



United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**DRAFT**



United States Department of Agriculture  
Forest Service  
Northern Region

October 1999

# SUMMARY OF THE OFF-HIGHWAY VEHICLE ENVIRONMENTAL IMPACT STATEMENT AND PLAN AMENDMENT FOR MONTANA, NORTH DAKOTA AND PORTIONS OF SOUTH DAKOTA



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The Bureau of Land Management is responsible for the stewardship of our public lands. It is committed to manage, protect, and improve these lands in a manner to serve the needs of the American people for all times. Management is based on the principles of multiple use and sustained yield of our nation's resources within a framework of environmental responsibility and scientific technology. These resources include recreation; rangelands; timber; minerals; watershed; fish and wildlife; wilderness; air; and scenic, scientific, and cultural values.

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Dear Reader:

This is the Summary for the Draft Off-Highway Vehicle (OHV) Environmental Impact Statement (EIS) and Plan Amendment. To reduce printing and mailing costs this Summary was sent to about 3,800 individuals. Copies of the draft EIS/plan amendment are available upon request from your local Bureau of Land Management (BLM) or Forest Service (FS) office or contact Jerry Majerus (BLM) at (406) 538-1924 or Dick Kramer (FS) at (406) 329-1008. The draft EIS/plan amendment is also available on our website at [www.mt.blm.gov](http://www.mt.blm.gov) or [www.fs.fed.us/r1](http://www.fs.fed.us/r1).

The draft EIS/plan amendment discloses the potential environmental consequences of managing cross-country OHV use on public lands administered by the BLM and FS, Northern Region, in Montana, North Dakota, and portions of South Dakota (excluding the Black Hills National Forest, Buffalo Gap Grasslands and the Fort Pierre Grasslands). The BLM and FS are joint lead agencies responsible for preparation of the EIS/plan amendment.

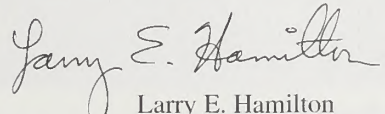
Five alternatives, including a No Action Alternative, were developed to meet the purpose and need of the project and respond to significant issues. The purpose and need are to address the impacts of OHV travel on open areas that are currently available to motorized cross-country travel. The No Action Alternative would maintain current management. Areas currently open yearlong or seasonally to cross-country travel would remain open. Alternatives 1 and 2 would restrict motorized cross-country travel yearlong. Alternative 3 would restrict motorized cross-country travel yearlong in North Dakota, most of Montana, and portions of South Dakota. Alternative 4 would limit motorized cross-country travel seasonally. Exceptions for camping, game retrieval, and for persons with disabilities would apply in Alternatives 2, 3 and 4. Alternative 2 is the preferred alternative.

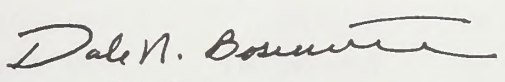
Open houses will be held in communities in Montana, North Dakota, and South Dakota during the review period. The locations for the open houses are listed on the next page but also look for an article in your local paper because locations, dates and/or times may change.

Reviewers should provide the agencies with their comments during the 90-day review period of the draft EIS/plan amendment. This will enable the agencies to analyze and respond to the comments and use information acquired in preparation of the final EIS/plan amendment. Comments should be specific and may address the adequacy of the document and/or merits of the alternatives discussed. For consideration, your written comments must be received by close of business on February 3, 2000. Written comments should be addressed to OHV Plan Amendment, Lewistown Field Office, P.O. Box 1160, Lewistown, MT 59457-1160. Comments may also be sent electronically to [ohvmail@mt.blm.gov](mailto:ohvmail@mt.blm.gov). Please include your name and complete mailing address on all comments.

Comments, including names and street addresses of respondents, will be available for public review at the above Lewistown address during regular business hours (7:45 a.m. to 4:30 p.m.), Monday through Friday, except holidays. Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be available for public inspection in their entirety.

For additional information or if you would like a briefing on the document, please contact your local BLM or FS office or contact Jerry Majerus (BLM) at (406) 538-1924 or Dick Kramer (FS) at (406) 329-1008.

  
Larry E. Hamilton  
State Director

  
Dale N. Bosworth  
Regional Forester

**OPEN HOUSES**  
**OHV DRAFT EIS/PLAN AMENDMENT**

<i>DATE</i>	<i>LOCATION</i>	<i>TIME</i>	<i>PLACE</i>
<b>North Dakota</b>			
Nov. 29	Bowman, ND	4:00-8:00 pm	To be determined
Nov. 30	Dickinson, ND	4:00-8:00 pm	BLM Office, 2933 3rd Ave. West
Dec. 1	Bismarck, ND	4:00-8:00 pm	U.S. Forest Service, 240 W. Century
Dec. 2	Watford City, ND	4:00-8:00 pm	To be determined
<b>South Dakota</b>			
Nov. 15	Lemmon, SD	2:00-6:00 pm	To be determined
Nov. 16	Buffalo, SD	2:00-6:00 pm	Harding County Jury/Court Room
Nov. 17	Pierre, SD	2:00-6:00 pm	RAMKOTA
Nov. 18	Belle Fourche, SD	2:00-6:00 pm	BLM Office
Dec. 3	Rapid City, SD	3:00-7:00 pm	West River Research & Ag. Ctr., 1905 Plaza Blvd.
<b>Montana</b>			
Nov. 16	Hamilton, MT	4:00-8:00 pm	To be determined
Nov. 16	Libby, MT	4:00-9:00 pm	Libby City Hall, Ponderosa Room
Nov. 17	Trout Creek, MT	1:00-4:00 pm	U.S. Forest Service
Nov. 17	Kalispell, MT	5:00-8:00 pm	Outlaw Inn
Nov. 18	Eureka, MT	6:00-9:00 pm	Lincoln Co. Electric
Nov. 18	Lewistown, MT	4:00-7:00 pm	BLM Office, Airport Road
Nov. 19	Ekalaka, MT	2:00-6:00 pm	Carter County Jury/Court Room
Nov. 22	Great Falls, MT	4:00-7:00 pm	BLM/FS Office, 1101 15th St. N.
Nov. 22	Bozeman, MT	4:00-8:00 pm	Gallatin Co Courthouse, 311 W. Main
Nov. 30	Billings, MT	4:00-8:00 pm	BLM Office, 5001 Southgate Drive
Nov. 30	Miles City, MT	5:00-7:00 pm	BLM Office Conf. Rm., 111 Garryowen Road
Dec. 1	Red Lodge, MT	4:00-8:00 pm	U.S. Forest Service
Dec. 1	Colstrip, MT	5:00-7:00 pm	Bicentennial Library, 415 Willow Ave.
Dec. 2	Lincoln, MT	4:00-8:00 pm	Lincoln Community Hall
Dec. 2	Glendive, MT	5:00-7:00 pm	Glendive Medical Ctr, Carney Conf. Rm. #2
Dec. 6	Townsend, MT	4:00-8:00 pm	Townsend Library
Dec. 7	Missoula, MT	4:00-8:00 pm	Boone and Crocket Club
Dec. 7	Malta, MT	4:00-7:00 pm	BLM Office
Dec. 7	Havre, MT	4:00-7:00 pm	BLM Office
Dec. 7	Broadus, MT	5:00-7:00 pm	Powder River County Courthouse Election Rm
Dec. 8	Helena, MT	4:00-8:00 pm	U.S. Forest Service, 2880 Skyway Drive
Dec. 8	Glasgow, MT	4:00-7:00 pm	BLM Office
Dec. 9	Dillon, MT	4:00-8:00 pm	USDA Service Center, 420 Barrett St.
Dec. 9	Butte, MT	4:00-8:00 pm	BLM Office, 106 N. Parkmont
Dec. 14	Browning, MT	3:30-7:00 pm	Tribal Offices
Dec. 15	Choteau, MT	2:00-7:00 pm	Best Western Stage Stop Inn

