management objectives. The resource objectives identified in the RMP will provide the guidelines, direction and degree of suppression to be used.

Prescribed fire will be allowed to burn only under specific conditions. Planned fires will be used in accordance with approved activity plans. Prescribed burning will be administered on an individual basis in grassland, sagebrush and/or conifer types to improve wildlife habitat and vegetation production. Prescribed burns will be held in abeyance in WSAs. Prescribed burning will be addressed in the individual recreation activity plans for each designated wilderness area.

The BLM will utilize two levels of suppression actions for wildfire situations. These are intensive and conditional suppression areas.

Intensive suppression will be applied to areas with high resource values, structures, improvements, oil and gas developments, commercial forest values, sagebrush and juniper areas, fire sensitive woody riparian areas (soil subgroups 6 and 17) and cultural values that require aggressive suppression action. Intensive suppression may also be used to prevent fire from spreading to adjoining private property and structures.

The BLM will protect these flammable, above ground public developments through intensive suppression efforts:

1. Recreation sites.

2. Administrative Sites; Communication Sites (Radio, Remote Automated Weather Stations).

3. Range Improvement Structures; hypalon aprons and storage bags.

Conditional suppression will be applied to areas with resources low in value or not warranting intensive suppression actions and high suppression cost. Responses will depend on the fire's potential and the cost effectiveness of suppression. Suppression strategies may range from immediate initial attack to indirect response such as confining or containing fires within a particular area. Initial attack may be used on one sector of a fire while indirect responses such as burning out, backfiring or allowing the fire to burn to a natural break, may be used on another sector of the fire.

The BLM will use conditional suppression actions in these areas:

1. Grass/shrub fuel types (Fire Management Zone 1 - Soil subgroups 1, 2, 5, 10 and 13). The allowable burn acreage in this fuel type is 500 acres.

2. Missouri Breaks (Fire Management Zone 2 - Soil subgroups 3, 14, 16 and 17). The allowable burn acreage in this fuel type is 100 acres.

3. Mountain timber fuel type (Fire Management Zone 3 - Soil subgroups 15, 17, 18 and 19). The allowable burn acreage in this fuel type is 20 acres.

Implementation

Allowable burn acreage allows acceptable resource losses while using a safe, more cost effective suppression action. That is, waiting for fire to burn out of a steep coulee or draw with a thick juniper canopy rather than taking an intensive, costly and dangerous suppression action. However, this does not mean all fires will be allowed to burn to a predetermined acreage before suppression action is initiated.

FOREST MANAGEMENT

The BLM will allow the harvest of forest products within the average allowable cut of 650 thousand board feet (MBF) per year for the Judith, Valley, and Phillips RAs and will meet the demand for minor forest products as feasible. Forest products will be sold at fair market value and cutting plans will be coordinated with adjacent landowners when possible. Timber sales will be with wildlife habitat objectives in mind.

Even though there are approximately 78,200 acres of productive forest land in the Judith, Valley, and Phillips RAs, only 29,000 of these acres support the timber base. The 49,200 acres in the Breaks are not in the timber base due to fragile soils, steep slopes, dry sites, crucial wildlife habitat and poor timber quality. However, forest products may be harvested from these areas on a selected sustained yield basis.

The annual allowable cut will be offered through sawtimber sales and the demand for minor forest products will be met within the constraints of the Small Sales of Forest Products Programmatic EA.

Implementation

Commercial thinnings will be used as a silviculture practice on intensively managed forest lands to increase production of stands between 30 and 90 years of age.

Christmas trees for personal use may be cut throughout the planning area, except in the Square Butte ONA, WSAs and recreation sites. Areas for commercial Christmas tree cutting will be considered on a case-by-case basis.

Permits will be issued for fuelwood (dead and/or down) materials for personal use on a demand basis outside of the Square Butte ONA and WSAs. Dead and down trees may be cut from cottonwood riparian areas on a case-by-case basis. The permits will contain a stipulation to identify and protect trees with significant wildlife value.

No control of endemic forest insect infestations are proposed. Epidemic infestations will be subject to control only where biological evaluations clearly demonstrate the need and feasibility of the action, or where the infestation is causing other damage, such as creating conditions for catastrophic wildfires.