## INTRODUCTION

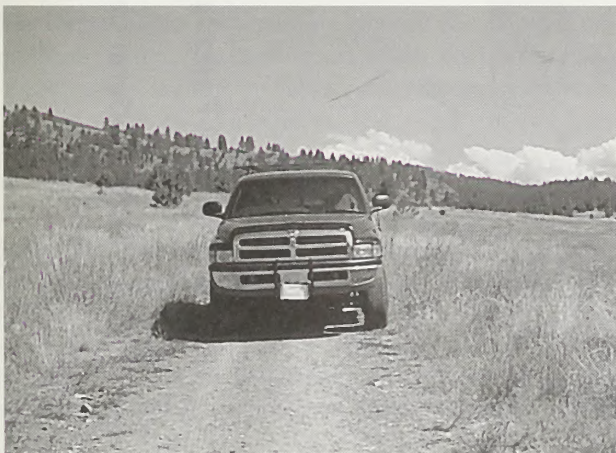
This is a summary of the Draft Environmental Impact Statement (EIS) and Plan Amendment, which discloses the potential environmental consequences of managing cross-country off-highway vehicle (OHV) use on public lands administered by the Bureau of Land Management (BLM) and Forest Service (FS), Northern Region, in Montana, North Dakota, and portions of South Dakota (excluding the Black Hills National Forest, Buffalo Gap Grasslands and the Fort Pierre Grasslands). Figure S.1 displays lands affected by the analysis. The BLM and FS are joint lead agencies responsible for preparation of the EIS/plan amendment.

Each BLM Field Office, and National Forest and Grassland manages OHV's based on its resource management plan or forest plan. The EIS/plan amendment would amend those plans.

## PURPOSE AND NEED

### Purpose

The purpose of the EIS/plan amendment is to address the impacts of wheeled (motorcycles, four-wheel drive vehicles, sport utility vehicles, all-terrain vehicles, etc.) off-highway vehicle travel on open areas that are currently available to motorized cross-country travel. It will amend forest plan and resource management plan OHV area designations to preserve future options for site-specific travel planning. This would provide timely interim direction that would prevent further resource damage, user conflicts, and related problems, including new user-created roads, associated with motorized cross-country travel until subsequent site-specific travel planning is complete. Site-specific



Pickup trucks are considered OHV's.

travel planning, or activity planning, will address OHV use on specific roads and trails. This amendment would not change the current limited/restricted yearlong or closed designations, or designated intensive off-road vehicle use areas.



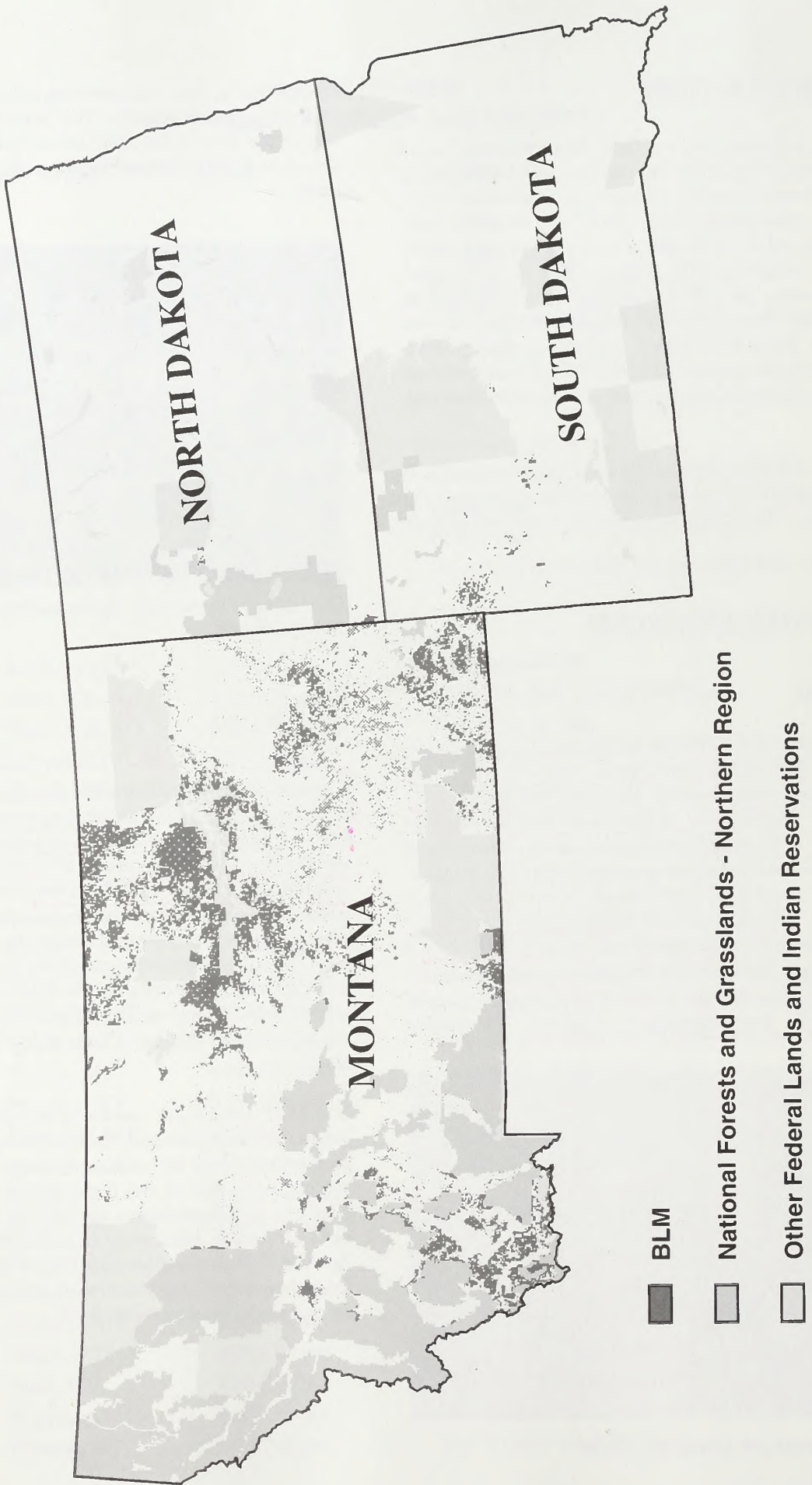
OHV damage in meadow, Beaverhead-Deerlodge National Forest.

### Need

Currently, about 16 million acres of public land are open to motorized cross-country travel either yearlong or seasonally which has the potential to spread noxious weeds, cause erosion, damage cultural sites, create user conflicts, disrupt wildlife, and damage wildlife habitat. Problems do not occur equally throughout the analysis area. Motorized cross-country travel is generally limited by current technology to areas that are less steep and have more open vegetative communities. Random use in open areas has created trail networks throughout the analysis area. Some of this use has occurred in riparian areas and on highly erodible slopes.

The BLM and FS are concerned that continuing unrestricted use could potentially increase these problems. This proposal to manage the cross-country aspect of motorized vehicle use is part of our responsibility as public land managers to balance human use with the need to protect natural resources. Members of the public, BLM's Resource Advisory Councils, and Montana Fish, Wildlife, and Parks Commission have also shared their concerns about unrestricted OHV travel on public lands.

**FIGURE S.1**  
**OHV EIS and Plan Amendment**  
**Analysis Area**



# ISSUES

## Primary Issues

Five primary issues were identified that reflect concerns or conflicts, which could be partially or totally resolved through the EIS process. These issues are need for plan amendment, exceptions, enforceability, flexibility, and identified problems. While these five issues are by no means the complete list of concerns identified during the public scoping, these issues did help guide the development of the alternatives.

1 **Need for Plan Amendment:** Some of the public expressed concern that the proposal is not needed or is too restrictive. Of particular concern was the need for off-highway vehicle decisions to be made at the local level rather than for a three-state area. Others expressed concern that the proposal was not restrictive enough and the agencies could not wait 10 to 15 years to complete site-specific travel planning.

2 **Exceptions:** Some of the public expressed concerns of whether or not exceptions for motorized cross-country travel should be allowed. These include camping, disabled access, game retrieval, BLM and FS administrative use, and effects on existing lessees and permittees. Some are concerned that the general public is unfairly constrained while special uses are not constrained. Other concerns are that exceptions are confusing and lead to abuse and enforcement problems. Additional concerns include the need to provide camping for dispersed recreation users and the need to allow for game retrieval in isolated areas.

3 **Enforceability:** Some of the public expressed concerns that the proposal needs to be enforceable and provide consistency between the two agencies. The proposal also needs to provide implementation of the Executive Orders and regulations pertaining to off-highway vehicles. This should include education and signing.

4 **Flexibility:** Some of the public expressed concerns that the proposal needs to be flexible and allow motorized cross-country travel or allow exceptions under certain conditions. The proposal needs to look at seasonal, rather than yearlong restrictions, when problems are occurring. The proposal should only address problems where they occur.

5 **Identified Problems:** Some of the public expressed concerns that the proposal needs to look at the trend in identified problems to stop further adverse effects of motorized cross-country travel. Concerns have also been raised that the agencies do not have justification for the proposal and should only look at areas with specific problems.

## Resource Issues

A number of issues were brought up that were important for the analysis. Details of the effects on specific resources have been addressed in Chapter 3 of the draft EIS/plan amendment. They are listed as follows:

### What are the effects of OHV travel in open and seasonally open areas on public land on:

- Other forms of recreation (user conflicts),
- Noise pollution and serenity for other recreation users,
- Scenery and aesthetics,
- Inventoried Roadless, Recommended Wilderness, and Wilderness Study Areas,
- Economics of recreation opportunities,
- Cultural resources and tribal use,
- The spread of noxious weeds,
- Threatened, endangered and sensitive species; wildlife habitat; wildlife habitat effectiveness; and wildlife displacement,
- Water quality, soil erosion, wetlands and riparian areas, and
- Air quality.

## Other Issues

A number of other issues were also raised during the scoping process that needed to be addressed. A brief discussion of how the issue is addressed in the draft EIS/plan amendment is given after each issue.

### Are current laws and regulations adequate to provide for OHV use and provide for protection of other resources?

Numerous comments revolved around whether there is an existing problem and suggest that existing laws and regulations are adequate to protect other resources. However, other commenters suggested that the current laws and regulations are inadequate. Details of the effects on specific resources are provided in Chapter 3 of the draft EIS/plan amendment.

### What are the effects of further OHV travel restrictions on personal freedom and right to access public land?

Many comments indicated that the agencies have already restricted motorized use too much. It is not clear whether many of the commenters understood that the proposed action did not propose closing existing roads or trails. Many of our regulations and policies recognize the importance of access to public lands through both motorized and nonmotorized means. The decision in the EIS/plan amend-

ment will not address overall access management needs but will attempt to address the regulations resulting from Executive Orders 11644 and 11989 which authorized land management agencies to manage OHV travel in a way that protects public resources, promotes safety and minimizes conflicts with other uses. Access management needs will be addressed at the site-specific level.

### **How can a one-size-fits-all decision work for a three-state area?**

Many commenters felt that each state was different enough that one decision could not meet the needs of all three states and that the decision needed to be done at the site-specific local level. Due to the widely distributed land patterns common to the BLM and FS, the agencies recognize that many of our users come from many different locations and do not differentiate between BLM and FS lands. Therefore, we want to provide consistency across all public lands for our users. The analysis area was also chosen because it aligns well with the BLM Montana State Office jurisdictions and fairly close with the Northern Region of the FS without splitting state boundaries significantly.

### **How will site-specific problems be addressed soon enough with a 10-15 year window for completion of site-specific travel planning?**

The agencies recognize that problems are not occurring on every site throughout the planning area. The BLM and FS will continue to develop site-specific travel plans (watershed plans or activity plans) for priority areas. All national forests/grasslands within the Northern Region will address access and OHV management during forest plan revisions in the next 2-4 years (the Dakota Prairie Grasslands currently has a draft Forest Plan Revision).