The following timber harvesting techniques are presently being used by the BLM when preparing timber sales.

1. Tractor logging will be limited to slopes with average gradients of less than 40%.

2. Roads will be constructed to the minimum standard necessary to remove the timber and protect the environment. Road locations will be based on topography, drainage, soils and other natural features to minimize erosion.

3. Skid trails will be water barred as needed, to retard soil erosion.

4. Streamside green strips will be left along perennial streams. Skidding through streams will not be allowed.

5. Logging units will be laid out to minimize the risk of wind throw of leave trees. Selection of leave trees will be made to improve the genetic composition of the regenerated stand. Clear-cut blocks will be less than 10 acres and shaped to resemble natural openings.

6. All slash burning will be done in conformance with state air pollution regulations.

7. If available, a minimum of three snags per acre plus replacement snags will be left for wildlife on all sales.

A list of Best Management Practices is found in Appendix A.

LANDS

The BLM will protect or enhance the various resource values when considering applications or requests for the use of BLM land. Uses in this category include ROW's, leases and permits.

Unauthorized uses of BLM land will be resolved in an expeditious manner and new cases of unauthorized use will be resolved immediately.

Existing withdrawals and classifications, subject to review under the authority of section 204 (L) of the FLPMA, are analyzed as part of this document. Recommendations for modification or termination are provided below. New withdrawals are considered on an individual basis.

Land Acquisition And Disposal

The BLM will pursue acquisitions as opportunities arise through exchange or purchase with willing proponents and/or sellers. The BLM recognizes and respects private property rights and will not use condemnation to implement land tenure adjustment under this land use plan. Acquisitions could include private, state or other land that would meet the objectives of the State Director's Guidance on Land Pattern Review and Land Adjustment (1984) and the criteria in Appendix C. Private, state and other lands meeting the criteria in Appendix C would be in conformance with this land use plan. The main objective will be to attain a BLM land pattern which balances multiple resource values and brings about better manageability. Lands acquired will have multiple resource values such as access, riparian-wetland areas, ACECs, recreation and wildlife habitat.

A total of 63,958 acres of BLM land within the Judith RA will be available for disposal (see Table 2.7, Appendix C and Map 2 (Side A) in the back of the proposed JVP RMP/final EIS (1992)). Lands identified for disposal will be available for exchange. These lands may also be available for sale to facilitate an individual land exchange. For purposes of sale, these lands meet the FLPMA disposal criteria Sec. 203(a)(1). The BLM land identified for disposal will be subject to further site specific evaluation and if significant values are found they may be retained under BLM management. An environmental analysis and Notice of Realty Action will be completed for each disposal action. Areas not identified for disposal will be managed for long-term public ownership.

TABLE 2.7
BLM LAND AVAILABLE FOR DISPOSAL

County	Acres
Chouteau	6,386
Fergus	37,836
Judith Basin	2,366
Petroleum	17,370
Total	63,958

Source: BLM, 1990

Implementation

During any purchase or exchange action, the BLM will attempt to maintain the respective county tax base and allow no overall net gain in BLM land over the life of this plan. The BLM will monitor land tenure adjustments to identify potential problems in achieving this objective. The BLM land may be sold to facilitate a purchase or exchange action or maintain the respective county tax base.

As opportunities arise, the BLM will evaluate land exchanges involving private and state inholdings within the Charles M. Russell National Wildlife Refuge (CMR) on a case-by-case basis.

Acquisitions could occur by exchange or purchase through negotiation with willing landowners. Exchange will be the primary method of acquisition and may include BLM land within or outside the planning area.

Rights-of-Way and Corridor Planning

The RMP did not identify corridors because of the small amounts of BLM land along occupied corridors.

Avoidance areas and windows are identified in the planning area. ROWs may be granted in avoidance areas only when no feasible alternative routes and/or sites are available. In avoidance areas, ROW stipulations from BLM Manual Handbook H-2801-1 will be used to protect resource values, including visual qualities. Windows will be used to channel linear ROWs around specific avoidance areas. WSAs are not subject to ROW application.

Avoidance areas include the Acid Shale-Pine Forest ACEC and BLM land in the Judith River Canyon, the South Moccasin Mountains and the Judith Mountains. Windows in the Judith Mountains are identified through Ross Pass and along the county road west of Black Butte.