Existing authorities under the Code of Federal Regulations will continue to be used in site-specific cases where conditions warrant closure of areas or trails that are not meeting the intent of Executive Orders 11644 and 11989.

### **How will the decision affect the North Dakota and South Dakota state section line laws and R.S. 2477?**

Under this proposal, motorized cross-country travel would not be allowed. Our proposal would not diminish any rights under Revised Statute 2477 (R.S. 2477). The Secretary of the Interior has requested that the BLM not process any R.S. 2477 assertions until such time as the Department completes final rulemaking on the statute. The FS has had a moratorium against processing any R.S. 2477 assertions since September 25, 1997. This proposal also would not change or preclude the opportunity for future county infrastructure needs.

### **How will the decision affect the status of user-created roads and trails?**

Many comments indicate that all user-created roads and trails in areas allowing motorized cross-country travel are illegal and that the proposal would validate them. The FS and BLM have a number of authorities that allow them to manage OHV's and user-created roads and trails under the Code of Federal Regulations. Regulations such as 36 CFR 219 and 295 for the FS and 43 CFR 8340 for the BLM, have given the agencies the authority and direction to plan, monitor and manage the use of OHV's on public land. If vehicles traveling off road or trail are adversely affecting soil, water, wildlife, vegetation, or are causing user conflicts, the agencies have the authority to immediately close areas or trails.

*\*BLM true*

For the FS, under 36 CFR 261.10a, construction, placing or maintaining any kind of road or trail is prohibited without a special use permit. However, in areas that allow motorized cross-country travel, the creation of trails through repeated use is generally not considered criminal or willful unless construction or maintenance activities are occurring. For the BLM, in areas that allow motorized cross-country travel, the creation of roads or trails through repeated use is generally considered casual use. Casual use means activities involving practices that do not ordinarily cause any appreciable disturbance or damage to the public lands. However, to construct or maintain a road or trail on public land requires a right-of-way or temporary use permit.

Roads and trails that are constructed or maintained without a permit will continue to be closed. The alternatives considered in the draft EIS/plan amendment will not change the status of roads and trails in open areas that are currently in use. However, until inventory is completed under site-specific travel planning, these roads and trails will remain as unclassified until it is determined that they should become a part of the BLM and FS permanent road and trail system or need to be permanently closed. Under the proposal, no new user-created roads or trails could be established.

*what is the 40"?*

### **How will the decision affect the 40"/50" rule for OHV's?**

Comments were made on the FS policy of allowing motorized vehicles less than 50" wide to travel on trails. The "50-inch" policy only applies to Forest Development Trails, commonly called "System Trails." The draft EIS/plan amendment does not address specific trails. Rather, it addresses motorized cross-country travel; therefore, the 50-inch rule for trails is not addressed. Specific types of use will be addressed during site-specific travel planning.



## What is an existing road or trail?

The draft EIS/plan amendment addresses motorized cross-country travel. The definition of what is and is not considered as motorized cross-country travel is provided below under "Management Common to All Alternatives."

## How will the decision affect existing permits and leases?

The public brought up both sides of this issue. Many felt that leaseholders need to be restricted in the same manner as recreational users, while others did not. Access allowed under the terms and conditions of a federal lease or permit would not be affected by the proposal, however, other alternatives have been considered in the draft EIS/plan amendment. Details of the effects are provided in Chapter 3 of the draft EIS/plan amendment.

## How will the decision be implemented and how will roads and trails be signed?

Many commenters made recommendations on whether to sign designated roads as open or to sign designated roads as closed. The action alternatives do not designate specific roads and trails and therefore will require minimal signing. Some informational signing will be needed. Maps will have to be revised indicating the change in areas that are currently unrestricted for motorized cross-country travel to travel only on roads and trails that currently exist on the ground. Specific signing of designated roads and trails will be done under site-specific travel planning. Descriptions of each alternative and how they would be implemented are provided below.

# ALTERNATIVES

## Alternatives Eliminated from Detailed Study

The following alternatives were eliminated from detailed study because they do not meet the purpose and need and/or due to technical, legal, or other constraints.

**Forest Service Development Roads and Trails and BLM Designated Routes:** One alternative was to restrict OHV's to Forest Service development roads and trails and BLM designated routes.

This alternative was eliminated from detailed study because it does not meet the purpose and need of this proposal. The purpose and need of this proposal is to amend forest plan and resource management plan OHV area designations to preserve future options for travel management and provide timely interim direction that would prevent further

resource damage, user conflicts, and related problems, including new user created roads and trails, associated with motorized cross-country travel until subsequent site-specific travel planning is complete. An analysis of FS development roads and trails and BLM designated routes could potentially delay the final decision by several years. To meet the purpose and need, this decision has to be timely and the level of analysis needs to be commensurate with a broad level document of this type. Within the timeframe of one year to meet our objective of preventing further resource damage, it would not be feasible or workable to develop a comprehensive site-specific analysis across a three-state area that adequately assesses impacts to recreation use or impacts to other resources that would justify significant road or trail closures that this alternative would entail. The analysis of an alternative that would restrict OHV's to FS development roads and trails and BLM designated routes is better done at a local level through activity planning with a complete inventory, full public involvement, and integration of other resource objectives and other types of recreational use.

**Snowmobiles:** One alternative was to include snowmobile use in the proposal. This alternative was eliminated from detailed study because the issues involving snowmobile access are different enough to warrant a separate analysis, if necessary. This proposal addresses wheeled motorized vehicles such as motorcycles, ATV's, four-wheel drive vehicles, etc. Addressing snowmobile use in this proposal would complicate and lengthen the EIS process significantly. Since snowmobiles are usually driven on a layer of snow, their environmental effects are different than those of wheeled motorized vehicles, which come into direct contact with the ground. User conflicts associated with snowmobiles are also different than those with wheeled motorized vehicles.

**Site-Specific Alternatives:** Several alternatives were raised, such as identifying additional intensive use areas, establishing areas on a rotating basis, leaving areas open near larger urban areas, addressing hiking, horseback riding and mountain biking, or restricting roads and trails based on the width, horsepower, or weight of vehicles. These alternatives would be a significant undertaking for the agencies. Like the FS development roads and trails and BLM designated route alternative, they could not be completed and provide timely interim direction that would prevent further resource damage, user conflicts, and related problems with motorized cross-country travel.

These alternatives, because of their site-specific requirements, clearly fall into the second level of planning when making project or activity level decisions. Through site-specific travel planning, or activity planning, specific areas where motorized cross-country travel is appropriate or

intensive use areas could be identified and designated. The issues involving other uses on roads and trails (hiking, horseback riding, mountain biking) could be addressed through site-specific travel planning, and specific limitations for roads and trails (width or vehicle weight) could be identified.

**Block Management:** One alternative was to address the Montana Fish, Wildlife and Parks block management program in the proposal. Block management is a cooperative program between private landowners and Montana Fish, Wildlife and Parks. Block management provides the public with free hunting access to private land, and sometimes to adjacent or isolated public lands. Block management addresses fall hunting only. This alternative was eliminated from detailed study because the block management program is not within the discretion or authority of the BLM or FS.

**Restrict Areas Greater Than 5,000 Acres and Close All Areas to Off-Highway Vehicle Use:** One alternative was to restrict OHV's to small, isolated tracts of less than 5,000 acres. Another alternative was to close all areas to OHV's, including all roads and trails.

The BLM and FS recognize in their respective resource management plans and forest plans, policy, and manual direction, that OHV use is a valid recreational activity. Resource conditions, including vegetation, watershed, and wildlife habitat do not warrant prohibition of vehicle travel on all public lands, including all roads and trails.

**Closed Unless Posted Open:** One alternative was to close areas and post only the roads and trails open to motorized travel. This alternative was eliminated from detailed study because it does not meet the purpose and need of this proposal. The purpose and need of the EIS/plan amendment are to prevent further resource damage, user conflicts, and related problems associated with motorized cross-country travel until site-specific travel planning is complete. This alternative would be a significant undertaking for the agencies. Like the FS development roads and trails and BLM designated route alternative, this could not be completed and provide timely interim direction. Site-specific travel planning or activity planning would address OHV use on specific roads and trails. Through site-specific travel planning, roads and trails would be inventoried, mapped, and designated as open, seasonally open, or closed. Specific signing of designated roads and trails would be done under site-specific planning.

**Montana State Lands Policy:** One alternative was based on the State of Montana rules for recreational use of state lands. "Motorized vehicle use by recreationists on state lands is restricted to federal, state, and dedicated county

roads and to those roads designated by the department to be open to motorized vehicle use." (77-1-804(6), Montana Code Annotated). Motorized cross-country driving is prohibited.

The alternatives developed and addressed in the draft EIS/plan amendment would prohibit motorized cross-country travel similar to Montana rules. In addition, the alternatives would limit travel to roads and trails, including federal, state, and county roads. However, the designation of roads and trails open, seasonally open, or closed to motorized vehicle use would be accomplished through site-specific travel planning as discussed above in the section "Forest Service Development Roads and Trails and BLM Designated Routes." Designation of specific roads and trails is a significant undertaking and cannot be done in the interim in a timely fashion. The purpose and need of the EIS/plan amendment are to prevent further resource damage, user conflicts, and related problems associated with motorized cross-country travel until site-specific travel planning is complete.

## Management Common To All Alternatives

The following management guidance will continue, regardless of which alternative is selected and is common to all alternatives.

The BLM and FS regulations (43 CFR 8341.2 and 36 CFR 295.2 and 295.5) allow for area and road or trail closures where off-road vehicles are causing or will cause considerable adverse effects upon soil, vegetation, wildlife, wildlife habitat, cultural resources, threatened or endangered species, other authorized uses, or other resources. The authorized officer can immediately close the areas affected by the type of vehicle causing the adverse effect until the effects are eliminated and measures are implemented to prevent future recurrence.

Forest Service land management plans in the Northern Region are scheduled to be revised in two to four years. Forest plans must be revised at least every 15 years. These plan revisions will address travel management.

The BLM's resource management plans have no revision schedule but can be amended or revised. An amendment is initiated by the need to consider the findings from monitoring and evaluation, new data, new or revised policy, or a change in circumstances significantly affecting a part of the approved plan. If changes in the planning area affect major portions of the plan or the entire plan, a complete revision may be necessary.

After the plan amendment is completed, the BLM and FS would continue to develop travel management plans for

geographical areas (i.e., landscape analysis, watershed plans, or activity plans). Through travel planning, roads and trails would be inventoried, mapped, analyzed, and designated as open, seasonally open, or closed. In addition, site-specific travel planning would identify areas for trail construction and/or improvement or specific areas where cross-country travel may be appropriate.

## Definition of Motorized Cross-Country Travel

*All action alternatives have areas that prohibit cross-country travel either seasonally or yearlong. The objective of Alternatives 1-4 is to prevent further resource damage by eliminating further expansion of motorized routes. To meet this objective it is also necessary to prevent widening the existing profile from motorized use. This definition is not intended to supersede road and trail motorized vehicle restrictions regulating type of vehicle or season of use.*

*The following defines where motorized travel is considered cross-country:*

*Cross-country travel is motorized travel off roads and trails.*

- *The passage of motorized vehicles depressing undisturbed ground and/or crushing vegetation is considered cross-country (Figure S.2).*
- *Motorized use on livestock and game trails is considered cross-country travel unless they meet the definition or examples (Figure S.3).*

*The following defines where motorized travel is not considered cross-country:*

*Motorized travel on agency constructed roads and trails (often characterized by a road or trail prism with cut and fill slopes) that are maintained by the agencies.*

*Motorized travel on clearly evident two-track (two parallel wheeled vehicle tracks) and single-track routes established by the regular use and continuous passage of motorized vehicles. Motorized routes not constructed and maintained by the agencies are considered unclassified or nondesignated and will remain so until site-specific travel planning is completed. Routes may take the form where perennial vegetation is devoid or scarce or where wheel tracks are depressions in the ground but are vegetated (Figure S.4).*

- *The motorized vehicle maximum width (the distance from outside of left tire to outside of right tire or*

*maximum tire width for motorcycles) must easily be accommodated within the existing profile (Figures S.5, S.6, S.7).*

- *Routes must meet the above definitions for their continuous length. Routes newly created under wet conditions or in meadow and riparian areas should be easily identified as not meeting the definition because many portions of the route from its beginning to its terminus would not show signs of “regular and continuous passage of motor vehicles” and many areas would still be fully vegetated with no wheel depressions.*



Figure S.2 ATV traveling cross-country.



Figure S.3 Motorized use on livestock trails is considered cross-country travel.



Figure S.5 Motorcycle traveling on single track trail appropriate use.



Figure S.4 Routes may take the form where wheel tracks are depressions in the ground but are vegetated.



Figure S.6 ATV traveling on single track trail - inappropriate use.



Figure S.7 Pickup truck traveling on two-track trail - inappropriate use.

## ALTERNATIVES CONSIDERED IN DETAIL

This section describes the No Action Alternative and four other alternatives for management of OHV's on public lands. All alternatives comply with the Federal Land Policy and Management Act (FLPMA) of 1976, the National Forest Management Act (NFMA) of 1976, and are subject to compliance with all valid statutes on public land and National Forest System lands administered by the BLM and FS. Impacts of all resources are considered through the National Environmental Policy Act (NEPA) of 1969.