The Woodhawk and Dog Creek South WSAs are temporary exclusion areas, pending wilderness area determinations.

Communications site ROWs in the Judith RA will be confined to the Judith Peak and the South Moccasin Mountains communication sites. Judith Peak and the South Moccasin Mountains will be used for existing and future communications facilities. All future facilities in the South Moccasin Mountains will be placed in one building. A communications site plan for Judith Peak was implemented in 1986, and will be carried forward in this document.

Implementation

ROWs outside of avoidance areas and WSAs will be considered on a case-by-case basis with appropriate stipulations from BLM Manual Handbook H-2801-1 incorporated into the ROW grant. The primary authorities for issuing of ROWs are the FLPMA and the Mineral Leasing Act of 1920 (MLA).

Leases and Permits

The planning area will be closed to cabin site leasing. Other Section 302 (b) leases, Recreation and Public Purposes (R&PP) leases and Section 302 (b) permits will be considered on an individual basis.

Implementation

The primary authorities for granting leases are Section 302 (b) of FLPMA and the Recreation and Public Purpose Act of 1926.

Public Sale

The authority for sale of BLM land is Section 203 of FLPMA.

Unauthorized Use

Unauthorized uses include agricultural and occupancy trespass, unlawful enclosure and unlawful linear facilities such as powerlines and pipelines.

Implementation

Unauthorized uses of BLM land will be resolved. Unauthorized users are responsible for fair market rental for current and past years of unauthorized use and full reimbursement for administrative costs, rehabilitation and stabilization.

Withdrawal Review

This section discusses withdrawals or land classifications undergoing the withdrawal review and revocation process or reviewable withdrawals that have not been reviewed. The legal descriptions and maps for the following withdrawals and classifications are available in the appropriate resource area office.

1. Coal withdrawal 1

Coal withdrawal 1 (120.34 acres) is located in Chouteau County and was withdrawn by Executive Order in July 1910 to allow time to determine and classify BLM land as valuable for coal. The withdrawal segregates this area from the public land laws, including the mining laws. The BLM's recommendation is to revoke the withdrawal and open the area to mineral entry because the coal classification is complete.

2. Blacktail Creek Paleontological Withdrawal

The Blacktail Creek Paleontological site (320 acres) was withdrawn to protect rare fossil fish, mainly the Doryopterid Fish. The site is located in Fergus County and was withdrawn by Public Land Order 6674 on April 27, 1988. The lands are segregated from settlement, sale, location or entry under the general land laws, including the United States mining laws, but not from leasing under the mineral leasing laws. The BLM is the surface management agency and decided to withdraw the Blacktail Creek Paleontological site and will continue the withdrawal until the expiration date of April 27, 2008. A review will take place 2-years before the expiration date.

3. Square Butte

The Classification and Multiple-Use Act of September 1964, classified Square Butte for retention and multiple use management. Square Butte is located in southeast Chouteau

County. The classification is for 1,946.53 acres and segregates against appropriation under the agricultural land laws and from sales under section 2455 of the Revised Statutes. The lands were also segregated from the mining and mineral leasing laws. The ACEC section of this approved RMP provides recommendations concerning the classification.

4. Powersite Reserves 33, 37 and 56

Powersite Reserves (PSR) 33 and 37 were created by an Executive Order dated July 2, 1910, and PSR 56 was created by Secretarial Order dated November 9, 1909. The reserves are located along the Judith River from Willow Creek to Brown Coulee and total 1,698.23 acres. The reserves segregate against settlement, sale or location under the public land laws but not from the mining or mineral leasing laws. Completion of withdrawal review will require a water power potential evaluation. If the reserves do not have any water power potential, the withdrawals should be revoked. The BLM is the surface management agency.

5. Powersite Classification 232

Powersite Classification (PSC) 232 is a linear withdrawal 20-feet wide created by Secretarial Order dated June 25, 1929. The classification is located in the Butte and Lewistown Districts and the total acreage is unknown. PSC 232 does not segregate against settlement, sale or location under the public land laws and is open to mining. PSC 232 was withdrawn to protect existing electrical transmission lines and not for potential powersite values. PSC 232 should be revoked because the existing transmission lines are authorized and some of the affected lands are in private ownership. The BLM is the surface management agency.