### No Action Alternative (Current Management)

This alternative would continue current direction and is used as the baseline condition for comparing the other alternatives. Field units would continue to manage OHV's using existing direction and regulations. It addresses a number of issues and concerns such as: the proposed action is too restrictive and effects on the ground do not warrant any change. It also addresses the concern that it is unreal-

istic to provide consistent management of OHV's across a three-state area due to wide variations of issues and problems that would necessitate management decisions to be made at a local level. The No Action Alternative also maintains for the current time the most flexibility in allowing for game retrieval, disabled access, camping, administrative use and least effect on permittees and lessees.

Areas currently open yearlong or seasonally to cross-country travel would remain open (Table S.1).

Site-specific travel planning and enforcement of OHV regulations would occur at current levels.

<i>Agency</i>	<i>Open Yearlong</i>	<i>Open Seasonally</i>	<i>Total</i>
BLM	4,959,771	886,949	5,846,720
FS	6,244,448	3,847,460	10,091,908
Total	11,204,219	4,734,409	15,938,628

### Alternative 1

Alternative 1 is the most restrictive alternative for management of OHV's in that no motorized cross-country travel would be allowed with few exceptions. This alternative has been developed to address concerns that OHV use needs to be restricted very quickly and is long overdue because of resource impacts and user conflicts. Concerns addressed were to stop the expansion of problems associated with the spread of noxious weeds, user conflicts, wildlife harassment and habitat alteration, effects on soils and aquatic resources, and further deterioration of FS Inventoried Roadless, Recommended Wilderness and Montana Wilderness Study Areas. Alternative 1 best meets the concern for consistency on OHV management between BLM and FS lands and would be the most easily enforceable alternative because of consistency and few exceptions.

The BLM and FS would prohibit motorized cross-country travel yearlong. These lands, approximately 15.9 million acres, would be designated limited or restricted yearlong under the BLM or FS regulations (43 CFR 8342 or 36 CFR 295). The appropriate forest plan and resource management plan would be amended by this alternative.

Motorized cross-country travel would be allowed for any military, fire, emergency, or law enforcement vehicle while being used for emergency purposes.

Motorized cross-country travel for BLM and FS official administrative business would not be allowed without prior approval by the authorized officer.

Motorized cross-country travel for lessees and permittees to administer federal leases or permits would not be allowed unless specifically authorized under the lease or permit.

Motorized cross-country travel would not be allowed for the retrieval of a big game animal.

Motorized cross-country travel would not be allowed for individuals with disabilities.

Motorized cross-country travel would not be allowed for firewood and Christmas tree cutting.

The following exception would apply:

Motorized cross-country travel for camping would be permissible within 50 feet of roads and trails by the most direct route after site selection by nonmotorized means.

## **Alternative 2 (Preferred Alternative)**

This alternative is based on the proposal during scoping and is the preferred alternative. It prohibits motorized cross-country travel throughout the analysis area, but allows for a few exceptions for relatively infrequent activities. Similar to Alternative 1, concerns addressed were to stop the expansion of problems associated with the spread of noxious weeds, user conflicts, wildlife harassment and habitat alteration, effects on soils and aquatic resources, and further deterioration of FS Inventoried Roadless, Recommended Wilderness and Montana Wilderness Study Areas. It meets the concern that the agencies need to allow for some exceptions for cross-country travel such as game retrieval, camping, and disabled access. Initially, it would also have no effect on existing leases and permits, however, cross-country travel could be restricted based on site-specific analysis. It provides almost the same ease of enforcement and consistency between the two agencies as Alternative 1. It also provides the widest range of game retrieval opportunities that meet recreationist concerns, provide consistency, and minimize effects to other resources.

The BLM and FS would prohibit motorized cross-country travel yearlong. These lands, approximately 15.9 million acres, would be designated limited or restricted yearlong under the BLM or FS regulations (43 CFR 8342 or 36 CFR 295). The appropriate forest plan and resource management plan would be amended by this alternative.

Motorized cross-country travel would be allowed for any military, fire, emergency, or law enforcement vehicle while being used for emergency purposes.

Motorized cross-country travel for BLM and FS official administrative business would be allowed.

Motorized cross-country travel for lessees and permittees to administer federal leases or permits would be allowed, unless specifically prohibited in the lease or permit. This would not change any existing terms or conditions in current leases or permits. However, this would not preclude modifying cross-country travel based on this plan amendment and further site-specific analysis.

The following exceptions would apply:

1. Motorized cross-country travel for camping would be permissible within 300 feet of existing roads and trails by the most direct route after site selection by nonmotorized means.
2. Motorized cross-country travel by the most direct route would be allowed to retrieve a big game animal that is in possession only in the following field units in Montana: Miles City Field Office (FO), Billings FO, Malta FO, Lewistown FO with the exception of the Great Falls Field Station, and the Custer National Forest with the exception of the Beartooth Ranger District. Motorized cross-country travel in all other areas would not be allowed to retrieve a big game animal. In some areas big game retrieval may be modified through subsequent travel planning.
3. Motorized cross-country travel could be permitted at the local level (BLM Field Office or FS Ranger District) for persons with disabilities.
4. Motorized cross-country travel for firewood and Christmas tree cutting could be permitted at the local level (BLM Field Office or FS Ranger District).

The following mitigation measures would apply:

1. Motorized cross-country travel for BLM and FS official administrative business would not be allowed in known western prairie fringed orchid habitat on the Sheyenne National Grassland in eastern North Dakota without prior approval.
2. Motorized cross-country travel for lessees and permittees to administer federal leases or permits would not be allowed in known western prairie fringed orchid habitat on the Sheyenne National Grassland in eastern North Dakota without prior approval.

### Alternative 3

This alternative is based on the concern that the agencies should not restrict OHV use where problems do not occur or where existing regulations are adequate. Lands in the Flathead, Kootenai and Bitterroot National Forests in western Montana would not be affected by this alternative. Preliminary analysis indicated that even though a significant amount of federal lands were open to motorized cross-country travel in western Montana, current technology of OHV's generally has limited the expansion of user-created routes because of relative steepness and vegetation. Concerns for the need to restrict OHV's in the remainder of the analysis area are similar to Alternative 2. Concerns addressed were to stop the expansion of problems associated with the spread of noxious weeds, user conflicts, wildlife harassment and habitat alteration, effects on soils and aquatic resources, and further deterioration of FS Inventoried Roadless, Recommended Wilderness and Montana Wilderness Study Areas. It meets the concern that we need to allow for some exceptions for cross-country travel such as game retrieval, camping, and disabled access. Initially, it would also have no effect on existing leases and permits, however, cross-country travel could be restricted based on site-specific analysis. Game retrieval was modified to reduce user conflicts by restricting the activity from 10:00 a.m. until 2:00 p.m.

The BLM and FS would prohibit motorized cross-country travel yearlong in the Miles City FO, Billings FO, Malta FO, Lewistown FO, Butte FO, Dillon FO, South Dakota FO, North Dakota FO, Beaverhead-Deerlodge NF, Custer NF, Dakota Prairie Grasslands, Gallatin NF, Helena NF, and the Lewis and Clark NF. Approximately 12.5 million acres would be designated limited or restricted yearlong under the BLM or FS regulations (43 CFR 8342 or 36 CFR 295). The appropriate forest plan and resource management plan would be amended by this alternative.

Motorized cross-country travel would be allowed for any military, fire, emergency, or law enforcement vehicle while being use for emergency purposes.

Motorized cross-country travel for BLM and FS official administrative business would be allowed.

Motorized cross-country travel for lessees and permittees to administer federal leases or permits would be allowed, unless specifically prohibited in the lease or permit. This would not change any existing terms or conditions in current leases or permits. However, this would not preclude modifying cross-country travel based on this plan amendment and further site-specific analysis.

The following exceptions would apply:

1. Motorized cross-country travel for camping would be permissible within 300 feet of existing roads and trails by the most direct route after site selection by nonmotorized means.
2. Motorized cross-country travel by the most direct route would be allowed from 10:00 a.m. until 2:00 p.m. to retrieve a big game animal that is in possession. In some areas big game retrieval may be further restricted through subsequent travel planning.
3. Motorized cross-country travel could be permitted at the local level (BLM Field Office or FS Ranger District) for persons with disabilities.
4. Motorized cross-country travel for firewood and Christmas tree cutting could be permitted at the local level (BLM Field Office or FS Ranger District).

### Alternative 4

This alternative addresses a number of issues and concerns, such as the proposed action is too restrictive and effects on the ground do not warrant any change, but restricts motorized cross-country travel to times that would have a lesser impact on other resources and minimize user conflicts. Motorized cross-country travel would be restricted to times when either the ground is generally frozen or during dryer periods to reduce impacts on soil, aquatic resource damage and to slow down the spread of noxious weeds and user-created routes. No motorized cross-country travel would be allowed for the majority of the big game seasons in all three states, with the exception of game retrieval, to minimize user conflicts and wildlife harassment. Game retrieval would be allowed in all formerly open areas in the analysis area. It meets the concern that we need to allow for some exceptions for cross-country travel such as game retrieval, camping, and disabled access. Initially, it would also have no effect on existing leases and permits, however, cross-country travel could be restricted based on site-specific analysis. It provides almost the same ease of enforcement and consistency between the two agencies as Alternative 1 because the timing and exceptions are the same throughout the three-state area.

The BLM and FS would prohibit motorized cross-country travel seasonally. These areas would be open to cross-country travel from June 15 to August 31 and from December 2 to February 15. These lands, approximately 15.9 million acres, would be designated limited or restricted seasonally under the BLM or FS regulations (43 CFR 8342 or 36 CFR 295). The appropriate forest plan and resource management plan would be amended by this alternative.

Motorized cross-country travel would be allowed for any military, fire, emergency, or law enforcement vehicle while being used for emergency purposes.

Motorized cross-country travel for BLM and FS official administrative business would be allowed.

Motorized cross-country travel for lessees and permittees to administer federal leases or permits would be allowed, unless specifically prohibited in the lease or permit. This would not change any existing terms or conditions in current leases or permits. However, this would not preclude modifying cross-country travel based on this plan amendment and further site-specific analysis.

The following exceptions would apply:

1. Motorized cross-country travel for camping would be permissible within 300 feet of existing roads and trails by the most direct route after site selection by nonmotorized means.
2. Motorized cross-country travel by the most direct route would be allowed to retrieve a big game animal that is in possession. In some areas big game retrieval may be further restricted through subsequent travel planning.
3. Motorized cross-country travel could be permitted at the local level (BLM Field Office or FS Ranger District) for persons with disabilities.
4. Motorized cross-country travel for firewood and Christmas tree cutting could be permitted at the local level (BLM Field Office or FS Ranger District).

## **COMPARISON OF ALTERNATIVES**

Table S.2 presents a summary of the alternatives.

## **ENVIRONMENTAL CONSEQUENCES**

The environmental consequences of the five alternatives are summarized in Table S.3.



Table S.2 Summary of Alternatives

Management	No Action (Current Management)	Alternative 1	Alternative 2 (Preferred Alternative)	Alternative 3	Alternative 4
Areas open yearlong or seasonally	All areas	None	None	Flathead NF, Kootenai NF and Bitterroot NF	All areas open 6/15 to 8/31 and 12/2 to 2/15
Prohibits cross-country travel	No	Yes	Yes	Yes, except in Flathead NF, Kootenai NF and Bitterroot NF	Restricted
Emergency use	Allowed	Allowed	Allowed	Allowed	Allowed
Administrative use	Allowed	Authorization Required	Allowed	Allowed	Allowed
Lease and permit holders	Allowed	Not allowed unless specifically authorized	Allowed unless specifically prohibited	Allowed unless specifically prohibited	Allowed unless specifically prohibited
Exceptions for motorized cross-country travel					
- Camping	Allowed	Within 50 feet of roads and trails by the most direct route	Within 300 feet of roads and trails by the most direct route	Within 300 feet of roads and trails by the most direct route	Within 300 feet of roads and trails by the most direct route
- Game retrieval	Allowed	Not allowed	Allowed by the most direct route in portions of Montana *  Other areas - not allowed  Could be modified in travel planning	Allowed from 10:00 a.m. to 2:00 p.m. by the most direct route  Could be modified in travel planning	Allowed by the most direct route  Could be modified in travel planning
- Disabled access	Allowed	Not allowed	Access by permit	Access by permit	Access by permit
- Firewood and Christmas tree cutting	Specified by permit	Not allowed	Specified by permit	Specified by permit	Specified by permit

\*Game retrieval is allowed in Montana only in the following field units: Miles City FO, Billings FO, Malta FO, Lewistown FO with the exception of the Great Falls Field Station, and Custer NF with the exception of the Beartooth Ranger District.