6. Powersite Classification 301

Powersite Classification 301 was created by Secretarial Order dated August 31, 1937. PSC 301 is located along the Upper Missouri National Wild and Scenic River (UMNWSR) and is about 30,200 acres in size. PSC 301 segregates against settlement, sale or location under the public land laws, but not from the mining or mineral leasing laws. PSC 301 is recommended for revocation. Most of PSC 301 is located within the UMNWSR which is part of the West HiLine RMP, which also recommended revocation. Even though a small part of PSC 301 is within the JVP RMP, the final processing of the withdrawal review of PSC 301 will take place under the guidance of the West HiLine RMP. The BLM is the surface management agency.

7. Powersite Classification 369

Powersite Classification 369 was created by Secretarial Order dated October 24, 1944. PSC 369 is located along the Missouri River between Great Falls and Fort Benton and is about 2,000 acres. PSC 369 segregates against settlement, sale or location under the public land laws, but not from the mining or mineral leasing laws. Completion of withdrawal review will require a water power potential evaluation. If PSC 369 does not have water power potential, the withdrawal should be revoked. The BLM is the surface management agency.

8. Powersite Classification 428

Powersite Classification 428 was created by Secretarial Order dated July 14, 1953 and consists of two islands along the Missouri River. One island (14.7 acres) is located downstream from Wolf Creek in the Great Falls RA. The other island (48.86 acres) is located upstream from the Marias River in the Judith RA. PSC 428 segregates against settlement, sale or location under the public land laws, but not from the mining or mineral leasing laws. The island in the Judith RA was recommended for revocation. Completion of withdrawal review will require a water power potential evaluation. If PSC 428 does not have water power potential, the withdrawal should be revoked. The BLM is the surface management agency.

9. Judith Peak, Red Mountain and Grass Range Missile Silo

The Judith Peak Radar site (60.36 acres) and the Red Mountain Radar site (6.54 acres) are located in the Judith Mountains. The Missile Silo (25.00 acres) lies adjacent to State Highway 19 between Grass Range and Bohemian Corner.

A. Judith Peak & Red Mountain

The Judith Peak radar site was withdrawn by PLO 1758 dated November 21, 1958 and the Red Mountain radar site was withdrawn by PLO 2186 dated August 19, 1960. Both of these withdrawals segregate, subject to valid existing rights, the areas from all forms of appropriation under the public lands laws, including the mining and mineral leasing laws but not disposal of materials under the Act of July 31, 1947. A revocation application was filed in 1971, by the Corps of Engineers (COE) on behalf of the Air Force and ever since the BLM has had surface management responsibilities. All improvements have been removed and the land reclaimed and are ready for revocation. There are suspended mining claims that may be validated when the revocation is finalized and will be treated as prior existing rights.

B. Grass Range Missile Silo

The Grass Range Missile Silo was withdrawn by PLO 2336 dated May 9, 1961, which segregates the area

from all forms of appropriation under the public land laws, including the mining and mineral leasing laws and disposal of materials under the Act of July 31, 1947. The withdrawal was reviewed in 1983, with a recommendation to continue a buffer zone in relation to the Minuteman Missile Site located on adjacent private land. The Air Force is the surface management agency.

ACCESS TO BLM LAND

Access will be pursued to BLM land where no legal public access exists and/or where additional access to major blocks of BLM land is needed utilizing existing laws, regulations and guidelines while recognizing private property rights. This includes preserving and improving access to BLM land. During activity planning and/or route analysis, access may be defined as foot, horse or vehicular. Access will be confined to as narrow a corridor as is necessary to serve such purpose. Access would provide for improved land management and use by the public for hunting, camping, picnicking and other activities.

The BLM has identified 67,740 BLM acres as needing new legal public access and 231,260 BLM acres needing additional access (see Appendix D). Map 3, in the proposed JVP RMP/final EIS (1992), shows the areas for new and additional public access. The New Year Peak, Pyramid Peak, Armells Headwaters, Chicago Gulch, Fox Peak, Lewis Peak, Lookout Peak, Black Butte, Square Butte, North and South Moccasin Mountains, and the Judith and Missouri Breaks areas will be priority areas for increasing legal public access.