Table S.3 Summary of Environmental Consequences

Identified Environmental Issues	No Action (Current Management)	Alternative 1	Alternative 2 (Preferred Alternative)	Alternative 3	Alternative 4
Recreation					
User Conflicts	User conflicts would continue to increase.	User conflicts would be substantially reduced.	User conflicts would be substantially reduced.	The effects under Alt. 2 apply where motorized cross-country travel is prohibited. The effects under No Action apply elsewhere.	The effects under No Action apply from 6/15-8/31 and 12/2-2/15. Effects of Alt. 2 apply during other time periods.
Motorized Recreation	Existing opportunities would remain.	Motorized users would still have access to roads and trails.	Motorized users would still have access to roads and trails.	Same as above.	Same as above.
Nonmotorized Recreation	Recreation experience would be reduced.	Recreation experience would improve.	Recreation experience would improve.	Same as above.	Same as above.
Visuals	Objectives for scenic values may not be met.	Additional disturbances to visuals would be eliminated.	Additional disturbances to visuals would be eliminated.	Same as above.	Same as above.
Roadless/Wilderness	Motorized cross-country use may have an effect on the naturalness of these areas.	This alt. would enhance the protection of the naturalness of these areas.	This alt. would enhance the protection of the naturalness of these areas.	Same as above.	Seasonal motorized cross-country use may have an effect on the naturalness of these areas.
Social					
Aging Recreationists	Motorized cross-country travel opportunities are available.	Motorized cross-country travel opportunities would not be available.	Motorized cross-country travel opportunities would not be available.	Motorized cross-country travel opportunities would not be available in most areas.	Motorized cross-country travel opportunities would be available from 6/15-8/31 and from 12/2-2/15.
Environmental Advocacy	This group feels that current management does not sufficiently protect resources on public lands.	This alt. may meet the needs of this group who value resources on public lands for a variety of reasons.	This alt. may meet the needs of this group who value resources on public lands for a variety of reasons.	This alt. may meet the needs of this group in most areas. In open areas, this group feels that current management does not protect resources on public lands.	This alt. does not meet the needs of this group because it does not go far enough to protect the resources on public lands.
Lessees and Permittees	Motorized cross-country travel opportunities are available to administer a lease or permit.	Motorized cross-country travel to administer a lease or permit would only be allowed under specific terms of the lease or permit.	Motorized cross-country travel opportunities are available to administer a lease or permit.	Motorized cross-country travel opportunities are available to administer a lease or permit.	Motorized cross-country travel opportunities are available to administer a lease or permit.

Table S.3 Summary of Environmental Consequences (continued)

Identified Environmental Issues	No Action (Current Management)	Alternative 1	Alternative 2 (Preferred Alternative)	Alternative 3	Alternative 4
Rural Communities/ Personal Freedom	This alt. best responds to rural communities who prefer that current activities on public lands are not limited.	This alt. is not consistent with their preference for leaving activities on public lands at their current levels.	This alt. is not consistent with their preference for leaving activities on public lands at their current levels.	The effects under Alt. 2 apply where motorized cross-country travel is prohibited. The effects under No Action apply elsewhere.	This alt. is not consistent with their preference for leaving activities on public lands at current levels.
Economics of OHV Industry	Projected number of jobs is expected to increase due to projected increases in OHV's and trucks.	Minor reductions in jobs and employee compensations may occur.	Minor reductions in jobs and employee compensations may occur.	Minor reductions in jobs and employee compensations may occur.	Minor reductions in jobs and employee compensations may occur.
Cultural Resources	This alt. would cause the greatest direct and indirect impacts to cultural sites in the analysis area.	This alt. would offer the most protection for cultural resources.	This alt. would offer the most protection for cultural resources.	The effects under Alt. 2 apply where motorized cross-country travel is prohibited. The effects under No Action apply elsewhere.	This alt. would cause the greatest direct and indirect impacts to cultural sites in the analysis area.
Vegetation and Weeds	This alt. has the greatest risk for expanding and introducing existing and new weeds to BLM and FS lands.	This alt. has the lowest risk for expanding and introducing existing and new weeds to BLM and FS lands.	This alt. has the next lowest risk for expanding and introducing existing and new weeds to BLM and FS lands.	This alt. is substantially less at risk than the No Action Alt. because only 6.5 million acres are open and of those lands, many acres are not available because of the dense forest cover.	The effects of this alt. are similar to the No Action Alt.
Wildlife	The current level of impact to wildlife would continue with this alt.	Direct and indirect effects would be reduced (habitat fragmentation, habitat abandonment, physiological effects, and indirect impacts of weeds).	Direct and indirect effects would be reduced (habitat fragmentation, habitat abandonment, physiological effects, and indirect impacts of weeds).	The effects under Alt. 2 apply where motorized cross-country travel is prohibited. The effects under No Action apply elsewhere.	The effects under No Action apply from 6/15-8/31 and 12/2-2/15. Effects of Alt. 2 apply during the other time periods. Overall, impacts to wildlife might be considerably less since closed period is when most travel occurs (fall hunting).

Table S.3 Summary of Environmental Consequences (concluded)

Identified Environmental Issues	No Action (Current Management)	Alternative 1	Alternative 2 (Preferred Alternative)	Alternative 3	Alternative 4
Aquatic Resources	The No Action alt. would provide no risk reduction for further degradation of aquatic resources.	Alts. 1 and 2 would provide the greatest reduction in risk for further degradation of aquatic resources by motorized cross-country travel.	Alts. 1 and 2 would provide the greatest reduction in risk for further degradation of aquatic resources by motorized cross-country travel.	The effects under Alt. 2 apply where motorized cross-country travel is prohibited. The effects under No Action apply elsewhere.	Overall, the effects of this alt. would be less than those associated with the No Action alt. because there are fewer days during which motorized cross-country travel could occur.
Soils	This alt. has the greatest potential to impact soil resources	Impacts to soil resources would be kept to a minimum and be widely dispersed.	Effects to soils would be the same as Alt. 1.	Overall accelerated soil erosion from motorized cross-country travel would be reduced except if motorized cross-country travel were to occur in a concentrated manner.	This alt. would reduce soil erosion by reducing and shifting motorized cross-country travel to periods when soils are likely dry or frozen.
Air	This alt. has the greatest potential to influence and degrade air quality in the immediate area.	Only a substantial and constant increase in OHV vehicle traffic on existing roads and trails would cause a measurable effect outside of the immediate area.	Only a substantial and constant increase in OHV vehicle traffic on existing roads and trails would cause a measurable effect outside of the immediate area.	The effects under Alt. 2 apply where motorized cross-country travel is prohibited. The effects under No Action apply elsewhere.	This alt. offers no real difference from the No Action Alt.
Minerals	No impact.	Increased administrative review before some routine activities could occur.	No impact to existing holders of mineral leases or permits. Some increase in administrative review of casual use for pre-permit surveying and staking.	The effects under Alt. 2 apply where motorized cross-country travel is prohibited. The effects under No Action apply elsewhere.	The effects under No Action apply from 6/15-8/31 and 12/2-2/15. Effects of Alt. 2 apply during the other time periods.





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