The BLM will support the public road network, primarily county roads, leading to BLM land by establishing limited cooperative agreements for maintenance with the respective counties. The BLM roads or trails will be extended and/or upgraded to reflect public access needs.

Implementation

Transportation planning will identify additional areas for access and road extension or upgrading.

Access goals will be accomplished in accordance with existing laws, BLM regulations and guidelines. The primary method of access will be negotiation of easements or land exchanges. Other methods include, but are not limited to cooperative agreements, Land and Water Conservation Fund acquisitions, patent reservations or as a last resort, condemnation.

Signs will be installed and maintained for public access routes and boundaries.

WATERPOWER AND WATER STORAGE MANAGEMENT

All BLM withdrawals for waterpower and water storage are recommended for revocation pending site evaluation for water power potential.

Implementation

The evaluation of waterpower and water storage sites will consider the historical and current demand for water power at the site, the original and current size of the withdrawal, the size of the withdrawal in relation to the need for a reservoir, the water rights that may need to be established, and a site feasibility study.

SIGNING

The BLM will ensure that appropriate signs and posters are used to promote safety and convenience for visitors and users, define boundaries, identify management practices, provide information about geographic and historic features and protect vulnerable land areas and resources from misuse.

A sign plan will be developed which includes an inventory of existing signs, proposed new signs and a schedule for maintenance.

Implementation

Bureau Manual 9130 provides guidance for the procurement, installation and maintenance of signs on BLM land.

AREAS OF CRITICAL ENVIRONMENTAL CONCERN (ACEC)

The BLM must identify, evaluate and designate ACECs through an RMP or an amendment to an RMP. Areas are nominated by the public, the BLM or other federal and state agencies. All nominations are evaluated to determine if they meet both relevance and importance criteria. A nomination must meet one or more relevance and importance criteria to be considered a potential ACEC. A potential ACEC is designated if the area requires special management.

Judith Mountains Scenic Area ACEC

The BLM designates 3,702 BLM acres an ACEC and will prepare an activity plan to identify specific management actions to protect the scenic, wildlife and recreation values in the Judith Mountains (see Supplemental Color Map B at the conclusion of Chapter 2 in the proposed JVP RMP/final EIS (1992)). Designation of an ACEC only applies to public lands administered by the BLM. This area will be managed to mitigate impacts to resources from surface disturbing activities.

Implementation

Off-road travel will be restricted yearlong to designated roads and trails. The ACEC will be an avoidance area for ROWs. The area will be available for restricted management of forest products.

The area will remain open to mineral entry. Mitigating measures specific to hardrock mining activities are discussed under the hardrock mining section of this alternative.

Acid Shale-Pine Forest ACEC

The BLM designates two representative BLM tracts, War Horse (817 acres) and Briggs Coulee (1,646 acres), within an Acid Shale-Pine Forest ecosystem a Research Natural Area ACEC and will prepare an activity plan to identify specific management actions to protect an endemic plant community unique to the area and a fragile watershed (see Supplemental Color Map C at the conclusion of Chapter 2 in the proposed JVP RMP/final EIS (1992)). Designation of an ACEC only applies to public lands administered by the BLM. The ACEC will be a Research Natural Area where research will be allowed to determine the effects of grazing, fire, etc. on this type of plant community. The BLM will allow research at War Horse and maintain Briggs Coulee as a control site.

Implementation

Disposal of forest products from the area will be prohibited, unless necessary for stand preservation. The area will receive intensive wildfire suppression. ORV use will be restricted yearlong to designated roads and trails. The two areas will remain open to mineral entry.

Square Butte Outstanding Natural Area ACEC

The BLM designates 1,947 BLM acres an ACEC and will prepare an activity plan to identify specific management actions to protect natural endemic systems, cultural sites, scenic qualities, rare geologic features unique to Montana and identify key wildlife viewing sites under the Watchable Wildlife Program (see Supplemental Color Map A at the conclusion of Chapter 2 in the proposed JVP RMP/final EIS (1992)). Designation of an ACEC only applies to public lands administered by the BLM. This area will be managed primarily for wildlife, cultural resources and recreation.

Implementation

Square Butte is currently segregated from the mining and leasing laws by a classification under the authority of the Classification and Multiple-Use Act of 1964 (CMU). The BLM will pursue a protective withdrawal for Square Butte to segregate this area from mining claim location to protect natural endemic systems, cultural sites, scenic qualities and rare geologic features unique to Montana. The classification will be terminated when the area is withdrawn.

Legal access will be pursued to the ACEC for a trailhead as well as a trail network to the Butte. Access should be developed from the highway east of the Butte or across private land from the northeast. The area will be closed to ORVs.

Surface disturbing activities will be prohibited including transmission lines, roads, communication sites, pipelines, etc.

Recreation and habitat direction for the area will include a trail system, camping areas, a recreation use policy and habitat management direction for wildlife populations including prescribed fire, security areas, etc. The sale of forest products will be prohibited, unless necessary for stand preservation.

Collar Gulch ACEC

The BLM will designate 1,618 BLM acres an ACEC to protect a pure strain of westslope cutthroat trout which is a Montana Department of Fish, Wildlife and Parks State Species of Special Concern. Designation of an ACEC only applies to public lands administered by the BLM. The primary emphasis will be wildlife habitat protection and improvement for the westslope cutthroat trout population, with some non-motorized recreational use.

The area will be closed to motorized vehicles, except for the main Judith Peak road and connected Big Grassy Peak and Crystal Peak/Collar Ridge access roads. Additional public access to the area will not be pursued to protect natural resource values.

Developments in the area will be designed to protect trout habitat. Stream protection and enhancement structures will be initiated to improve trout habitat. The BLM will initiate a study to identify the source of water quality degradation in the drainage and develop appropriate measures to eliminate or mitigate the degrading source.

Management Prescriptions for the Collar Gulch ACEC

1. The BLM will implement a nondegradation policy for the waters in Collar Gulch Creek to protect the resident population of westslope cutthroat trout. The nondegradation policy will apply to operations located within the watershed; from the beginning of Collar Gulch Creek downstream to the point where the creek enters private land (in T.17N., R.20E., Section 32: SE1/4NW1/4). The point at which nondegradation compliance would be determined is the upstream limit of the known cutthroat trout occurrence. Variances will be provided for individual operations only after application of best reasonably available control technology; and only to the extent that it will not impact the trout population.

2. The BLM will initiate a routine water quality monitoring program in the drainage to establish baseline conditions.

3. Withdrawal of surface or ground water will be restricted when the flow in Collar Gulch Creek drops below 3 cubic feet per second measured at the point where the creek enters private land in T.17N, R.20E., Section 32: SE1/4NW1/4.

4. Concurrent reclamation will be emphasized, thereby reducing erosion and sedimentation potential.

5. Surface disturbing activities will be designed to minimize impacts to the Collar Peak Trail.

6. Surface disturbing activities will be designed to avoid impact to the Tate-Poetter Cave resources.

WILD AND SCENIC RIVERS

The BLM has identified and evaluated various river segments to determine their potential inclusion in the National Wild and Scenic Rivers System per Section 5(d) of the Wild and Scenic Rivers Act (WSRA).

The river study process is a three-step assessment; eligibility, tentative classification of rivers found to be eligible, and a determination of suitability.

The BLM reviewed 39 rivers and streams within the planning area which may have free-flowing and outstandingly remarkable values. Of these, 36 were free-flowing but did not possess outstanding remarkable values, and 2 were neither free-flowing or possessing outstandingly remarkable values. One segment of the Judith River was determined to be both free-flowing and possessing outstandingly remarkable values. This is a 27.1-mile long segment from Ming Coulee to Anderson Bridge. This segment is free-flowing and possesses outstandingly remarkable scenic, recreational and geologic values. Other segments of the Judith River have little or no public ownership and BLM lands along those segments do not possess outstandingly remarkable values.

Through the evaluation process for the Judith River, the segment from Ming Coulee to Anderson Bridge was determined to be not suitable for inclusion in the National Wild and Scenic Rivers System because of severe manageability problems. These include lack of access to the area, the small scattered BLM land pattern and the overwhelming constraints of private land ownership and management in the area. Lack of support by any other federal, state or local interest combined with the small percentage of BLM land in the area appear to make joint consideration of the area infeasible as well.